MINUTES
City of Cocoa
Special Meeting of The City Council

November 30, 2021

A Special City Council Meeting was held on Tuesday, November 30, 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 4:32 p.m.

Pastor Randy Alonso provided the invocation and Chief Collier led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The 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
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Katie Ennis, Deputy 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; Ben Wenrich & Erik Montgomery, Helpdesk Support Techs; and Kristin Eick, Assistant City Attorney.

II. Approval of Agenda and Minutes:

1. **Agenda:** Special Meeting of November 30, 2021. (21-752)

2. **Minutes:** n/a

* **MOTION by Councilmember Goins; Seconded by Councilmember Dyal, to approve the Agenda as presented for the Special meeting of November 30, 2021.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

None.

IV. Delegations:

Emma Kirkpatrick, 430 Delannoy Avenue, HCVMS, spoke about Hot Cocoa Holidays and noted it was a month-long celebration hosted by the City, HCVMS, the Playhouse, and many others. This weekend is the 28th Annual Holiday Craft Bazaar and boat parade. December 13th is National Cocoa Day in Cocoa. Additionally, December 17th is their Holiday Bicycle Parade. She invited all to come dressed up for the parade and to decorate their bikes. It is a fun event. Other events were mentioned and she thanked Mark Clawson and Jeff Jarnac with Public Works for help installing signs.

Kristin Lortie, 5524 Brilliance Circle, Cocoa, advised that she is the moderator of the Cocoa Cares Facebook Group. She reviewed information that was requested on November 24 and noted that she has requests that go back to October 7th that she is still waiting on. She asked specifically about public parks spending, a parks master planning update and has a special interest in community engagement. She further mentioned the Sustainability Advisory Board restructuring and asked about any updates on that. Lastly, she has submitted suggestions for the upcoming newsletter and hoped for expanded community engagement in 2022.

Marlene Weiss, 2415 Tulane Drive, Cocoa, spoke about the Sustainability Advisory Board and that it was a diverse group of strangers that came together for the betterment of Cocoa's future. The Plan was done in order to help Cocoa prioritize and the City did engage in some of the recommendations made, however, they were overlooked in the budget. They hope to work closer with Council in the

next budget year. She felt this has been a learning process and thanked all of them for working with them and being patient. They want to work with City staff and Council.

Kristina Jackson, 205 Westchester Drive, Cocoa, noted that she was also speaking for Lisa Ruckman, 1314 Sanibel Drive, Merritt Island. She stated that her goal tonight was to share her experiences while on the Sustainability Advisory Board. She was on the Board form November 2020 until 2021. She noted that no doubt, there are members on the Board who are dedicated to making Cocoa a better place. Meetings were chaotic and the Chair missed three meetings. No one else was told she would not be there so they were not aware until they were at the meeting. Most agendas had no items. On May 27th there was a workshop, however, they received an email from the Chair stating they would not be voting on anything. At the June 4th meeting, they found out that ten budgetary items were discussed at the May 27th workshop and they voted on the top five at the June 4th meeting.

Additionally, ideas were decided upon at a non-recorded workshop. She opposed some items and had complained that votes had not been previously taken. She left at 9 p.m. from a meeting and items were still being discussed. Furthermore, she was not allowed to show a two-minute Power Point. She voiced other concerns and issues during meetings and felt that more communication between board leaders and Council would be helpful.

Mayor Blake thanked her for the courage to communicate the truth. He was sorry that she had to endure something of that nature. Ms. Jackson noted she was very hopeful when she joined the Board and reiterated that all of the members have a good heart, the Board just needs help. There are good intentions but she could see it do so much more.

Councilmember Koss understood that Ms. Jackson felt hurt. She received Ms. Jackson's emails on Thanksgiving morning. She submitted Ms. Jackson's letter of resignation for the record[1] which laid out issues as she saw them and where Ms. Jackson admitted that she had spoken with Mayor Blake several months prior. Councilmember Koss admitted that there were times where it was confusing, but overall what this group produced was an action plan that can help move the City forward. Her hopes were that they could look at ways to improve the Board and she felt that they never had the relationship with staff.

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1 EXHIBIT A: Resignation letter of K. Jackson submitted by Councilmember Koss

Ms. Jackson believed that staff was being used as an escape goat. There is so much more that could be done with the Board.

