MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

January 12, 2016

A Regular meeting of the Cocoa City Council was held on Tuesday, January 12, 2016, in City Council Chambers, Cocoa City Hall, 65 Stone Street, Cocoa, Florida, as publicly noticed.

I. OPENING MATTERS:

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

Chief Prince led the invocation and Mayor Parrish led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll:

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

STAFF MEMBERS PRESENT:

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

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of January 12, 2016 (15-614)
2. Minutes: Regular Meeting of December 8, 2015 (15-615)

* **MOTION by Councilwoman Warner; Seconded by Councilman Furbish, to approve the Agenda for the regular meeting of January 12, 2016 as presented and the Minutes for the regular meeting of December 8, 2015 as written.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

III. AWARDS AND PRESENTATIONS:

None.

IV. DELEGATIONS:

Ed Lanni, 939 Indian River Drive, spoke about the passing of Mayor Parrish's father and expressed his appreciation for the police department. The traffic control was outstanding.

Pastor Oliver W. Wells, Central Brevard Ministerial Coalition, encouraged Council and all in the room to be a part of the MLK festivities on January 18th. The march would begin at 2 pm and will go from Varr Avenue east to the entrance of Riverfront Park. The celebration begins at 3 pm at Riverfront Park. Lastly, he invited all to come to Zion Orthodox Primitive Baptist Church, 715 Fiske Blvd., on Sunday, January 17th at 6 pm to hear a great message by Rashad Wilson.

Lawrence Sinclair, 1052 Mitchell St., Cocoa, spoke about the camera issue in the community and noted that the next installation will be in areas that will not publicly be known. There will be two more installations between tomorrow and Thursday. In addition, there were specific drug houses in Broadmoor Acres that needed to be dealt with. He thanked Mr. Fuhrer for working with Ms. Green and acknowledged Mr. Wegerif for signage being fixed. The neighborhood was slowly being cleaned up.

Mayor Parrish advised that some of the reisdents of College Green had contacted him about doing what Broadmoor Acres was doing. Mr. Sinclair stated

he was not sure Night Owl could make the same commitments to them but would give them tremendous discounts.

Janne Etz, 216 Brevard Avenue, Cocoa, and representing HCVA, expressed her excitement for being the newly elected president for HCVA for the third time. She spoke about the continuation of events, pointing out that this week they had Saturday on the Square, and on Saturday, February 13th would be Sip and Stroll. The events would pick up after that. Lastly, she advised that their office would be moving to the corner suite in Orange Street Tower, and would continue the tradition of having at least one member of HCVA at every meeting to communicate with Council.

Allan Chapman, 12 Stone Street, Cocoa, and Executive Director of HCVA, commended the City Manager and staff of the success of the Economic Development Breakfast. He thought the speaker was fantastic and the afternoon seminar was well thought out and fun. Lastly, he reminded all about Saturday on the Square and invited all to come out.

Councilman Furbish pointed out that one thing the speaker talked about at the seminar was something that Mr. Chapman and himself had been thinking about for some time. It would be a trial street closure in the City, possibly Harrison St., Delannoy Ave., and Brevard Ave. on Wednesdays and call it "Market Day". This would encourage more pedestrian traffic and possibly expand the market. HCVA was also working on an initiative to expand dog friendliness in the city.

Jeremy Phelps, 111 Peachtree St., Cocoa, and representing Cocoa Village Playhouse, advised that they had been busy since January 2nd with the production of "Nunsense". They will begin rehearsals for CATS very soon and that will open January 29th and run through February 14th. They were hoping to sell out and add a few shows. In February, auditions for "Sugar" will begin and February 16th would be Epicurean Delight, which would entail a series of food related events. In closing he mentioned that they were looking forward to a great year.

V. CONSENT AGENDA:

1. Authorize the City Manager to sign Amendment #1 to Task Order 2014 (Change Order No. 1 to P.O. 67460) with Quentin L. Hampton Associates, Inc. for Additional Services during Construction (SDC) for the Industrial Park Pump Station Improvements, Project No. WS100. (15-600). (Utilities Director)

2. Approval of Task Order #2016-16 with Architects Design Group for the Scope of Services for the Design-Build Project delivery of Fire Station #2 (CP16F2); Approve a Resolution authorizing the City Manager to approve change orders in an amount not to exceed 5% of the total cost of the purchase order. (15-608). (Public Works Director)

3. Approve the FY 2015-2016 HOME Disbursement Agreement between the City of Cocoa and Brevard County in the amount of $50,975.14. (15-609). (Community Services Director)

4. Council approval to apply for the Assistance to Firefighters Grant (AFG) to acquire a diesel exhaust capture system for 6 Cocoa Fire Department vehicles, funds to refurbish the existing exhaust capturing units, and the purchase of hazardous materials gas metering devices to be used at incidents. (15-625). (Fire Chief)

5. Approve a Resolution amending the FY 2016 budget for Council approval to accept the award of the Brevard County EMS grant, Project No. FD16VM, in the amount of $14,200 and give the City Manager the authority to execute the requirements under the grant. (15-626). (Fire Chief)

* **MOTION by Councilman Blake; Seconded by Councilman Warner, to approve the Consent Agenda.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

VI. PUBLIC HEARINGS:

None.

VII. COUNCIL BUSINESS:

1. Consider a Code Enforcement Lien Reduction in the amount of $500 for the property located at 1052 Mitchell Street, CE 09-229, owner Lawrence Sinclair. (15-612). (Community Services Director)

Mr. Belden presented the item stating that the owner, Lawrence W. Sinclair was requesting a code enforcement lien to be forgiven for the property located at 1052 Mitchell St.

He provided background on the item, noting that at the Code Enforcement Board public hearing held on May 21, 2009 the board found the owner, Richard Lee Brown in violation of the following: 1) Section 6-900 (b)(12) Unfinished Structure and 2) Section 6, Article I, Section 6-105 (a), Building Permits.

The Board provided the owner sufficient time to correct the said violations, and consistent with the Code Enforcement Board's order a lien was recorded against the property effective July 6, 2009. The lien ran at $100 per day from July 6, 2009 until compliance was achieved on October 26, 2009. The lien is $11,200 and the current owner is requesting that the lien be forgiven.

At the Code Enforcement Board's regular meeting that was held on November 19, 2015, they unanimously recommended that the lien be reduced to $500, and staff agrees with their decision.

Lawrence Sinclair, 1052 Mitchell Street, and current owner of the property spoke in regards to the application. He noted he does not try to get out of something for nothing. He provided history on the property and felt that the responsibility should be with the person who created it not the person who currently had the property. He mentioned that he pulled all of the permits on the property and has paid for all of the work himself. He was asking that Council hold the individual responsible, not him, as he would have 30 days to come up with $500 and he lives on a very tight income.

Councilwoman Warner advised that they normally take staff's recommendation but in this case she is recommending that the whole lien be forgiven. Mr. Sinclair has done more than $500 worth of work to the home, along with all that he has done to improve Broadmoor Acres.

* **MOTION by Councilwoman Warner to forgive the total amount of the lien.**

Discussion was held on the motion.

Mayor Parrish agreed and pointed out that no one else has done what he had done in their neighborhoods. He felt it has probably increased property values and knew that it had helped everyone.

