Minutes
City of Cocoa
Regular Meeting of The City Council

December 14, 2021

A Regular City Council Meeting was held on Tuesday, December 14 2021, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. Opening Matters:

Mayor Blake called the meeting to order at 6:05 p.m.

Chief Lamm provided the invocation and Deputy Mayor Hearn 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:	Michael C. Blake	Mayor
	Lavander Hearn	Deputy Mayor
	Rip Dyal	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Monica Arsenault	Assistant City Clerk

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Charlene Neuterman, Interim Community Services Director; Evander Collier, Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Samantha Senger, Assistant to the City Manager/PIO; and Ben Wenrich, Helpdesk Support Techs.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of December 14 2021. (21-770)

* **MOTION by Mayor Blake; Seconded by Councilmember Goins, to approve the Agenda with an amendment to remove items VI.2, VII.2 and VII.10 for the Regular meeting of December 14, 2021.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. **Minutes:** (a) Regular Meeting of October 12, 2021 (21-766)

(b) District 4 Town Hall Meeting of October 19, 2021 (21-767)

(c) Regular meeting of November 9, 2021 (21-769)

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Hearn, to approve the October 12, 2021 and October 19, 2021 Minutes as written and to amend the November 9, 2021 Minutes as follows:**

Page 11, paragraph 4, sentence 4 states, "She pointed out that one option was to have a nomination from each Councilmember and two from the City Manager."

Councilmember Koss asked to amend the sentence to read, *"She pointed out that the proposal to have a nomination from each Councilmember and two from the non-elected City Manager undermines our representative government. Advisory councils exist to give citizens voice and make recommendations to Council to direct staff. Under this proposal, the non-elected City Manager will choose who directs himself."*

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Proclamation: Proclaiming November 19, 2021 through December 22, 2021 as "Hot Cocoa Holidays". (21-771). (Mayor Blake)

Deputy Mayor Hearn read a proclamation for "Hot Cocoa Holidays" into the record.

2. Recognition of Police Officer Collins & Officer Leitch. (21-804). (Councilmember Goins)

Councilmember Goins recognized two police officers, Officer Collins and Officer Leitch, for jumping in to save the life of one of his good friends a few weeks ago. He thanked them and all officers, including the Fire Fighters, for doing what they do every day. He presented the two officers with certificates of recognition.

IV. Delegations:

Chris Beadle, 3509 Hilltop Lane, Cocoa, wished to speak about the swimming pool at EFSC. It is in disarray and something needs to be done. She used to swim at this pool and feels it is also incredibly important to the high school kids who want to learn to swim. She pointed out that this pool is in walking distance for them and there is no other Olympic sized swimming pool in north Cocoa. She asked that Council consider drafting a letter of support to EFSC to request funding to repair the pool.

Jill Bond, 3462 Echo Ridge Pl., Cocoa, coach at Cocoa High School, wished to update Council on the Cocoa Conservation Area Trail. The trail has peaked quite a bit of interest in the community and there are volunteers who are doing their best to clean up the trail. She encouraged anyone who would like to walk off any holiday treats to come out and check out the trail.

Mitzi Tighe, 2965 Teakwood St., Titusville, shared that she has an opportunity to represent this area. She is a medal-winning swimmer and she has used the pool at EFSC to train. She pointed out that this pool is more than just a pool. It is a safe place for families to go to teach their children how to swim. Last year, they had to move their program to Rockledge and she noticed a decline in the number of children that participated in the program. She wants to give back to the community and reiterated that this is a community need and thanked Council for their time and consideration.

Gregg Stoll, 2203 Salem Dr., Cocoa, thanked the Council for postponing the Museum item. A few days ago, they received the fire inspection report and due to some issues, they need some time to do their due diligence.

Anita Gibson, 451 Stone St., Cocoa, talked about her father who recently moved to 1204 C Street. She is asking that staff take a look at the lighting in that area as what is there now is not sufficient or safe. Her father is ninety-five years old and she is concerned that if he goes out something bad could happen. She added that there are also kids that play out in the street in the dark and it is dangerous. In response, Mr. Smith explained that staff is working with FPL to get this done but

staff is waiting on a cost estimate and then it can be an additional four to six months for street lights to be installed.

