MINUTES
City of Cocoa
Regular Meeting of The City Council

July 13, 2021

A Regular City Council Meeting was held on Tuesday, July 13, 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 6:00 p.m.

Reverend Homer Brown provided the invocation and Mr. Didier Menard 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
	James Goins	Deputy Mayor
	Rip Dyal	Councilmember
	Lavander Hearn	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Monica Arsenault	City Clerk

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Evander Collier, Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Charlene Neuterman, Interim Community Services Director; Samantha Senger, Assistant to the City Manager/PR Specialist; and Mitchell Lawyer, Acting Chief of Technology.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of July 13, 2021 (21-451)

* **MOTION by Mayor Blake; Seconded by Deputy Mayor Goins, to amend the agenda to add Consent item V.5, approval of a Budget Resolution amending the FY21 budget to transfer funds from the CDBG account to the Section 108 Loan account in order to cover the prepayment of the Section 108 Loan due in July.**

Ayes: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED (5-0)

2. **Minutes:** (a) Regular Meeting of June 8, 2021 (21-452)
(b) Regular Meeting of June 1, 2021 (21-475)

* **MOTION by Councilmember Hearn; Seconded by Councilmember Dyal, to approve the Minutes of the Regular Meeting of June 8, 2021 and the City Council Workshop Meeting of June 1, 2021 as written.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. PAL Basketball Coach and Player Recognition. (21-434). (Deputy Mayor Goins)

Deputy Mayor Goins recognized the athletes and coaches from Cocoa PAL and invited them up for a photo with the City Council.

2. Proclamation for Eumari Dixon. (21-488). (Mayor Blake)

Mayor Blake presented a proclamation to Mr. Eumari Dixon, a heroic Cocoa High School student, for stopping to assist a local elderly man who was experiencing a medical emergency on the side of the road. Mr. Dixon stayed and assisted the Rockledge Police Department until Fire Rescue arrived and was able to provide the man with the medical attention he needed.

IV. Delegations:

Mr. John Niland, 121 Island Pl., Orchid, FL thanked the Council for their efforts in serving this community. He explained that he has come to speak about fluoride

and what fluoride is. He shared that the FDA recognizes that it is a drug and pointed out that adding fluoride to water is only for the purpose of medical treatment and everyone should have the option to decide whether or not they wish to ingest this chemical into their body. Furthermore, no elected official can force this regardless of how well intentioned or how well informed they believe to be.

Tank Sherman, 1125 N Indian River Dr., shared a concern regarding speeding on N. Indian River Drive. He shared that his wife filed a police report regarding a specific incident that happened on their street. He provided photos[1] to Council and reviewed them in order to provide further explanation of the incident.

Keno Diefenderfer, 506 Donley St., provided the Council with a potential design idea[2] of a skate park that could be built at the Joe Lee Smith Center.

Elizabeth Baker, Merritt Island, works for an organization that represents a property located at 800 N. Fiske Blvd. in Cocoa. She explained that they are experiencing a big issue with litter. She has received notifications from the City that they may begin to incur fines if they do not do something to clean it up. She shared that they have tried many different things including having extra maintenance workers there to help clean it up but she feels stuck and is asking the Council for their support. In response, Councilmember Hearn stated that he will get with Mr. Chris Hattaway and the Police Chief as well as members of the community to assist with problem.

Rev. J.B. Dennis, 3710 Catalina Dr., congratulated Chief Collier for cleaning up Provost Park in record time. Additionally, he spoke about police reform and pointed out that the Police Advisory Board has no investigative authority which is no use to Chief Collier. He has submitted several petitions and asked the City Manager and Chief Collier to consider giving the board investigative powers.

Phyllis Moscoso, 2209 Catawba Dr., spoke about the Brevard Museum and the progress they are making. They have met with staff and have filed to become a 501(c)3 organization. She asked if there is anything Council can do to put on the record that they have acknowledged their efforts in saving the museum. In response, Mayor Blake explained that the City Manager and the City Attorney need to collaborate and progress will be made from there.

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[1] Exhibit A: Photos provided by Tank Sherman
[2] Exhibit B: Skate park design by Keno Diefenderfer

Councilmember Koss asked the Council if they would be willing to affirm their support that way the people know they have it.