Councilman Furbish asked Councilwoman Warner if she was at the Code Board meeting when this was being discussed. In response, she answered no, she

was out of town, but from talking to board members they were unaware of everything that Mr. Sinclair had done for the neighborhood.

Mr. Sinclair advised that he did not embellish on anything that he had done to the property at the Code Board meeting.

Councilman Blake asked the City Attorney's opinion on the situation.

City Attorney Garganese stated that Council has the discretion to approve the reduction or the forgiveness of liens pursuant to law. However, he asked staff to clarify the lien since it was not included in the agenda packet. He asked if the lien was filed against the violator and any real or personal property owned by the violator, and if it was a standard code lien. Mr. Belden answered in the affirmative.

In that case, the City Attorney advised that Council could reduce Mr. Sinclair's property, but keep the lien against the violator and any real personal property that they own.

Councilwoman Warner modified her motion. The Final Motion was:

* **MOTION by Councilwoman Warner; Seconded by Councilman Furbish, to do a Partial Release on the lien and forgive the lien against Mr. Sinclair and 1052 Mitchell Street, and keep the lien against the previous owner and violator.**

City Manager Titkanich clarified that with the Partial Release, Mr. Sinclair's property would be released but the actual amount owed remained, with no reduction against the prior owner and any real or tangible property that he owned. City Attorney Garganese responded in the affirmative.

Mr. Sinclair thanked Council and agreed that the owner should be held responsible.

Councilman Blake asked the City Attorney if this was a precadent that Council could set. In response, the City Attorney stated you can always do a partial release but most cases seem to have a twist and should be investigated closely.

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UANIMOUSLY (4-0)

2. Consider a Code Enforcement Lien Reduction in the amount of $1,700 for the property located at 415 Churchill Drive, CE 15-502, owner Andreasen & Kopensky LLC. (15-613). (Community Services Director)

Mr. Belden presented the item stating that the owner, Andreasen & Kopensky LLC was requesting a code enforcement lien to be forgiven for the property located at 415 Churchill Drive.

He provided background on the item, noting that at a Code Enforcement Board public hearing held on May 23, 2015, the board found the owner, Fountain Property Management, Inc. in violation of the following: 1) Section 6-1002(a), Swimming Pools and 2) Section 6-1001(g), Accessory Structures.

The Board provided the owner sufficient time to correct the said violations, and consistent with the Code Enforcement Board's order a lien was recorded against the property effective May 23, 2015. The lien ran at $250 per day from May 23, 2015 until compliance was achieved on July 30, 2015. The lien is $17,000 and the current owner is requesting that the lien be forgiven.

At the Code Enforcement Board's regular meeting that was held on November 19, 2015, they unanimously recommended that the lien be reduced to $1,700 and staff agrees with their decision.

* **MOTION by Councilman Blake, to go with staff's recommendation.**

Jerome Kopensky, 415 Churchill Drive, Cocoa, provided Council with more information to be considered. He stated that he acquired the property in April 2015 and May 5th the papers were filed with the Clerk of Court. May 18th the liens were filed from the City. The Notice of Violation was sent to the prior owner so he was not aware of the violations until the owner reached out to him. At the time, the house was vacant and he tried to resolve the issue. He noted that the violation was for a gate lock on a fence that did not lock correctly. Mr. Kopensky advised that he got the violations up to code as quickly as he could and presented the information the Code Board at their meeting last month.

Mr. Belden agreed that the applicant was correct in that they notified the prior owner. However, the property was posted as legally required and proper procedure was followed.

City Manager Titkanich pointed out that there were photos of the posting, so they were part of the record.

Councilwoman Warner asked what method was used to identify the property owner. In response, Mr. Belden noted that they used the property appraiser's website, however, sometimes there was a lag.

Councilwoman Warner felt that that could be an issue if the property appraiser's site was not updated.

Further discussion was held on the posting of the violation, and Mr. Belden pointed out that workers were present at the house when the orange placard was posted.

Councilman Blake reiterated his motion.

* **MOTION by Councilman Blake; Seconded by Councilwoman Warner, to accept staff's recommendation and reduce the Code Enforcement Lien to $1,700 for the property located at 415 Churchill Drive, CE 15-502.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

3. Council direction for Collection and Solid Waste and Recycling Materials Contract with Waste Management. (15-623). (Public Works Director)

Mr. Wegerif spoke on behalf of this item and advised that that Council had requested information from staff. The current contract was set to expire on September 30, 2016. He presented three options for Council to consider:

1 - Renew the current contract at the existing rates and terms using the remaining renewal option available with the ultimate expiration date in September 2021.
2 - Renew the current contract with modifications to the terms, however with no extension of time past the available 5-year renewal term ending in September 2021.
3 - Decline the final Renewal option and advertise for bids and award prior to the expiration of the current contract in September 2016.

Staff advised that they did not recommend option #1, as the 18 gallon bins were obsolete. With Option #2, they could negotiate with WM to provide the 64 gallon

auto carts to replace the 18 gallon bins. Waste Management has also proposed there would be no additional costs, it would just extend the contract for five years. In Option #3, Council could direct staff to solicit bids; however, they would recommend a consultant be engaged to help.

Dina Reider-Hicks, Public Affairs Manager with Waste Management provided a presentation[1] on Waste Management's system, trucks, GPS systems, and onboard computing systems.

She pointed out that Waste Management had invested in all of their programs to keep them current and spoke in detail about their Material Recovery Facility.

Ms. Reider-Hicks agreed that it was the right time for Cocoa residents to have larger recycling bins. A bin was brought into Chambers by Waste Management workers. She discussed rates for single resident homes, noting that Cocoa had a very competitive residential rate. Six services per week equated to .42 cents per service.

In closing, Ms. Reider-Hicks advised that many of Waste Management's employees were Cocoa residents. Waste Management was asking for Cocoa to renew the contract. She thanked everyone for their time.

Councilman Furbish clarified that all recyclables could be placed in one cart. Ms. Reider-Hicks responded in the affirmative and advised that all residents would be provided with information packets.

Mayor Parrish asked how many employees lived in Cocoa. Ms. Reider-Hicks stated that there were 10 that live in Cocoa. There were 130 total employees at Cocoa's facility.

Councilman Furbish pointed out that it takes everybody, just like anywhere else.

Councilman Blake mentioned that some have decals on their lids explaining the do's and do not's and asked if that was an option. Ms. Reider-Hicks replied yes, and advised that they were manufactured that way.

City Manager Titkanich asked about a sticker with the pickup days on it also. Ms. Reider-Hicks informed him that could be done also.

[1] EXHIBIT A: Presentation by Waste Management

Councilman Furbish questioned the time frame if they were given the green light. Ms. Reider-Hicks stated they were ready to order tomorrow morning, with a 2-3 month turn around, possibly April or May. She noted the carts were also available in alternate sizes in case someone needed a smaller size. A citizen could request otherwise.

Council thanked Waste Management for their presentation.

Mayor Parrish opened the meeting for public comment. The following spoke in regards to Waste Management:

- Merritt Cogswell, N. Indian River Drive, Cocoa, recommended that Council direct staff to go out for RFP for the garbage contract. He felt there was competition out there and it would be a win-win for both the citizens and the city.
- Platt Loftis with Waste Pro, pointed out information as it related to the presentation. He advised that the report was reviewed it equaled a C or C+, there were a number of complaints and issues with residents, and spoke about complaints that go through Council and staff. Waste Pro holds a superior rating with the Brevard contracts they had and they supported option #3.