V. Consent Agenda:

(A) General Consent Items:

1. Approve a Resolution Amending the FY22 Budget, BAF#22-022-A, increasing the Capital Machinery and Equipment account by $12,547 to reflect a confiscated vehicle being added to Fleet. (21-732). (Chief of Police)

2. Approve a Resolution Amending the FY22 Budget, BAF# 22-029-A in the amount of $25,000, transferring from Police Department Budget to Information Technology Budget to Run Fiber Optic Cable for a Police Sub Station. (21-734). (Chief of Police)

3. Approve Participation in a Cooperative Purchase Agreement with Stewarts Motor Works, Inc., Orlando, Florida, for Repairs and Maintenance of High Service Pump #1 for the EM Clutch and Synchronous Motor at the Dyal Water Treatment Plant (WTP) Utilizing the City of West Palm Beach Contract # 21128.025, Effective April 4, 2018 through April 2, 2023. (21-740). (Utilities Director)

4. Approve Participation in a Cooperative Purchase Agreement with Tech Systems, Inc, Melbourne, Florida, for a Roof Replacement on the Chemical Building at the Dyal Water Treatment Plant utilizing Brevard County Contract # RFP-4-18-12, Effective July 12, 2021 through July 11, 2022 in the amount of $245,542.96; To Approve a Resolution Authorizing the City Manager to Approve Change Orders in an Amount Not to Exceed $24,554 (approximately 10%) for a Project Total of $270,096.96; To Approve a Resolution Amending the FY2022 Budget to Reallocate Funds for a Roof Replacement from Tech Systems, Inc, BAF # 22-023-A. (21-743). (Utilities Director)

5. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making a Sole Source Purchase of an HMS (RH) Single Turner Valve Maintenance Skid and Associated Equipment from E.H. Wachs, Lincolnshire, Illinois, for the Dyal Water Treatment Plant. (21-746). (Utilities Director)

6. Approve Resolution Amending the FY22 Budget BAF#22-026-A, through the use of Assigned Fund Balance to the Economic Development Account, to fund

expenses related to the Annual Economic Development Update Breakfast event. (21-773). (Economic Development Manager)

7. Approval of a Resolution, Amending the FY22 Budget BAF# 22-027 for the amount of $660.00 for the Housing Department to provide a cell phone to conduct City Business after hours, record progress of projects with video and photos, respond to Citizens, attend virtual meetings when chrome books lack connectivity, and allow staff to respond by text. (21-776). (Interim Community Services Director)

8. Approve the purchase of portable radios and equipment from Communications International in the amount of $89,720.24 via an Exemption to Competitive Purchase as standardization of the Fire Department radios. (21-787). (Fire Chief)

9. Approval of the requested Pay Plan changes for Fiscal Year 2022. (21-788). (Administrative Services Director)

10. Grant an easement to Riverside Apartments Limited, located at 650 Dixon Boulevard, to allow certain encroachments to remain on the City's property along Dixon Boulevard, and permit the City Attorney to negotiate any necessary amendments and insert applicable legal descriptions. (21-810). (City Attorney)

(B) Multi-Year Contracts:

11. Award RFP-21-23-COC, Lift Station #1 Replacement, Project No. GR2102, to Carr and Collier Inc., Leesburg, Florida, in the Amount of $653,307; To Authorize the City Manager to Negotiate the Contract; To Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not to Exceed $65,331 (10% of the Contract Amount) for a Total Project Cost of $718,639; To Approve as a Multi-Year Contract from FY2022 through FY2023. Approve a Resolution Amending the FY22 Budget, BAF# 22-020-A, Accepting the Grant Revenue and Re-budgeting the City's portion through the use of Reserves. (21-707). (Utilities Director)

12. Approve a Multi-Year Piggyback Cooperative Purchase Agreement with East Coast Fence and Guardrail of Brevard, LLC., Utilizing the Brevard County Contract B#21-452-B-JW for On-Demand Fencing and Guardrail Services. To Authorize the City Manager to Sign the Contracts and renewals for each Subsequent Fiscal Year. (21-722). (Utilities Director)

13. Approve Bid No. 21-25-COC, Dyal Water Treatment Plant - Electrical Contractor Services to CE Power Solutions, Tampa, Florida, and Archis, Inc. dba Archis Technologies, Winter Garden, Florida, for Continuous Electrical Services and On-Call Electrical Services; To Approve a Three-Year Contract from FY22 through FY25, with Two (2), One (1) Year Renewals; To Authorize the City Manager to Execute the Contract and Future Renewals, Purchase Orders, Change Orders and Amendments to the Contract; Pending Approval of Subsequent Fiscal Years' Budgets. (21-739). (Utilities Director)