Deputy Mayor Goins added that he feels the Council should wait until the 501(c)3 is approved before they dive any further.

Paul Kamus, 116 Olive St., talked about the European olive tree, named Love, that is in Taylor Park that was donated to the City. He encouraged everyone to visit the tree in the park and to scan the QR code on it to learn about the story of Love.

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to extend Delegations for twenty minutes.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Homer Brown, 992 Demaret Dr., shared a concern about residents at Arlington Apartments because they have nowhere to park. This has created a catch twenty-two because they cannot park on his vacant lot next door either or he will be cited by Code Enforcement. He would also like to put up a fence to protect the property but the City does not permit fences to be installed on vacant properties. He asked the City for help. In response, Deputy Mayor Goins asked if Council and staff can reconsider some of the Code policies and requested that this discussion be brought back at a later time.

Anita Gibson, 451 Stone St., feels the love and support from her community and she appreciates it. She commended Chief Collier for the work he has done so far, however she has requested a cold case unit. She added that she noticed by the Chief's door in his office there is a billboard with cold case photos and she asked that her son be added to it and to make the billboard more visible to the public. In response, Mayor Blake shared that Councilmember Hearn is collaborating with Chief Collier to address all of the cold cases.

Elizabeth Timmons, 111 Coquina Dr., has been volunteering at the Brevard Museum for a little under forty years. She shared that she has two requests, one of which is for the City to clear branches from a tree off of a sign on US1 just before Michigan Ave. which points people in the direction of the museum. She also requested financial support for the museum if possible.

Brenda Fox, 1110 Abington St., asked for an update regarding the repairs of the pool at the Joe Lee Smith Center. In response, Mr. Smith advised that the County is working to make the repairs.

Ms. Fox pointed out that the summer program is half over and the pool is not accessible to the children. Her other issue is with a tree that was cut down by the City across from Save-A-Lot which is fine, however the area needs cleaned up because there is still debris there.

V. Consent Agenda:

(A) General Consent Items:

1. Approval of the Retirement Plans Investment Policy and Committee Charter for the City's 401(a) and 457(b) plans. (21-351). (Finance Director)

2. Approve Amendment No. 1 to Task Order No. 2021-13 with Jacobs Engineering Group, Inc. for Engineering Services for SCADA, Process Control Systems and Instrumentation Support; To Approve a Resolution Amending the FY2021 Budget to Reallocate Funds from Account 424-4020-536.64-15, IT Hardware, Project No. WS18DW to Account 421-4020-536.31-03, Engineering Support, BAF #21-082-A; To Authorize the City Manager to Approve Change Order No. 1 to FY2021 P.O. 77434 with Jacobs Engineering Service for SCADA, Process Control Systems and Instrumentation Support. (21-401). (Utilities Director)

3. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making a Sole Source Purchase from Trillium Pumps USA, Inc. of Salt Lake City, Utah, to Replace the Equalization Pumps at the Sellers Water Reclamation Facility. (21-430). (Utilities Director)

4. Approve Resolution # 21-059 to allow the City Manager or Finance Director to Execute Forms and Documents related to the American Rescue Plan Act Funding. (21-486). (City Manager)

5. Approval of a Budget Resolution Amending the Fiscal Year 2021 Budget BAF # 21-096-A to transfer funds from the CDBG Account to the Section 108 Loan Account in order to cover the prepayment of the Section 108 Loan due in July. (21-497). (City Manager)

(B) Multi-Year Contracts:

6. Approve multi-year Contract W1238 with the Florida Department of Corrections for one Inmate Work Squad for a twelve (12) month term beginning on January 1, 2022, including one three (3) year renewal. Authorize the City Manager to approve any additional Department of Correction Inmate Work Squad contracts, Budget Amendments and Purchase Orders, if the Public Works Department can obtain additional Inmate Work Squads under the terms and conditions stated herein. Future years Budget for this service will be included with the adoption of the fiscal year's budget. (21-423). (Public Works Director)

7. Approve a Multi-Year Agreement with P&A Administrative Services, Inc. (P&A Group) for Flexible Spending Account administration services effective October 1, 2021 to September 30, 2025. Authorize the City Manager to sign finalize and execute the associated agreement with City Attorney legal review. (21-466). (Administrative Services Director)