Councilman Furbish asked what communities Waste Pro serviced. Mr. Loftis noted the three military bases, Cape Canaveral, Melbourne Beach, Palm Shores, and Grant-Valkaria.

- Tommy Kinworthy, 790 Wildbriar Road, NE, Apt. 105, is an employee of Waste Management and advised that he was proud to work for them. He expressed his appreciation for them and testified to the integrity of his co-workers and the company that he works for. Teamwork and customer service were reinforced daily.
- Bud Miller, 104 Riverside Drive, Cocoa, felt that going out for a bid should be considered.
- Ron Aldridge, President of Whitley Bay West Condos, could not believe that the contract had not been put out to bid in so long. In his line of work he strives to keep costs down, and was in favor of Option #3.
- Gilbert Bird, 611 S. Varr Avenue, Cocoa, believed if something was not broken, then do not fix it. Cocoa was rapidly growing and felt Waste Management had done a good job and suggested that Cocoa stay with Waste Management.

- Bob Hyres, 21 Riverside Drive #801, Cocoa, mentioned that he was one of the founders of Waste Pro and a current board member. There was no competition for many years, and that was why the City had been with the same company for so many years. He noted that since Waste Pro began 14 years ago, bids now occur and other cities are saving money. Waste Pro has excellent service and was the largest privately owned waste company in the southeast.
- George Galetko, Waste Management, clarified statements previously made in regards to Cocoa Beach's bid. Waste Pro was claiming that they were the cheapest and that was not true. He believed that there was no other hauler that would make the same financial commitment that Waste Management had made. He urged Council to look at all aspects of the costs.
- Mister Nelson, 204 Dryden Circle, Cocoa and a Waste Management employee, advised that he had been with the company for 19 years. He agreed that because Cocoa was growing so rapidly it was hard to keep up in the beginning. His team added another route in order to perform better and they have seen great improvement in the last two to three months.
- Lawrence Sinclair, 1052 Mitchell St., Cocoa, noted that the first time he had met Mr. Nelson and Ms. Reider-Hicks was as the District 1 Town Hall meeting. He stated that they always show up within 15 minutes of a call to pick up waste/furniture, etc. He acknowledged Raul Llama and mentioned that he should be "driver of the year" as he goes through Broadmoor Acres twice a week and nothing is ever left behind. He disagreed with anyone claiming that Waste Management was not doing their job.

There being no more speakers, Mayor Parrish turned the meeting back over to staff.

City Manager Titkanich reiterated Council's options.

Councilman Furbish felt it was a difficult decision, and knowing how many years Cocoa has had them and there were rarely any problems. If he has ever called it was fixed immediately. On the other hand, he agreed it was time to go out to bid to see if they could get a better price.

Councilwoman Warner's only concern was the fact that the City had not gone out to bid for 30 years and they need to do right by the citizens. She had no concern, however, with service as it had gotten better.

Councilman Blake's greatest concern was if someone does a wrong, give them the opportunity to make it right. He agreed that they should see what was out there after having been with the same company for 30 years. He pointed out that only four council members were present and asked if there was any way to postpone this until the fifth member could be present.

Councilman Blake advised that if it must be done tonight, he was ready, but preferred to wait.

City Manager Titkanich pointed out that while September 30th seemed far away, it was tomorrow. This would be a timely process.

Councilman Furbish agreed with Councilman Blake, noting what if the vote was 2/2. In addition, if it were to go out for bid, retaining a consultant would entail quite a bit of work for staff and there would be cost involved with that also.

Mayor Parrish noted that Waste Management had done a great job and every company has problems here and there. On the other hand, as the Mayor, he works for the citizens and he had received calls requesting they go out to bid. In all fairness to the citizens that was what he felt they should do.

Councilman Furbish mentioned that he did a count as far as emails, and 13 were for Waste Management and 6 were to go out for bid. Those did not include emails from Waste Management or Waste Pro.

* **MOTION by Councilwoman Warner, to accept staff's Option #3.**

THE MOTION DIED FOR A LACK OF A SECOND.

Councilman Blake reiterated his concern that Deputy Mayor Boisvert be in attendance. Councilwoman Warner noted that they were not sure when he would be back.

Councilman Blake felt it would be ample time and requested the item be heard at the first meeting in February.

* **MOTION by Councilman Blake; Seconded by Councilman Furbish, to table the item until the first meeting in February (February 9, 2016).**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)[2]

VIII. CITY BUSINESS:

1. Approve Participation in a Cooperative Purchase Agreement with the County of Los Angeles California for Light Replacement Utilizing the U.S. Communities Contract No. MA-IS-1340234-4 with Graybar Electric Company Effective April 1, 2013 through March 31, 2016; To Approve a Resolution Amending the FY2016 Budget for Light Replacement. (15-603). (Utilities Director)

   Mr. Walsh presented the item and advised that WFO would be getting an upgrade to LED lighting.

* **MOTION by Councilman Blake; Seconded by Councilman Furbish, to approve the item.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

2. Approve a Resolution and budget transfer for the purchase of three (3) utility trucks originally budgeted and approved in FY 2015. (15-611). (Public Works Director)

   Mr. Wegerif presented the item noting that this was for the purchase four large F series trucks for the water/sewer division. They were originally budgeted last year, however, they did not come in until this fiscal year.

* **MOTION by Councilman Furbish; Seconded by Councilman Blake, to approve the item.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

3. Approve a Resolution adjusting the FY 2016 budget to transfer funds from Contingency to cover the professional services related to an audit performed by the Florida Retirement System (FRS). (15-621). (Finance Director)

[2] Council took a recess at 7:43 p.m. and reconvened at 7:53 p.m.

Ms. Butler presented this item. In response to a question posed by Councilman Furbish, Ms. Butler advised that the services were necessary and the audit was done smoothly.

* **MOTION by Councilman Furbish; Seconded by Councilman Blake, to approve the item.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

4. Ordinance No. 01-2016/ 1st reading: Amending Sec. 14-11 of the City Code related to mooring and docking of vessels at Riverfront Park. (15-622). (Community Services Director)

Mr. Garganese read the ordinance into the record by title only as follows:

ORDINANCE NO. 01-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, REGULATING CERTAIN ACTIVITIES AT RIVERFRONT PARK INCLUDING THE AREA OF SUBMERGED LANDS DEDICTED TO THE CITY OF COCOA BY THE STATE OF FLORIDA FOR MUNICIPAL PARK AND RECREATIONAL PURPOSES; AMENDING SECTION 14-11 OF THE CITY CODE RELATED TO MOORING AND DOCKING OF VESSELS AT RIVERFRONT PARK; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND A RETROACTIVE EFFECTIVE DATE.

Mr. Garganese advised that this was the first reading of the ordinance and was previously presented to Council with staff's intentions for the revamped ordinance.

Mr. Belden explained that this ordinance would replace Ordinance 01-2008 and discussed areas of the ordinance that were being revised. Some of the areas being addressed were:

- Providing tighter restrictions on the length of time boats can dock at designated locations.
- Providing designated docking locations for dinghy boats.
- Dinghy boats, owned by individuals residing on the live-aboards, occupy much of the dockage space and thereby make it difficult for other boating visitors to Cocoa Village to find dock space.