14. Approve the City Manager to execute the multi-year continuing service agreement(s) for an initial 5-year term (including two one-year renewal options) for ITB B-21-30-COC Concrete Sidewalk Curb and Gutter Construction Services. Authorize the City Manager to negotiate and execute the final agreement(s). Authorize the City Manager to sign the contract(s), renewal(s) and Purchase Orders for each subsequent fiscal year pending the approval of that year's budget. (21-782). (Public Works Director)

15. Approval to enter into a "Piggyback" contract with Communication International using the Board of County Commissioners of Brevard County Public Safety Radio System Maintenance Contract Number B 7-21-81 as a multi-year contract. (21-792). (Chief of Police)

* **MOTION by Councilmember Koss; Seconded by Councilmember Dyal, to approve the Consent Agenda as presented.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. Approval of Ordinance No. 12-2021/second and final reading: Amending Chapter 2, Administration, Article VIII, Firefighters' Retirement Plan of the Code by amending: Section 2-271, Definitions, adding definition of death in the line of duty; Section 2-324, Disability, amending the benefit for a service incurred disability; Section 2-325, Preretirement Death, amending to create a new pre-retirement death benefit for members killed in the line-of-duty. (21-747). (Administrative Services Director)

City Attorney Garganese read the Ordinance into the record as follows:

ORDINANCE NO. 12-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VIII, FIREFIGHTERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF COCOA BY AMENDING SECTION 2-271, DEFINITIONS; AMENDING SECTION 2-324, DISABILITY; AMENDING SECTION 2-325, PRERETIREMENT DEATH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Ms. Gemmati added that since the First Reading of this item the State has confirmed that the city is in compliance.

Mayor Blake closed the Public Hearing to Council and opened it to the public. There being no further questions or comments, the public portion of the hearing was closed.

* **MOTION by Councilman Dyal; Seconded by Deputy Mayor Hearn, to approve Ordinance No. 12-2021 on Second and Final Reading.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

~~2. Consideration of Second Reading and Public Hearing (Ordinance 14-2021) of The City of Cocoa, Brevard County, Florida; relating to backyard chickens; amending Chapter 5 - Animals and Fowl of the city code to allow the keeping of chickens and chicken coops within certain residential zoning districts subject to certain enumerated conditions; creating definitions; establishing a permitting process; providing for the repeal of prior inconsistent ordinances and resolutions, severability, incorporation into the code, and an effective date. (21-755). (Interim Community Services Director)~~

3. Consideration of First Reading (Ordinance 15-2021) of the City of Cocoa, Brevard County, Florida; consistent with Florida Statute, Section 163.3177, adopting a Private Property Rights Element as a new section into the City of Cocoa's Comprehensive Plan. (21-801). (Interim Community Services Director)

City Attorney Garganese read the Ordinance into the record as follows:

ORDINANCE NO. 15-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AMENDING THE TEXT OF THE CITY'S COMPREHENSIVE PLAN TO INCLUDE A PROPERTY RIGHTS ELEMENT AS REQUIRED BY LAW; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE COMPREHENSIVE PLAN, SEVERABILITY AND AN EFFECTIVE DATE AND LEGAL STATUS OF THE PLAN AMENDMENT.

Mayor Blake added that a few meetings ago, Councilmember Goins brought up an issue with bicycles on Varr Avenue. He is hopeful that this will help to assist the City in resolving these types of issues.

Mayor Blake closed the Public Hearing to Council and opened it to the public. There being no further questions or comments, the public portion of the hearing was closed.