8. Authorize the Mayor and City Manager to execute a Multi-Year Standard Piggyback Contract ADSPO16-130652 with CDW Government (CDW-G) for future software licensing and maintenance purchases and authorize the Mayor and City Manager to execute all future extensions and amendments to the Software Value-Added Reseller (SVAR) Services, Contract No. ADSPO16-130652 between CDW-G and the State of Arizona. (21-473). (Chief Technology Officer)

9. Council acceptance of the Annual Financial Report for the US 1 Corridor Community Redevelopment Agency for Fiscal Year 2020. (21-477). (City Manager)

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. Council consideration and public comment on the allocation of the 2021 Edward Byrne Memorial Justice Assistance Grant in the amount of $13,902. (21-455). (Chief of Police)

Chief Collier expounded on the topic and shared that the goal is to be one of the top elite police departments in the state and in order to do that the officers need to

be provided proper training. He is committed to doing this and this grant will help them do that.

Mayor Blake opened the hearing to the public for questions and comments. There being no further comment, the public portion of the hearing was closed.

* **MOTION by Councilmember Dyal; Seconded by Councilmember Koss, to approve the allocation of the 2021 Edward Byrne Memorial Justice Assistance Grant in the amount of $13,902.00.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Conduct a Public Hearing to amend the FY 2019/2020 CDBG Action Plan to allocate Community Development Block Grant Coronavirus (CDBG-CV) funds and add activities in accordance with the City's CDBG Citizen Participation Plan; authorize submission of the substantial amendment to the U.S. Department of Housing and Urban Development (HUD); and authorize the Mayor to sign all subsequent certifications and agreements related to CDBG-CV. (21-470). (Interim Community Services Director)

Ms. Neuterman provided a brief background on the item.

Mayor Blake opened the hearing to the public for questions and comments.

Paula Schroder, representing Aging Matters of Brevard, 3600 King St., explained that this stable home program was something they rolled the dice on and only twenty to thirty thousand dollars is typically awarded, however they were fortunate enough to receive almost eighty thousand dollars. Over the last year especially, they have received many phone calls from people in various situations looking for stable housing. Aging Matters would like to make Cocoa their main focus and this funding will help subsidize people with their rent, utilities and other expenses. She added that she appreciates the City and everything they have done over the years, even assisting with some of their other programs such as Meals on Wheels.

Mark Sexton, 2515 Stratford Dr., Director of Programs at Family Promise of Brevard, explained their goal is to help people remain stably housed. Last year twenty-seven Cocoa families were assisted which included over eighty children. One hundred percent of people that were helped in 2020 remained stably housed which means none of them were evicted. He thanked Council for their support.

There being no further questions or comments, the public portion of the hearing was closed.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Council Business:

1. Approve a resolution renaming Fern and Prospect Park to Gilmore Community Park. (21-472). (City Manager)

City Manager Whitten provided a brief background on the topic.

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Dyal, to approve a resolution renaming Fern and Prospect Park to Gilmore Community Park.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. City Business:

1. Approve Resolution 2021-058 revising the building permit fee schedule related to the issuance of building permits pursuant to the Florida Building Code and repealing Resolution 2021-040 in its entirety. (21-479). (City Manager)

* **MOTION by Councilmember Hearn; Seconded by Councilmember Dyal, to approve a resolution revising the building permit fee schedule related to the issuance of building permits pursuant to the Florida Building Code and repealing Resolution 2021-040 in its entirety.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

None.

IX. Informational Agenda:

X. Reports:

City Manager Whitten shared that Angela Essing made the front cover of BBN which has a nice article regarding all of the positive things happening in Economic Development.

Additionally, he recognized and congratulated Samantha Senger as being one of about one hundred to become a Public Relations Counselor.

Lastly, he congratulated the Council for what they did to save Save-A-Lot. He acknowledged that the business is experiencing significant growth and had one of the best weeks in sales last week that they've had in about ten years.

Ms. Senger shared that the following events are coming up:

- School Supply Drive on July 31st from 9am-2pm at Cocoa Walmart
- Food truck event and School Supply Giveaway at Provost Park on August 7th from 11am-2pm
- Wallen Park Dedication Ceremony on August 7th at 9am
- Unveiling of the Rosa L. Jones Memorial Mural Installation at the traffic circle at Rosa L. Jones and Brevard Ave. in Cocoa Village on August 14th at 10am

She also added that the tree beauty contest is wrapping up and thanked everyone for their submissions.