- Providing stricter enforcement of the docking and mooring regulations by the Police Department and Code Enforcement, and allowing vessels moored, occupied, maintained, or used in a manner contrary to the provisions of the proposed ordinance to be deemed unlawful and a public nuisance, and allowing the City to immediately commence any lawful action or proceeding to abate the violation, to include removal and impounding of the vessel in violation.
- Prohibit the docking or mooring of vessels that are deemed to be derelict or abandoned.
- Prohibit docking or mooring of any vessel in any waterway or park which is in such deteriorated condition that it is liable to cause injury to persons or cause damage to other vessels or property.
- Designates specific locations where boats over 16 feet in length shall be provided reserved dockage to prohibit dinghy boats from monopolizing the dock space.
- The ordinance also provides that any vessel moored, occupied, or used in a manner contrary to the provisions of the ordinance deemed to be unlawful and a public nuisance, and the city may immediately commence lawful proceeding to abate the violation.

Brad Whitmore, Cocoa citizen, provided input on the proposed ordinance[3]. He felt it was exciting and that it covered concerns that needed addressed that were a detriment to citizens. He thanked Mr. Belden for allowing him to voice his opinion and give input on the ordinance revision. He believed that Riverfront Park was a special place that should be used to draw citizens in for commerce, economic development, and tourism. He noted that as a member of HCVA he heard mixed reviews about the village and felt it was a shame.

Mr. Whitmore was more than happy to work with the city and expound on issues or to answer questions.

Councilman Blake thanked Mr. Whitmore for his commitment to the marina and coastal area. Councilman Blake's greatest concern were a few issues highlighted by Mr. Whitmore. He believed that the ordinance could be tweaked and amended as facilities changed in the future.

Mayor Parrish agreed that if the ordinance was passed tonight it could still be tweaked. City Manager Titkanich advised that it could be passed tonight and tweaked before coming back for second reading.

[3] EXHIBIT B: Ordinance No. 01-2016 notes provided by Brad Whimore

City Attorney Garganese appreciated the good comments and feedback and would like to address them with staff and Mr. Whitmore. He would like to possibly make changes between first and second reading and improve the ordinance.

* **MOTION by Councilman Blake; Seconded by Councilwoman Warner, to approve Ordinance No. 01-2016 on first reading.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

5. Ordinance No. 02-2016/ 1st reading: Amending Chapter 2; Article XI, Special Events and Parades of the Code of Ordinances of the City of Cocoa. (15-624). (Community Services Director)

Mr. Garganese read the ordinance into the record, by title only as follows.

ORDINANCE NO. 02-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 2, ARTICLE XI, RELATED TO STREET CLOSURES AT SPECIAL EVENTS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

He announced that this was the first reading for the ordinance.

Mr. Belden provided background to the ordinance pointing out that the main change was in regards to street closures in the city. Since the vast majority of events were held in the village, this ordinance would provide limitation of street closures in a calendar year and in the CBD of the City. Any outside street closure (outside of the CBD) would not count towards the limitation.

In addition, there was now an additional limitation on street closures in the CBD that are multi-day. They tend to place a higher degree of burden on the affected merchants, so it was being proposed to limit that to ten (10) per calendar year. The total street closures approved by City Council in a calendar year was being proposed to twenty (20), including the multi-day street closures.

Street closures with minimal impact and are located in the CBD would require the City Manager's approval as part of a Special Event Permit and would not have to be approved by City Council.

Councilman Furbish realized this was the first reading but did not like the fact of going from 24 to 20 closures or from 12 to 10. He felt they should be kept as is. The second problem, and this was no reflection as to who was in the job, but Council keeps giving up their authority to the City Manager. He believed that all closures should be approved by Council.

Mayor Parrish agreed that there were circumstances that did not constitute a full closure and could be approved administratively. Those would include the closures that did not interfere with the economic vitality of Cocoa Village. All major closures would require Council approval. Councilman Furbish felt that even minor closures should come back to Council for approval.

Nancy Elliot, 3406 Indian River Drive, Cocoa, was speaking on behalf of Emma. Emma suggested that they just approve a certain number of days within the ordinance and closures, not matter what type, each be considered a day. For instance, if Council chose 40 days, and one closure was a 2 day closure, it would make it 38 days left. They felt it would simplify things.

Street Closures needed to be redefined to be a closure that significantly impacted larger streets and businesses.

Councilman Blake's concerns were for the citizens and that this would benefit them. If the merchants disapproved, it would either be a large portion or small segment of them. He believed if there was an emergency then Council should trust the City Manager's decision, but otherwise all closures should come before Council.

Mayor Parrish agreed that they should continue to come before Council for approval.

Councilwoman Warner believed that they needed a better definition of what a street closure was. If the City manager had to come to Council anytime someone wanted to close a street for anything, he would be calling all of the time. She felt that the weekend/days section was confusing, and noted that the Craft Fair would count as two (2) closures to her. If there were events in the park that do not require a street closure, it would be 0, and someone wanting to have

a block party and close one street should not be included in the ordinance. She felt that that the ordinance could be passed on first reading but would need tweaking. Street Closures needed defined, and the number of days, but every day should count.

For clarification, Mr. Belden reiterated Council's request:

- There would be a maximum number of days where there could be a closure and each day would count as a closure. For example if 40 days was chosen and it was a three day event, three days would be deducted.
- If it was outside the CBD, the City Manager could approve the closure.

Both Councilwoman Warner and Councilman Furbish thought it would be easier math and would simplify the process.

* **MOTION by Councilwoman Warner; Seconded by Councilman Furbish, to approve Ordinance No. 02-2016 on first reading and have staff bring back changes.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

6. Approve the Memorandum of Understanding between the City of Cocoa and the Cocoa Community Redevelopment Agency for the future purchase of two (2) Brevard County Tax parcels (24-36-33-80-00023.0-0000.00 and 24-36-33-00-00755.0-0000.00) located at the southwestern corner of the intersection of Florida Avenue and Rosa L. Jones Drive. (16-5). (Community Services Director)

City Manager Titkanich advised that he would like to present both Items VIII. 6 and VIII.7 together. He explained this is in regards to the City purchasing and conveying the property to the Cocoa Redevelopment Agency for redevelopment. He spoke about the properties, noting that there was one potential issue. About ½ acre of one of the parcels appeared to be in the jurisdiction of Rockledge. This would affect the MOU in that the Cocoa RDA can only expend funds in their redevelopment area. The MOU would have to be amended and re-presented to Cocoa RDA and Council.

He advised that all of the background work had been done and it would require a wet demolition due to the discovery of asbestos. There would be a further comprehensive site assessment in order to prep for development and set

conditions. While the appraisal came in at $600,000 the sellers were asking $800,000. He explained that the future land use could be higher density and compatible use with the water front master plan.

Furthermore, the challenging aspect of a mobile home park was the array of problems they pose and they were cash cows. He provided examples of what could go in the area, noting it could be both residential and commercial. The survey had been received that day and with the issue found today regarding the ½ acre parcel, the contract would require certain revisions but it would not impede the purchase or anything else.

Councilman Blake's greatest concern was to improve the cosmetic view of the area. It was an eyesore and everyone needed to think outside of the box to improve it both aesthetically and cosmetically.