Mayor Blake thanked her again for having the courage to come forward and his greatest concern was to do what is best for the citizens of Cocoa. Furthermore, he pointed out that the current purpose was to reflect the community and to address all citizens concerns. Ms. Jackson added that all of the members were from one area of Cocoa. Mayor Blake looks forward to continued conversation.

V. Consent Agenda:

(A) General Consent Items:

1. Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not to Exceed $1,096,915.40 (10% of the Contract Amount of $10,969,154.00) for the Joint Pineda Causeway Pipeline Project between the City of Cocoa and the City of Melbourne, Project No. WS18MI. (21-748). (Utilities Director)

2. Approve a Resolution Amending the FY2022 Budget, BAF# 22-025-A in the amount of $327,272, for the purchase (including closing costs) of four (4) parcels on Oleander Street. The parcels will be converted to approximately 40 surface parking spaces for use in Cocoa Village. (21-753). (Interim Community Services Director). (21-753). (Interim Community Services Director)

(B) Multi-Year Contracts:

3. Approve the City Manager to sign a multiyear agreement (2021-2024) with Regional Emergency Medicine Specialists Inc. and Dr. David Williams to provide Medical Director Services for the City of Cocoa Fire Rescue Department and allow the City Manager to approve and sign annual renewal for this service. (21-772). (Fire Chief)

* **MOTION by Councilmember Dyal; Seconded by Councilmember Koss, to approve the Consent agenda.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

None.

VII. Council Business:

None.

VIII. City Business:

1. Approve a Resolution Amending the FY2021 Budget, to "Shore Up" Departmental Accounts with Negative Balances or Project Budgets, through the use of various Budgeted Lines or Fund Balance. BAF#21-110 A1, A2 and T3 (21-741). (Finance Director)

* **MOTION by Mayor Blake; Seconded by Councilmember Goins, to approve the item.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a Resolution Amending the Fiscal Year 2022 Adopted Budget, BAF# 22-001-A, for Purchase Orders Rolled Over to Fiscal Year 2022, Due to Unspent Money for Capital Projects and Specific Operating Accounts, through the use of various Fund Balance Reserves and BAF# 22-002-A and T to Provide Budget for items Budgeted within FY21 and not Executed, also through the use of Fund Balance Reserves. (21-742). (Finance Director)

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Hearn, to approve the item.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

None.

IX. Informational Agenda:

1. Cumulative purchase approvals over $35,000 and under $50,000 for period 10/01/2021 to 10/31/2021. (21-736). (Finance Director)

2. FY 2022 Budget Adjustment Report. (21-749). (Finance Director)

X. Reports:

Ms. Senger announced that December 11th from 3 p.m. until 7 p.m. at Riverfront Park was the Holiday Festival. It will immediately follow the Cocoa/Rockledge Holiday Parade. Additionally, Brevard Parks and Rec are still accepting parade applications. The parade begins at 2 p.m. at Rockledge High School.

She mentioned that we are still collecting for the Food Drive as well. Donations can be taken to all City facilities. They had a good turnout at both Erdman Automotive and Cocoa Walmart. They are also asking for non-perishable items be brought to the Holiday Festival as well, as admission is not charged.

Chief Lamm provided a brief update on COVID-19. He stated that since the pandemic started there have been 81,335 positive cases in Brevard County and 1,757 deaths. About 62% of Brevard County is vaccinated. He spoke briefly about the new variant and pointed out that they are not sure if the vaccine will fight it or not. They are still recommending that people be vigilant and protect themselves. The Merritt Island testing site will remain open until March as well.

Lastly, he announced that Lt. Mike Artelli, a former firefighter passed away this past Saturday. He promised to keep Council apprised of any arrangements.

Deputy Mayor Hearn expressed his optimism for the upcoming year and for all of the park updates. He has seen a lot more presence at the parks and knows that the planned updates are nowhere near completion.

He gave a shout out to the Cocoa High football team as they advance to another playoff game this Friday night.