Furthermore, Ms. Senger thanked those who came out to the July 4th celebration as everyone had a great time. She recognized Leisure Services and the interns that helped to set up this phenomenal event.

Lastly, she pointed out that there are only two spaces available for the upcoming Citizens Academy if anyone is interested.

Ms. Neuterman shared that the Diamond Square CRA Residential Paint Program and Residential Beautification Program applications are now online and can be found at www.choosecocoa.org. Applicants can submit their application online along with other supporting documentation to be selected to participate.

She also mentioned the wall raising ceremony for the Female Veterans Village in Diamond Square. This is the third of six homes being built for female veterans who have experienced financial hardships and homelessness. She thanked the Mayor, City Manager and Councilmember Koss for coming out in support.

Chief Lamm gave an update on Covid-19 numbers. He encouraged the public to get vaccinated and pointed out that there are plenty of places you can go to do so. Additionally, he asked everyone to keep the families of everyone affected by the collapse of the condos in Surfside, Florida in their thoughts and prayers.

Chief Collier shared that the Police Department has a community walk coming up on July 21st at 6pm in the Royal Gardens area on Fiske Blvd. and a community forum will be held afterwards on Donley St.

Mayor Blake thanked everyone for the July 4th event. It was good, clean fun with no accidents. He added that he also had a great time at the Veteran's Build event and felt that last week's budget workshop was a success.

He acknowledged Superintendent Dr. Mark Mullins on becoming the new Area IV Director. He asked Council and the City Manager if Dr. Mullins could come to the next Council meeting to speak. He also congratulated Deputy Mayor Goins on a job well done at the event that was held for Rockledge Councilman Shaun Ferguson.

Councilmember Koss spoke about the rejection of the presentation that was brought before the Council at the last meeting regarding Sustainability. She stated[3] the following:

"I have apologized to Mayor Pro Tem Raymond, as I hope other council members will, for the rejection of the Cape Canaveral Team from Cocoa chambers at the last Council meeting. We sacrificed decorum, we sacrificed respect, for a protocol that does not apply to an educational presentation. They did not come here to tell us what to do or even make recommendations, simply to share their experience. In the Council-Manager form of government, the League of Cities encourages council members to use the presentation part of the agenda and reports to educate colleagues on issues of importance to them. Adhering to sunshine laws, gives us few other options."

[3] Exhibit C: Statement by Councilmember Koss

She explained that she sought direction from the League of Cities and thought it best to make this statement this evening so they can move past this.

Additionally, moving forward, she hopes the Council can collaborate on common goals. She asked for the same respect that all of the other Councilmembers receive.

Councilmember Hearn shared that he thought the July 4th event had a great turn out and it was a nice event.

Also, there was bad weather over the weekend and there was a power line that caught some trees in Fern Meadow and he was one of the firefighters that responded to the scene. He asked if there is anything staff can do to follow up with FPL to ensure that the right of ways are kept clear, especially because we are in the middle of hurricane season.

Councilmember Dyal also thanked staff for the great 4th of July event. He also mentioned the Cops and Kids camp which is a great program. The officers make sure the kids have a great time and he encouraged anyone who can participate in the program to do so.

Deputy Mayor Goins noted that he feels the City is moving in the right direction and better things are on the way.

He also spoke in regards to the pool that was mentioned by Ms. Fox and wants to make sure staff does their due diligence and put a little more pressure on the County to get it fixed for the kids. Additionally, the pool at the Joe Lee Smith Center is hardly ever open after July and that is another discussion that needs to be held.

Lastly, he shared that he attended the School Board meeting this morning and asked the community to get involved in those meetings as well.