* **MOTION by Councilman Blake; Seconded by Councilwoman Warner, to approve the Memorandum of Understanding and the Contract for the purchase of two (2) Brevard County Tax parcels (24-36-33-80-00023.0-0000.00 and 24-36-33-00-00755.0-0000.00) located at the southwestern corner of the intersection of Florida Avenue and Rosa L. Jones Drive, for discussion.**

Councilwoman Warner clarified that the City Manager stated it could hold 121 units. She asked how many tiny houses that would be. In response, he stated 25 tiny houses. It would hold 25 units per acre.

Councilman Furbish noted that he hated paying more than the appraised value but being a visionary it was a worthwhile thing to do.

Mayor Parrish believed that this was taking a huge, blighted area and making it into something where people would move to. He believed that the value was there.

THE VOTE ON THE MOTION WAS:

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

7. Authorize the City Manager to enter into a Contract for Purchase and Sale for two (2) Brevard County Tax parcels (Parcel numbers 24-36-33-80-00023.0-0000.00 and 24-36-33-00-00755.0-0000.00) located at the southwestern corner of the intersection of Florida Avenue and Rosa L. Jones Drive. (16-4). (Community Services Director)

   This item was heard in conjunction with VIII.6.

8. Approve a Resolution authorizing a $0.39 Fire Assessment Refund to Residential Property Owners for the Annual Fire Assessment imposed by the City for Fiscal Year 2015/2016. (16-6). (Finance Director)

* **MOTION by Councilwoman Warner; Seconded by Councilman Furbish, to approve the item.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

MULTI-YEAR CONTRACTS:

None.

IX. INFORMATIONAL AGENDA:

1. Cumulative purchase approvals over $25,000 and under $50,000 for the period of 10/01/2015 to 11/30/2015. (15-597). (Finance Director)

2. Monthly Finance report showing the estimated and actual income and expenses to date. (15-605). (Finance Director)

3. FY 2015 Budget Adjustment Report. (15-607). (Finance Director)
4. New Local Business Tax Receipts. (15-610). (Community Services Director)

5. Monthly Fire Department Activity Report for November 2015. (15-616). (Fire Chief)

X. REPORTS:

Chief Prince advised that at the Space Coast Fire Chief's annual meeting, two of Cocoa's fire fighters would be honored. He mentioned he would bring it back as a presentation at a future meeting.

Mr. Belden introduced Gail Bantugan, the new Leisure Services Manager to Council. Council welcomed her and advised they were anxious to work with her.

Ms. Gemmati provided an update on the blood drive and mentioned that they would begin to do one every other month. At this last drive they had ten donors and because you have to wait a certain amount of time between each donation, staff felt this time frame would work.

Mayor Parrish pointed out that he had been donating blood since 1981.

City Manager Titkanich thanked Council and staff, with special recognition to Samantha Senger, Joan Junkala, and Esme Doucette in Economic Deveopment for the event on Friday. He further thanked all of the organizations involved.

City Manager Titkanich stated that he had been presented a list of concerns from Parks and Rec and one of the concerns was Cocoa Little League. Cocoa Little League has already redone the batting cages, but has requested that the City still help with fencing and throwing lanes. He advised that the cost would be less than the cages, probably around $7,000-$8,000.

IT WAS CONSENSUS OF COUNCIL TO HELP WITH FENCING AND THROWING LANES IN THE AMOUNT OF $7,000-$8,000.

Councilman Blake spoke about the Christmas parade and that they had a great time. In addition, he spoke about his and other Council members' attendance at Terry Black's magic show. He congratulated Principal Wilson on Endeavor Elementary becoming a community school.

In response to a question posed by Councilman Blake about placing of signage at the traffic circle in the village, Mr. Belden noted that he and Mr. Wegerif talked about it but needed clarification on exactly where. He clarified that it was at the continuation of Brevard Avenue south of the circle. Councilman Blake responded in the affirmative.

Councilman Blake thanked the City Manager and staff for the Economic Development Breakfast and thought the speaker was great.

He spoke about the Space Coast League of Cities meeting and different resolutions that were being presented. He pointed out that there was a survey sent to the City and he asked for that to be completed. City Manager Titkanich assured him that both he and Mr. Fuhrer receive those and at least one of them makes sure that the surveys were completed.

Councilman Furbish advised that last week was First Responder Week and thanked all first responders in both police and fire.

He questioned all of the job openings that the City currently had and asked Ms. Gemmati to expound on that. In response, Ms. Gemmati advised that positions were posted weekly on Linkedin and that the City's Facebook page updated automatically. Councilman Furbish reiterated that the City had jobs to fill.

Councilman Furbish noticed that Crosswinds had been taking up a lot of the City's time. He thought there was a plan to make that better. Mayor Parrish stated that the sheriff was supposed to be helping with Crosswinds.

Councilman Furbish asked about the status of Ms. Corby. He believed that she was not treated right and felt that everyone else thought that way also. In response, City Manager Titkanich advised that she submitted a request for information and that information had been supplied. As previously stated, the City did not have a standing in regards with what was decided by the courts.

Councilman Furbish did not understand why the City could not live up to the document. He felt that was the right thing to do. Deputy Chief Corby served the City well and it seemed that she should be receiving his pension, but someone shafted her. He believed the City should make it right.

City Manager Titkanich stated that the pension ordinance established how the pension board administers the ordinance. She challenged it all. It should not be the City's responsibility to step up and fix it. He understood it was a complex issue, but it went to court, lost, and she appealed it and lost. He reiterated that staff had no control over pension funds.

Mayor Parrish advised that Council does have control of who goes on the pension board. The City Manager replied in the affirmative, pointing out that the

Council appointed two members, employees elect two members, and one was a fifth member.

Councilman Furbish felt that they should go outside of the box and fix it. The whole situation bugged him. He stated that the man worked here for a long time and died early, she should get his pension according to the document that we have, but someone else said no, we are not giving it to her.

Lastly, he asked Mr. Walsh about the installation of fire hydrants on Indian Rvier Drive. He advised he was receiving calls about the spacing of them. Mr. Walsh had them measured before the meeting and they were all within guidelines. There was nothing wrong with where they were being installed.

Furthermore, he had some complaints about the AEG concert last week. The complaints were not so much about the concert as to the after party in Lee Wenner Park. The Chief advised he had a plan from keeping that from happening in the future.

In closing, he really wanted to pursue the idea of a Pedestrian Zone on a trial basis by moving the market on Wednesday to the area of Harrison Street. He asked about possibly getting Main Street and HCVA on board.

He reminded all to buy local.

Deputy Mayor Warner thanked staff for the great job they did on Friday at the Economic Development Breakfast. She thought this was probably the best one to date. She received great feedback and was glad to participate.

Mayor Parrish liked the idea of the property purchase and commended Council for getting the property.

The holidays were a blur to him, but spoke of his attendance at the community school celebration. He further mentioned that tonight was one of many meetings Council would have to help economic development within the City and to see an outcome down the road.

He thanked staff again for their outstanding job on the Economic Development Breakfast and enjoyed the workshop. He enjoyed seeing the young people being so involved.

In closing, he thanked everyone for their support and assistance with his father's passing. He truly appreciated everything.

XI. ADJOURNMENT.

* **MOTION by Councilman Blake; Seconded by Councilman Furbish, to adjourn the Regular meeting of January 12, 2016.**

AYES: Parrish, Blake, Furbish, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

Henry U. Parrish III, Mayor

Respectfully submitted,

City of Cordele SEAL

Carie Shealy, City Clerk

Waste Management
Local Company. Global Resources.