Councilmember Koss spoke about the long emails she received on Thanksgiving as well as the long conversations that she has had with Ms. Jackson. She agreed that there were many items that members were asked to work on that staff took over, such as the Marker program. She noted that she has audited the videos and encouraged other Council members to do so as well. Minutes are not attached and some of the videos are not available either. She further pointed out that that the Sustainability Advisory Board wrote a plan and it is very difficult to do under the Sunshine Law.

Councilmember Koss felt bad that so many members had been thrown under the bus and spoke in detail about those members and their backgrounds.

She hoped moving forward the board will have a staff person with a sustainability lens and the capacity to bring that to the rest of staff. She was hoping for a report on the board tonight. There are a lot of municipalities without a Sustainability Advisory Board but have staff for sustainability, which could be another route.

Councilmember Koss offered her gratitude for the many hours of dedication from the members.

Councilmember Koss advised that the Police Community Relations Advisory Board would like to meet every other month and asked for that to be placed on an upcoming agenda. It had been voted on by the committee as well.

In closing, she provided a shout out to Save-A-Lot on Dixon as they seem to be doing very well.

Councilmember Dyal pointed out that at the last meeting they spoke about an executive session and asked if a date had been scheduled. City Manager Whitten assured him they would work on scheduling the meeting.

Councilmember Dyal further advised that no one on the Districting Commission was from District 4. It was pointed out that Council's nominations did not have to be from their own district.

He hoped that staff and everyone had a great Thanksgiving.

Councilmember Goins spoke about an incident that happened last week, on November 26th. He shared information regarding the accident. He gave kudos to the officers on the scene, both police and fire. He specifically acknowledged Officer Collins, Officer Leitch, Sgt. Columbo, Sgt. Bradshaw, Cpl. Benitez, and a few others, including firefighters. He appreciates what they all do and would like some sort of recognition of Officers Leitch and Collins at the next meeting.

He stated that on Thanksgiving Day and along with Deputy Mayor Hearn helped serve food at the Sharing Center and it was a great event. They met and talked with a lot of different people.

He mentioned an issue this past week that Ms. Shaia reported regarding cars being towed from local businesses due to the race. It had been determined that the car was parked in front of the ATM at the bank. He felt more communication

would help between the City and businesses during events to avoid these situations.

Ms. Senger pointed out that the organizers of the race do a good job communicating which lots can or cannot be parked in, however Suntrust was not on the list as it now has a new name, but she ensured it would be included next year.

City Manager Whitten clarified that this was not a police department issue or order, but a miscommunication as Suntrust is under new management.

Councilman Goins advised that the City of Miami Gardens visited Cocoa two weeks ago and he spoke about the similarities between the two cities. It was nice to get ideas from each other.

On December 19th he would be doing a hot food distribution on Railroad Avenue in Cocoa. Last year they fed 200-300 people. If anyone would like to donate he can be reached at 321-474-4923. Hygiene products are also appreciated.

He announced that his grandmother fed 769 people in the City of Melbourne during Thanksgiving and she is 89. He appreciates her and all that she does for him and the community.

Lastly, he spoke about a home on Varr Avenue. The person living in the home does not respect Code Enforcement and is disrespecting the Virginia Park neighborhood. He listed the various items in his yard and asked what could be done as this issue is becoming overwhelming.

Attorney Garganese advised that there were various things that could be done, however, he would need to know more of a history and a status of code violations, etc. He would be happy to sit with the Code Manager and to find out more about the case.

Mayor Blake wished and hoped that all had a happy Thanksgiving. He had a great time at the food drive at Walmart and at the Fire Department for the turkey drive. He supports and endorses staff and thanked all staff for their service.

He mentioned that every Saturday he rides with the police department and supported and encouraged all others to do the same. The City is growing and it is

neat to see. He spoke of the groundbreaking tomorrow for Cirrus Apartments in District 3.

In closing, he reiterated his thanks and acknowledged Frank Sullivan and his family (Sullivan Victory Groves) as they were showcased in the Brevard Business News publication.