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Goins, to approve Ordinance No. 15-2021 on First Reading.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Consideration of the First Reading (Ordinance 11-2021) of The City of the City of Cocoa, Brevard County, Florida; amending Appendix A, Zoning, Article VIII, Section 17, Home Occupations. (21-802). (Interim Community Services Director)

City Attorney Garganese read the Ordinance into the record as follows:

ORDINANCE NO. 11-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A-ZONING, ARTICLE XIII SUPPLEMENTARY DISTRICT REGULATIONS, SECTION 17 OF THE CITY CODE RELATED TO HOME BASED BUSINESSES (HOME OCCUPATIONS) TO COMPLY WITH RECENT LEGISLATION ADOPTED BY THE FLORIDA LEGISLATURE; MAKING OTHER CONFORMING AMENDMENTS TO THE SCHEDULE OF ZONING DISTRICT REGULATIONS AND CITY CODE TO COMPLY WITH SAID LEGISLATION; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS,

INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

He also provided a brief explanation of the item and why the Ordinance has been brought forward.

Mayor Blake closed the Public Hearing to Council and opened it to the public. There being no further questions or comments, the public portion of the hearing was closed.

* **MOTION by Councilmember Goins; Seconded by Councilmember Dyal, to approve Ordinance No. 11-2021 on First Reading.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Council Business:

1. City Council discussion and direction related to the funding of a $2,600 appraisal and purchase (not to exceed the lesser of the appraisal or $20,000 owner asking price) for the proposed easement area. (21-676). (Public Works Director)

Mayor Blake would like to see the actual appraisal of this property and would like to know where the City will get the money to fund it. In response, Mr. Smith explained that the property owner is requesting $20,000. The city sought three quotes but only received one back. He pointed out that in order to proceed, staff is seeking direction from the Council.

Deputy Mayor Hearn would like to see what the actual appraisal is first. He, like the Mayor, is fine with taking the funds out of reserves.

Ms. Bowman clarified that there is some funding in contingency, and she suggested that the funds come from there instead of from reserves. She also asked that they include in the motion, since any funds that come from contingency will require a budget amendment, that all necessary budget transfers be included in the motion.

* **MOTION by Councilmember Koss; Seconded by Councilmember Dyal, to approve the appraisal with the funds to come out of Contingency and to authorize all necessary budget transfers to be completed.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

~~2. Accept the City of Cocoa Urban Forest Management Plan and authorize the City to proceed with the plan recommendations. (21-735). (Public Works Director)~~

3. Approve the requested 2022 street closures in association with the proposed Special Events. (21-737). (Asst. to the CM/PIO)

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to approve the 2022 street closures as requested by staff.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. City Council Liaison Appointments and Appointment of the Space Coast League of Cities & Florida League of Cities Voting Delegates & Alternates for 2022. (21-756). (Administrative Services Director)

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to keep all appointments the same.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Consider Mayor Blake's request to reappoint Mr. Clinton Warner III and Mr. Joe Robinson as members of the Cocoa Housing Authority through December, 2025. (21-762). (Administrative Services Director)

* **MOTION by Mayor Blake; Seconded by Councilmember Goins, to reappoint Mr. Clinton Warner III and Mr. Joe Robinson as members of the Cocoa Housing Authority through December, 2025.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

6. Consider the appointment of 1st Alternate member Aleck Greenwood or (1) one of the following applicants as a Regular member to the Planning and Zoning Board: Renee Cooper, Craig Curtis, or Veronica Lopez-Velez. (21-763). (Administrative Services Director)

Deputy Mayor Hearn nominated Aleck Greenwood as a Regular member.

Councilmember Dyal nominated Veronica Lopez-Velez.

Councilmember Koss is supportive of Veronica Lopez-Velez as well.

Councilmember Goins is also supportive of Ms. Lopez for the Regular member seat.

The Mayor, too, is also supportive of Ms. Lopez for the Regular member seat.

* **MOTION by Councilmember Dyal; Seconded by Councilmember Goins, to appoint Veronica Lopez-Velez as a Regular member to the Planning and Zoning Board.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

7. Council direction on the current Outdoor Dining Resolution 2021-13, that is set to expire on December 31,2021. (21-764). (Interim Community Services Director)

Ms. Neuterman pointed out that the resolution is set to expire on December 31st. There are several businesses within the Village that are using parking spaces for outdoor dining. She added that staff is seeking direction from Council and depending on their decision staff will push out the proper notifications.

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to allow the Resolution to expire on December 31, 2021 with discussion.**

Councilmember Koss noted that she is not aware of any negative incidents and since we are still under the threat of Covid feels that the Council should consider extending the Resolution until we're out of the woods with Covid or if there are any major issues that arise from it.