City of Cocoa

Presentation to City Council

January 12, 2016

THINK GREEN®



Presented by:

Dina Reider-Hicks

Public Affairs Manager

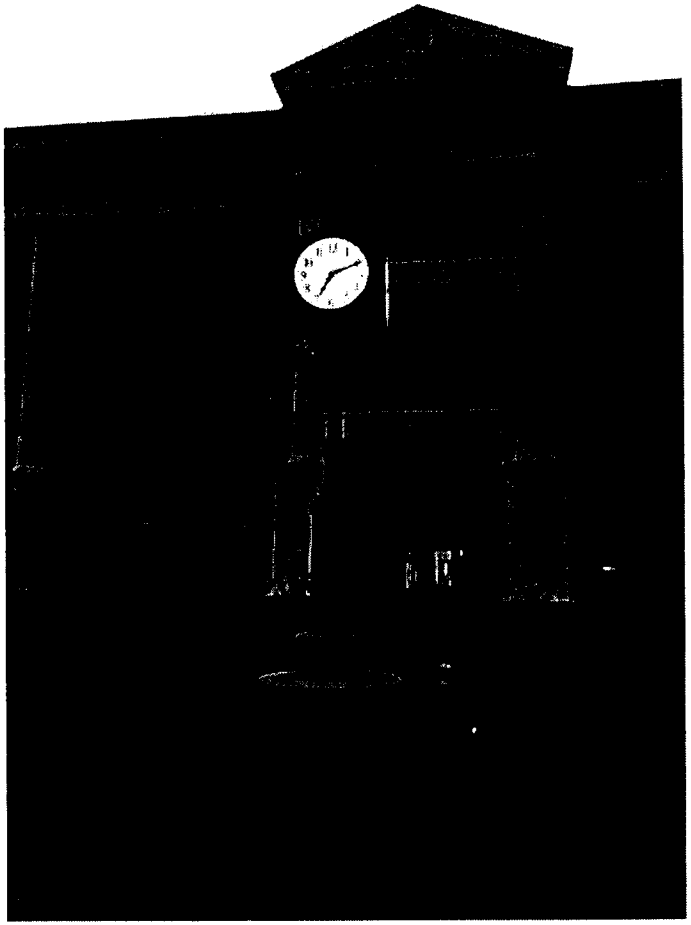
Waste Management Inc. of Florida

WASTE MANAGEMENT

EXHIBIT A: PRESENTATION
BY WASTE MANAGEMENT

Waste Management
Local Company. Global Resources.

- Environmental Commitment
- Technology, Safety, Community Focus
- Value-Added Service at the Lowest Cost
- Future Focus



WASTE MANAGEMENT

THINK GREEN®

Waste Management
Local Company. Global Resources.

- North America's leading provider of integrated environmental solutions, headquartered in Houston, TX
- 43,500 employees serving over 21 million residential, industrial, municipal, and commercial customers
- $14 billion in revenue in 2014
- Dedicated to sustainability, one community at a time



WASTE MANAGEMENT

THINK GREEN®

Compressed Natural Gas-Fueled Trucks

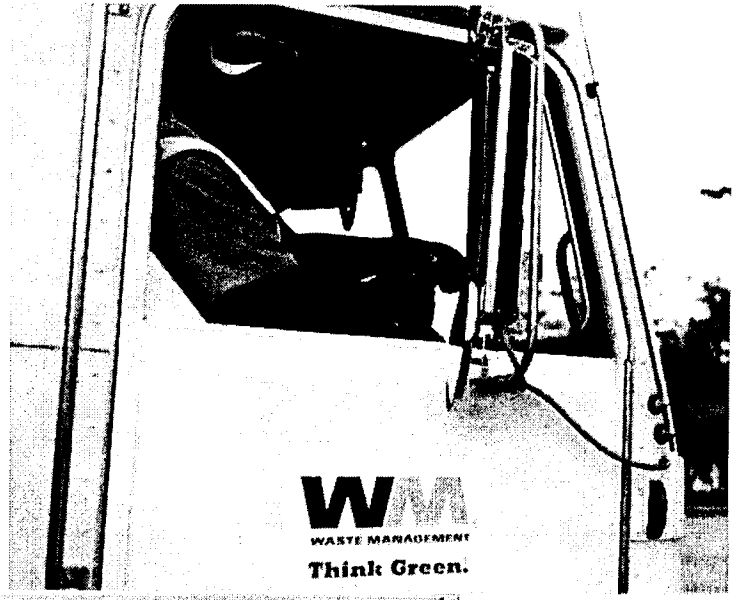
- Converting 90% of North American fleet
  - Currently 72 CNG fueling stations/3,500 CNG trucks
- Significant benefit to Cocoa
  - Saves 8,000 gallons of diesel fuel per year per truck
  - Reduces 86% of air particulates
  - Better for our Lagoon
- Multi-million dollar investment in Brevard County
  - New CNG fueling station at WM Cocoa Hauling
  - Multi-million dollar economic impact



WASTE MANAGEMENT

Safety for our communities: Drive Cam

- Drive Cam
  - 120-degree view in front and back of truck
  - Camera automatically records 12 seconds of event
  - Only waste industry company to employ this new technology





WASTE MANAGEMENT

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Safety for our communities: Waste Watch

How Does Waste Watch Help the Community?