XI. Adjournment:

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Dyal, to adjourn the Special meeting of November 30, 2021.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 5:39 p.m.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

CITY OF CORFORATE SEAL FLORIDA

EXHIBIT A: Resignation letter of K. Jackson
submitted by Councilmember Koss

From: Lorraine Koss
To: Carie Shealy
Subject: email you requested for minutes
Date: Wednesday, December 29, 2021 10:08:05 AM

From: Kristina Jackson <drpepperfn23@gmail.com>
Sent: Thursday, June 3, 2021 11:09 PM
To: jlovittriggs@gmail.com; Lorraine Koss <lkoss@cocoafl.org>
Subject: SAB I'm resigning PLEASE read all of the following it's impt information for SAB, know you are wonderful people doing great things

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

I am resigning from the board. I had wanted to in the past but was encouraged by a few people I know to stay. I just can't anymore. I leave meetings frustrated and upset. There are so many issues. No agenda for a meeting, the staff doesn't know the Chair is missing the meeting, meetings going over by 30min to an hour. It is so chaotic. I also understand I can talk too much and appreciate being reminded about time restraints. What I don't like or understand is how I am the only one reminded about time restraints and told to stop talking when we could make a drinking game from the term community garden. That term came up probably 10 to 15 times at separate times throughout the meeting tonight without once having time restraints being mentioned and with a reminder that we've already heard about the community garden. Perhaps your husband can make an observation about this Lorraine since he watches the meetings. It's so frustrating and accomplishes nothing with how many times the community garden is mentioned over and over and over with absolutely nothing getting advanced. No signage, no hours, no decision if people own plots or share plots, no asking churches to participate. Those items were brought up in my first meeting in November, 7 months ago and nothing has been decided or done on any of the items. A worker is worried a SAB person could get him fired because of how horrible he was treated by her, but when mentioned the reply was, don't worry about it.

I have tried to do what I was tasked to do, but I was not given direction and ended up causing problems and that was something I never want to happen. If I did work on a task, it just got forgotten in the next meetings or I'm abruptly told don't worry about it or the person who assigned it to me doesn't remember and I end up looking like a fool.

I want things to improve, I talked with Linda Seals who offered a one hour clinic for us to improve the group. I'm in tears and so frustrated after meetings, except one where Marlene was in charge and we finished at 7:37 and it was orderly and sufficient and well run. I was so amazed and I told her so. However, we did introductions with each other at that meeting and we were told to do them again this meeting taking up time that we needed for other items. This is because there was no communication from the chair about what occurred at the last meeting such as talking about retention ponds and that I would find out information, which I did, but to no avail.

There are really awesome, great, informative people on the board now who can do wonderful things if they are allowed the opportunities. If community garden does not monopolize every single meeting like it has since I joined in November. If there is good communication, if what they do matters and is discussed at the next meeting and not just forgotten by the next meeting.
I really have the best wishes for the SAB and all it's work, but Please, Please consider watching this meeting from tonight and count how often community garden is discussed throughout the meeting, notice how only I was told to stop talking due to time restraints.

Please consider restructuring the meeting to hold presentations to 2 min or 3 min for EVERYONE and not allow 20 min of talk about the community garden and lack of water and everything else I and others have heard over and over. And then the subject is allowed to be brought up in other parts of the meeting that have nothing to do with the garden. I'm not saying a community garden is not important but please recognize the need to help this person be more organized to get things done for the sake of the community garden, so it can be a tangible product and not just an idea discussed over and over. Please recognize that one item is monopolizing over half the meetings. That one item causes everyone to have to stay 30min to an hour over due to it's monopolization.
I think the chaotic nature of the meetings and the community garden issues are possible reasons money was taken from SAB. It seems little gets done due to lack of communication and follow thru with ideas. My friend who knows Mayor Blake kept telling me to talk to him about the issues because he is really good at conducting meetings so I finally talked to him about my concerns earlier this year hoping he might be able to offer assistance or advice. He said the issues with SAB are well known in the Cocoa government, he has received complaints from others before me and other council members are aware of the issues. I've debated telling you this information but I just really want you to know how serious these problems are and how they affect more than just me at the meetings. There are concrete issues that need dealt with for SAB to move forward in Cocoa and someone should be telling you this so you have the opportunity to know the problems and try fixing them. I wish someone else would tell you this, but it doesn't seem fair to you Not to be told by somebody.
With truly best regards, you guys are awesome people doing awesome, generous, selfless things, there are just some technical issues that need worked on so that your awesomeness really SHINES.

Kristina Jackson