Councilmember Goins wishes this Resolution could remain intact permanently because he loves to see people sitting outside and enjoying the city. If it cannot be made permanent, he would at least like to see Council extend the Resolution.

Chief Lamm noted that although he usually gives his Covid update under Reports, he feels this would be an appropriate time to provide this input as it may tie into their decision.

He shared that there are currently 82,136 positive cases and 1,772 deaths in Brevard County. Between December 2nd and December 9th Brevard County had a new case positivity rate of 2.7% and 50.1 cases per 100,000. This marks an increase of 7.2% cases per 100,000 since the prior week. In addition to the increase in positivity cases, Brevard also had an increase in Covid-19 related

deaths. The vaccination rate is the same with 66% of the eligible residents having been vaccinated.

Mayor Blake explained that he feels it is important to return to normal activities, especially since there is already a discrepancy with parking in the Village.

Councilmember Goins pointed out that people are coming to the Village to spend money. They do not come just to eat and leave, they come to eat and shop.

AYES: Blake

NAYES: Hearn, Dyal, Goins, Koss

THE MOTION DIED (4-1)

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss, to extend the resolution to the Regular Council meeting of August 9, 2022.**

AYES: Hearn, Dyal, Goins, Koss

NAYES: Blake

THE MOTION CARRIED (4-1)

8. Approve the current Code Enforcement Lien for the property located at 215 Riverside Dr. be reduced to $2,227.39. (21-781). (Chief of Police)

Mr. Jay Thaaker, Cantwell Goldman PA, 215 Riverside Dr., is representing the home owner. He explained that he worked with Code Enforcement Manager Dennis Bunt and Code Technician Darla Crowl on the violations. His client lives in Maine and is investing in properties in Cocoa and has spent a lot of money on this particular property to fix it. His client is not objected to paying the lien, his only request is that the Council does not raise the amount as they are in the process of refinancing and they want to pay off the liens.

* **MOTION by Councilmember Dyal; Seconded by Mayor Blake, to approve the lien reduction as presented by staff.**

AYES: Blake, Dyal, Koss

NAYES: Hearn, Goins

THE MOTION CARRIED (3-2)

9. Council approval for a Resolution to join with the State of Florida and other Local Governmental Units as a Participant in the Florida Memorandum of Understanding

and Formal Agreements Implementing a Unified Plan for the Allocation and Use of Prospective Settlement Dollars from Opioid Related Litigation (21-783). (Chief of Police)

* **MOTION by Councilmember Goins; Seconded by Councilmember Dyal, to approve a Resolution to join with the State of Florida and other local governmental units as a participant in the Florida MOU and formal agreements implementing a unified plan for the allocation and use of prospective settlement dollars from opioid related litigation.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

~~10. Staff is seeking direction regarding the finalization of the Operations and Maintenance Lease and Agreement between the City of Cocoa and the Brevard Museum and Sciences Center, Inc as a result of the ongoing negotiations related to this agreement. (21-805). (Public Works Director)~~

11. Approve a Resolution amending the composition of the Sustainability Advisory Board. (City Manager)

City Manager Whitten reviewed and explained the changes to the Resolution.

Mayor Blake expressed that this has been an ongoing project and a lot of emotions have arisen due to the sensitivity of the topic. He noted that at one of the previous Council meetings a previous Sustainability Advisory Board member came forward and shared that she has been chastised both privately and publicly and that made him very concerned. He has confidence in staff and feels that the Council should trust them. They are competent and more than capable. For these reasons, he feels the City needs a cool down period and would like to bring this item back in one year.

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to delay the composition of the Resolution for one year, to January 2023, for discussion.**

Councilmember Koss rebutted and asked for the record to reflect that this is a continuing anti-Sustainability campaign and will vote nay on this.

Councilmember Dyal raised several concerns he has regarding the productivity and the processes carried out by the Board. He noted that he was the Chairperson of the Board of Adjustment for more than ten years and never rewrote the minutes

for the meetings and he witnessed this at Sustainability meetings. He feels that the Liaison is participating in the meetings in a way that should not be happening.

Councilmember Goins feels that by disbanding this for a year may cause more problems than it will resolve. The reason they are working to restructure the Resolution is to address concerns and make it better. If they are really seeking to disband the Board than they should have done that in the first place.