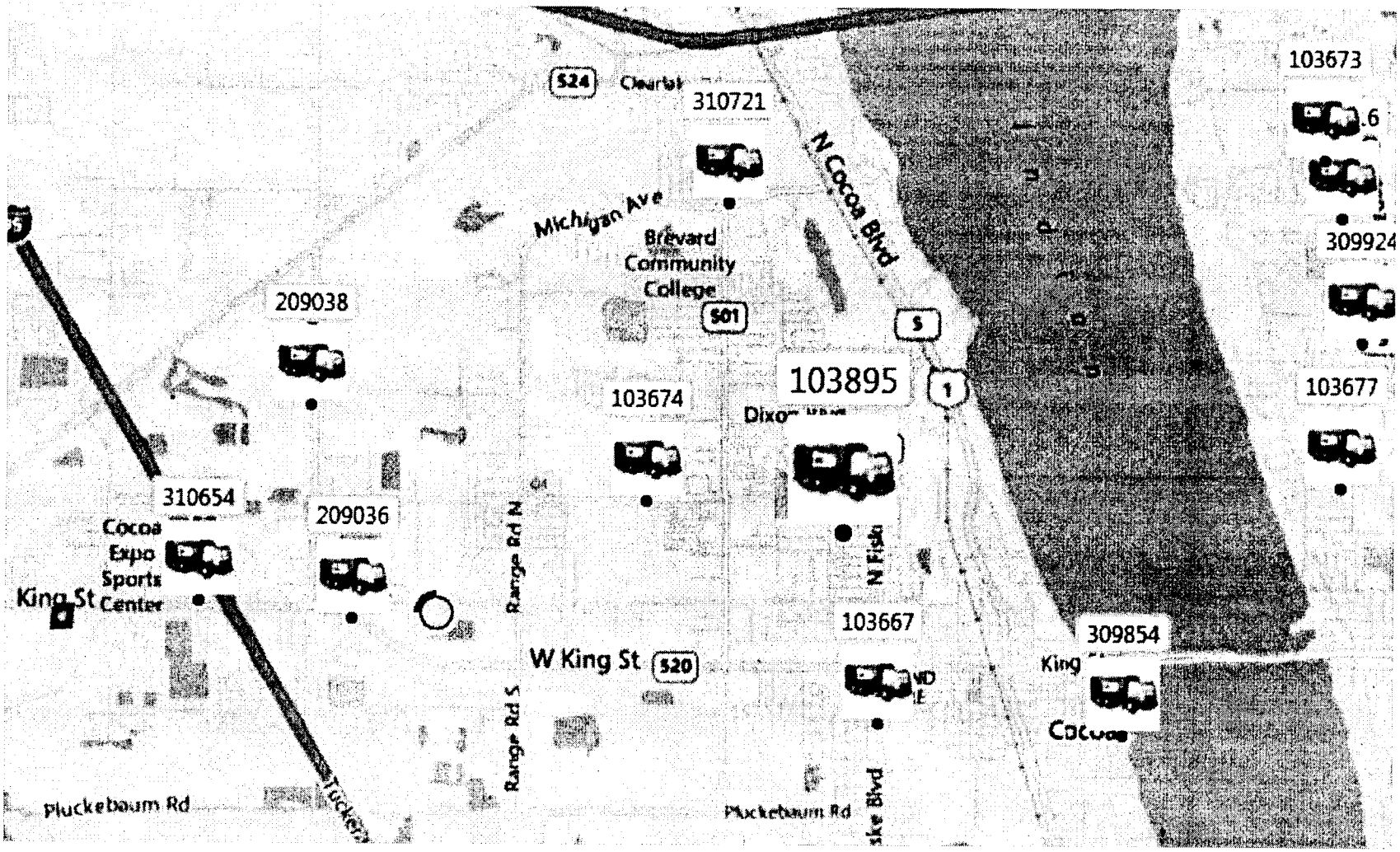
- Waste Management drivers know what is "normal" in the community
  - Residential drivers in neighborhoods when people are at work
  - Commercial drivers in business and industrial areas when workers are at home



- Drivers are specially trained to report unusual or suspicious activity
  - Proprietary program that is one-of-a-kind in the industry
  - Designed and led by former FBI special operations agent
- Partnership with local law enforcement and emergency services
- Provided as a value-added service to community

WASTE MANAGEMENT

WM Onboard Computing System

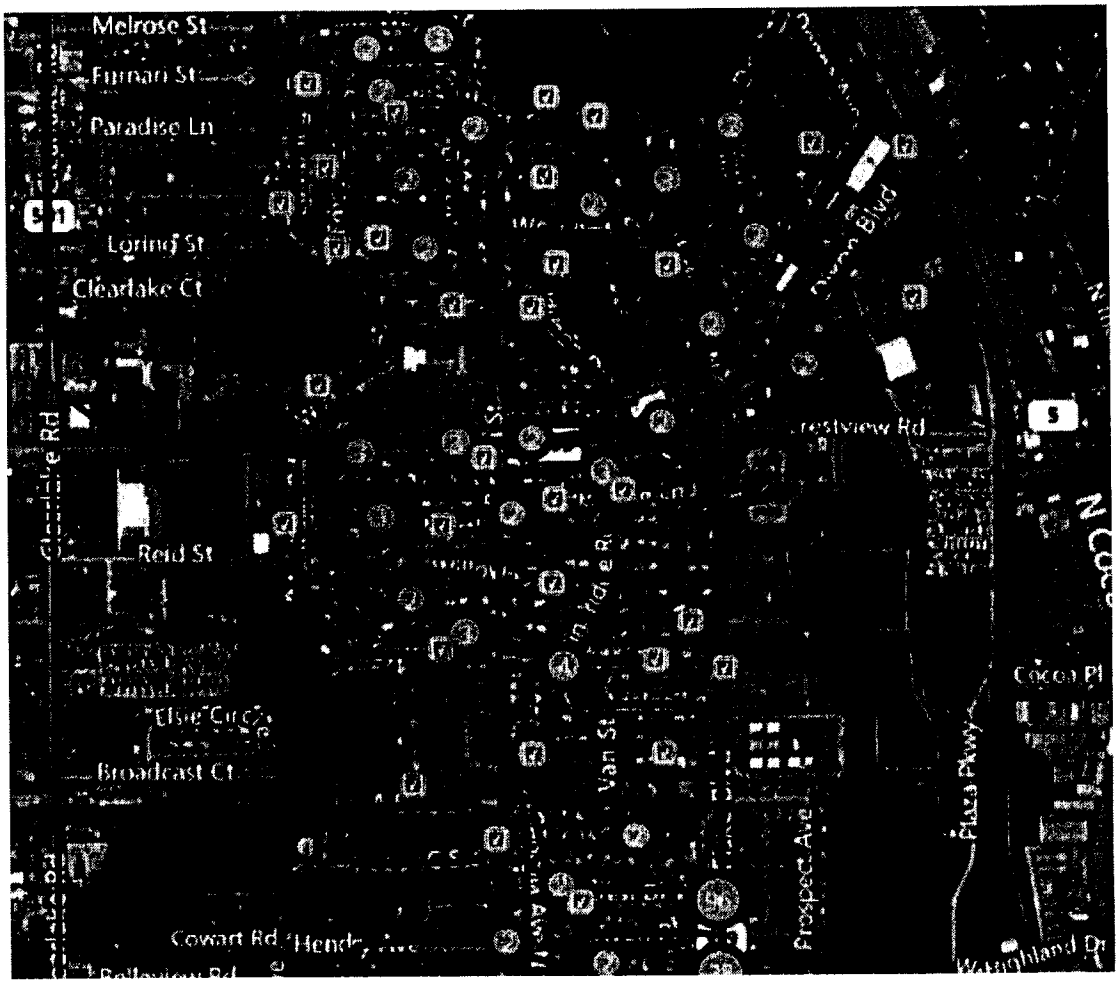


WASTE MANAGEMENT

THINK GREEN®

WM Onboard Computing System

- Tablet-based routing system mounted in all trucks
- Eliminates inefficient paper system and increases accountability

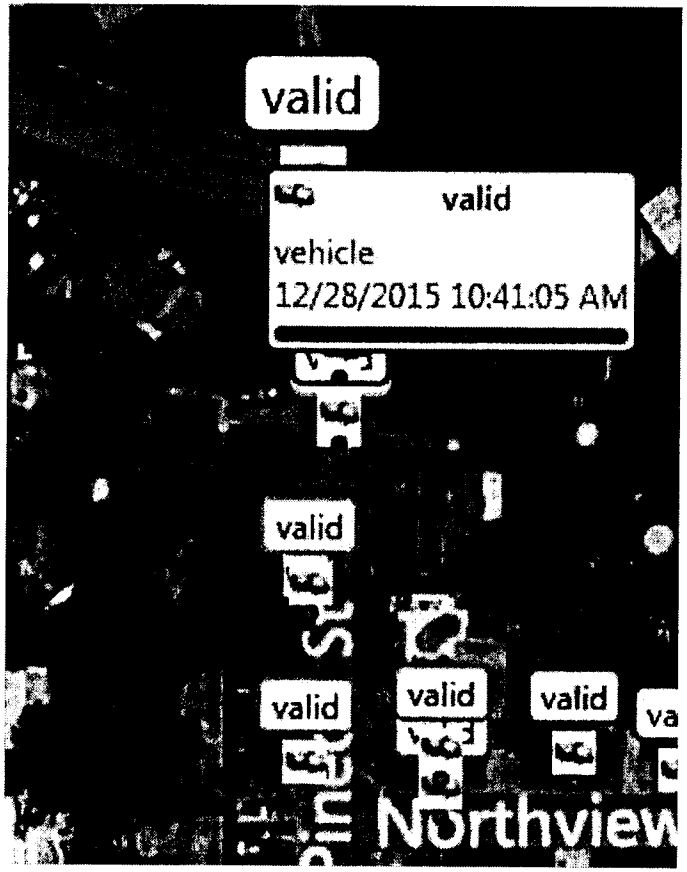


WASTE MANAGEMENT

THINK GREEN®

WM Onboard Computing System

- GPS-based service verification system with a time/date stamp
- Illustrates time of service commencement and completion



WASTE MANAGEMENT

THINK GREEN®

WM/SSR Material Recovery Facility

- Located in City of Cocoa
- Operational since October 2014
- Over $12M capital investment
- Over $4M in annual economic impact
- State-of-the-art high tech facility processing approximately 6,000 tons per month
  - 2 shifts operating 16+ hours per day



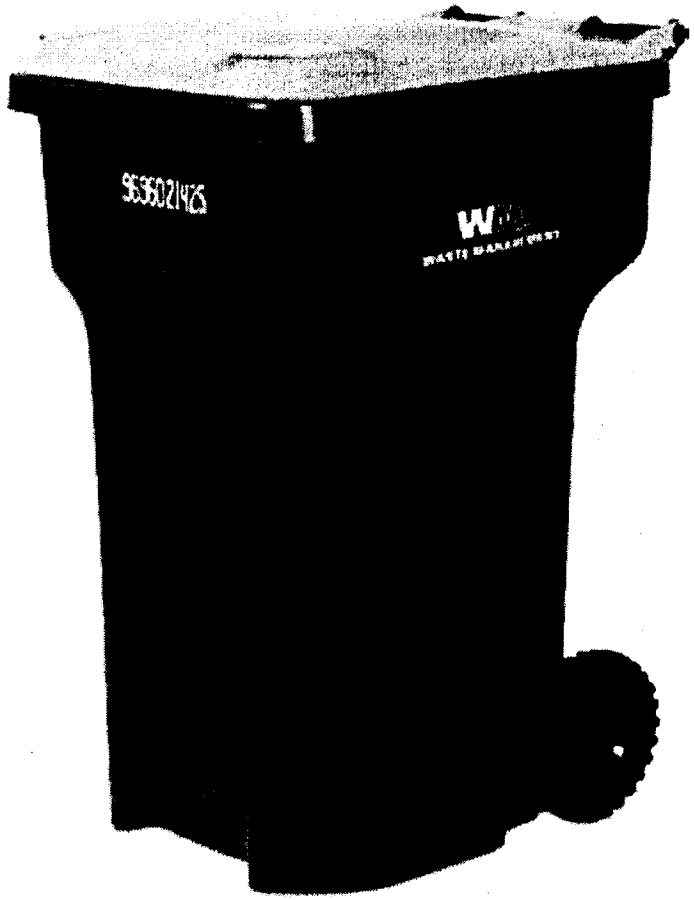


WASTE MANAGEMENT

THINK GREEN®

Future Focus for Cocoa

- Residential Single Stream Recycling Carts at no additional cost to residents or City
- Rebalancing service routes to accommodate City growth
- Ongoing enhanced communication with City staff
- Enhanced educational pieces for residents
- Option for universal commercial green waste and vacant lot collection



WASTE MANAGEMENT

THINK GREEN®

High Quality Service in Cocoa at Highly Competitive Rate

Municipality	Monthly Residential Collection Rate	Level of Service	Service Provider	Items of Note
Cape Canaveral	$9.75	2-1-1 semi-automated	Waste Pro	No franchise fees; large commercial and multifamily base
Palm Bay	$10.02	1-1-1 automated	WM	One time per week garbage collection
Brevard County	$10.55	2-1-1 automated	WM	No franchise fees; large commercial base
West Melbourne	$10.81	2-1-1 automated	WM	No curbside e-waste collection; extra charge for late set-out collection
Cocoa	$11.01	2-1-1 semi-automated	WM	Residential single stream recycling carts provided at no additional charge
Melbourne	$11.07	2-1-1 automated	WM	
Cocoa Beach	$11.99	2-1-1 automated	WM	
Indian Harbour Beach	$14.16	2-1-1 automated	WM	
Satellite Beach	$15.59	2-1-1 automated	WM	
Indialantic	$16.56	2-1-1 automated	WM	
Malabar	$19.57	2-1-1 semi-automated	WM	
Grant-Valkaria	$20.16	2-1-1 automated	Waste Pro	

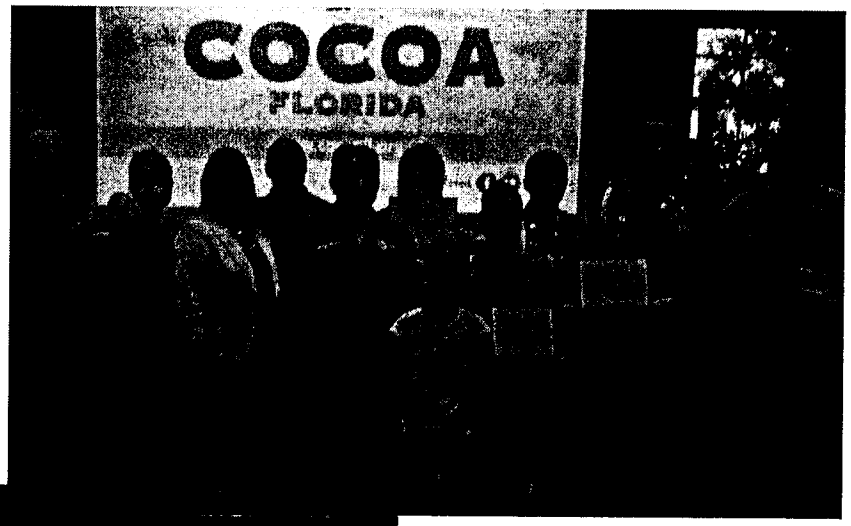
As of December 2015

WM
WASTE MANAGEMENT

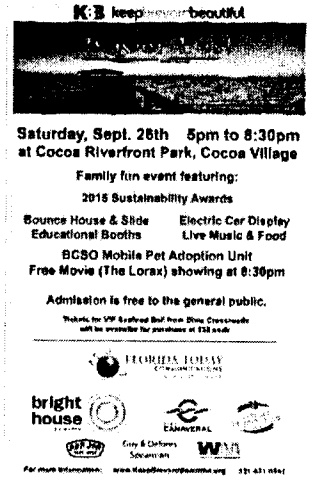
THINK GREEN®

Waste Management is Cocoa's Trusted Community Partner

- Continued Community Partnerships
  - Cocoa Economic Development Breakfast
  - Cocoa Trash Bash
  - Riverfront Park events
  - Cocoa Little League







WASTE MANAGEMENT

THINK GREEN®

Thank You!



WASTE MANAGEMENT

THINK GREEN®