Mayor Blake asked Councilmember Goins what would happen if someone else from the Board resigned for the same reasons. He pointed out that he is not looking to disband the Board, only to postpone the decision for one year. He added that he feels strongly that the City has competent staff that can handle it until a decision can be made. Collaboration and cooperation between staff and its citizens will not stop if the Board takes a break over the next year.

Councilmember Koss has thirty years' experience and a Master's Degree in Environmental Science and has indeed provided input at the meetings. This committee has put in many hours and has produced good work. She mentioned the grants that the Board has been working towards achieving and which will help move the City forward.

AYES: Blake, Dyal

NAYES: Hearn, Goins, Koss

THE MOTION DIED (2-3)

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to approve the Resolution amending the composition of the Sustainability Advisory Board, to remove the existing Board members and to include a deadline of December 30, 2021 for all nominations to be turned into the City Clerk's Office to make it on the January 11, 2022 Council agenda, for discussion.**

Councilmember Koss noted that she has an issue with the City Manager being able to appoint two members to the Board as he is appointing members that he will have to report to.

AYES: Blake, Hearn, Dyal, Goins

NAYES: Koss

THE MOTION CARRIED (4-1)

VIII. City Business:

1. Approve a Resolution Amending the Utility Handbook's Policies and Procedures. (21-738). (Finance Director)

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Dyal, to approve a Resolution amending the Utility Handbook's policies and procedures.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a Resolution Amending the FY22 Budget, BAF# 22-031-A, Budget Roll from FY21 to FY22 for the American Rescue Plan Fund. (21-791). (Finance Director)

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to approve a Resolution amending the FY22 Budget, BAF# 22-031-A, Budget Roll from FY21 to FY22 for the American Rescue Plan Fund.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

None.

IX. Informational Agenda:

1. Data showing the relation between the estimated and actual income and expenses to date. (21-750). (Finance Director)

2. Approved change orders to construction contracts that the City Council has authorized the City Manager, by resolution, to approve in excess of the City Manager's spending authority. (21-751). (Finance Director)

3. Informational Item: Report the results of the five (5) Year Consolidated Plan surveys received and calculated. Results will be used for the development of priorities to address the needs and goals within the City of Cocoa, for the FY 2022-2027 5 Year Consolidated Plan. (21-786). (Interim Community Services Director)

X. Reports:

Gregg Stoll, 2203 Salem Dr., Cocoa, wished to provide several updates from the Space Coast TPO meetings. He talked about the concerns regarding tractor trailer parking on SR524, however he spoke with Mr. Smith and was informed that staff has reached out to FDOT about installing signage.

Additionally, he mentioned the bike lane along US1 and pointed out that there has been discussion about moving it to River Road and possibly through Cocoa Village.

Mr. Stoll discussed Brightline and announced that Space Coast TPO is going to apply for "quiet zone" for the whole County which means no train horns and it applies to both freight and passenger trains.

Lastly, he shared that the paving along Fiske Blvd. coming from Rockledge into Cocoa should be complete sometime in the Spring of 2022.

City Manager Whitten explained that in regards to the Sustainability item, he has been accused of working with the Mayor to establish these changes. He noted that the Council has made decisions on their own and he has only reacted to their decisions. He read the requirements and duties of the Board for the record. The Board is there to continue to advise, monitor and implement the plan. He only wished to make this clear. Staff is working to make Cocoa the best city in the County. Staff has a difficult job to address the service needs of our 19,000 citizens. He is proud of what has happened over the last fourteen months, although that is not to say that everything has been done perfectly. He cannot help if nominations are not turned in. His intention is to hold the Board accountable to the black and white of the resolution. A lot of progress has been made in regards to development in the City and he is proud of that. He is a City Manager who lives in the City, and that was very important to him. He did not take a raise this year and is perfectly happy with that. He is looking forward to moving the City forward at the direction of the Council.

Ms. Senger shared that she is happy to report that the City of Cocoa just completed its annual food drive which is all to support the Brevard Sharing Center. This is a competition between the City of Cocoa and the City of Rockledge and for the first time the City of Cocoa has won. She thanked Cocoa PD, Fire and staff. She also thanked various other businesses and organizations who donated.

Additionally, the Cocoa Holiday Parade was this past weekend. There were about thirty-five floats in the parade and the tree lighting ceremony was held afterwards. It was a great event.

Mayor Blake asked Ms. Senger if we could reach out to local businesses to promote the Cocoa Tigers going to Fort Lauderdale for the Championship game on their marquees.

Ms. Senger additionally mentioned the boat parade that took place last Friday. Mayor Blake noted that was also a great event with a great turn out.

Ms. Senger noted that we are also raising money for United Way of Brevard. Employees are encouraged to donate and fundraisers are held in order to support them. She pointed out that United Way helps to support over forty organizations. The City's goal this year is $11,000 and that goal has already been made just in payroll donations.

Chief Lamm reported that on Friday, January 7, 2022 at 12:30pm there will be a funeral service for Lieutenant Michael J. Artelli Jr. at the Port St. John United Methodist Church, 1165 Fay Blvd., Cocoa, FL 32927.

Chief Collier commented on the Toy Drive that the City holds annually. More toys have been collected this year than in the past and he is dedicated to challenging this year after year to make it better and better. He also mentioned Shop with a Cop and noted that he is committed to making every child in the City of Cocoa happy.

Mr. Smith shared that he was notified by Brightline that Peachtree St. will be closed from the 6-17th of January. Ms. Senger added that this has been pushed out on social media as well.

Councilmember Goins pointed out that he had noticed that white stone has been installed on Blake Avenue and he is not sure that this is the best material to use as it scatters easily over the road, especially when it rains. In response, Mr. Smith stated they would look into it.

Councilmember Koss talked about bicyclists. She also had a conversation with Brightline regarding the dangerous railroad crossing at Michigan Avenue. It is the broadest crossing in Brevard. It is an intersection that has a lot of accidents and she is committed to continuing to work on this with Brightline.

Additionally, she talked about our local resources such as Elevate Brevard.

A few weeks ago, a meeting regarding the pool at EFSC was held and she is happy to see that citizens came to speak so passionately about it. The community is pushing for the opportunity to see to what degree the repairs that are needed are. The community is ready to raise funds and there are partnerships that can be made. She asked to make a motion or at least for a consensus to draft and send a letter of support.

The Mayor noted that he does not like to make motions under Reports, however he has no problem signing a letter drafted by the City Manager in support of the pool. In response, Deputy Mayor Hearn added that he is in support of this as well.

Councilmember Goins added that he has not seen a date for demolition and asked for clarification.

City Manager Whitten stated that before he writes a letter, he would like to meet with ESFC and see where they are on this. He believes there are a lot of misconceptions out there that need to be cleared up.

Councilmember Koss pointed out that this is the first step to keep the pool.

Lastly, she noted that next Saturday there will be a Wreaths Across America event and friends and family of the late Mayor Jake Williams Jr. will be there to memorialize a year of his passing.

Councilmember Dyal shared that the boat parade and holiday parade were great events and there was a large turnout. He wished everyone a happy holiday and happy new year.

Lastly, the Cirrus Apartments project broke ground recently and staff as well as Council attended the ground breaking and had a great time.

Deputy Mayor Hearn recognized FDOT for their project on Fiske Blvd. Lastly, he wished everyone a happy holiday season and is looking forward to bringing new ideas forward next year.

Councilmember Goins talked about a nine-month course for trades. Currently there are only four or five students in the program at the Cocoa campus.

He has heard from a lot of people in the community that they enjoy the community walks and they are happy to see officers out and about in the City. He thanked Chief Collier for heading this up.

He also had a meeting at Rec 225 and pointed out that Brevard County now allows for 24-hour bar service. He wished to ask for a consensus from Council to not allow 24-hour bar service, but to extend our bar hours from 2am to 4am instead. He would like to bring this back to Council as an item.

He also touched on the parades and stated he had a great time with his family.

Mayor Blake shared pictures from the Cocoa Middle/High School games.

He thanked staff for putting on a great Space Coast League of Cities dinner. The trivia game went over really well and everyone had a great time.

Additionally, he attended a conference in Fort Myers and shared some information about that.

Staff and Council also had a great time at the Sister City event.

Lastly, he wished everyone a happy holiday season and happy new year and blessings to all.

XI. Adjournment:

* **MOTION by Councilman Dyal; Seconded by Deputy Mayor Hearn, to adjourn the Regular meeting of December 14, 2021.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:49 PM.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk
(Transcribed by Monica Arsenault, Asst. City Clerk)