XI. Adjournment:

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to adjourn the Regular meeting of July 13, 2021.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 7:51 p.m.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

Incident Report

Print Date/Time: 07/13/2021 11:18
Login ID: cocoafl\\lane

Cocoa Police Department
ORI Number: FL0050200

Incident: 2021-00027346

Incident Date/Time:	7/8/2021 6:51:28 AM	**Incident Type:**	Suspicious Activity
Location:	1125 N INDIAN RIVER DR Cocoa FL 32922	**Venue:**	COCOA
Phone Number:	(321)544-4491	**Source:**	Phone
Report Required:	No	**Priority:**	3 - Low
Prior Hazards:	No	**Status:**	Not In Progress
LE Case Number:		**Nature of Call:**	

Unit/Personnel

Unit	Personnel
58	21149-Myny

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	SHERMAN, RHETA		(321)544-4491			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State

Disposition(s)

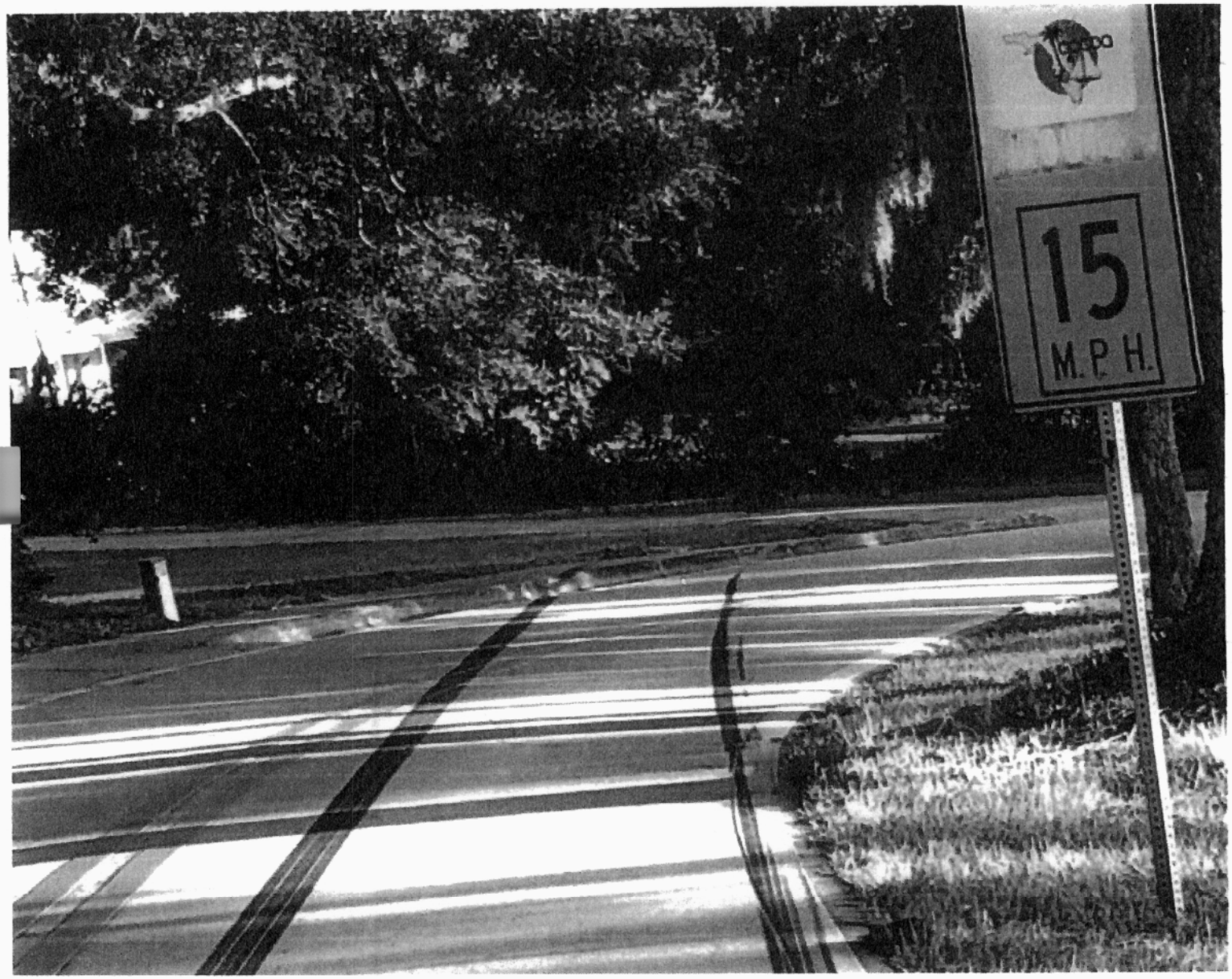
Disposition	Count
No Report Taken	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.

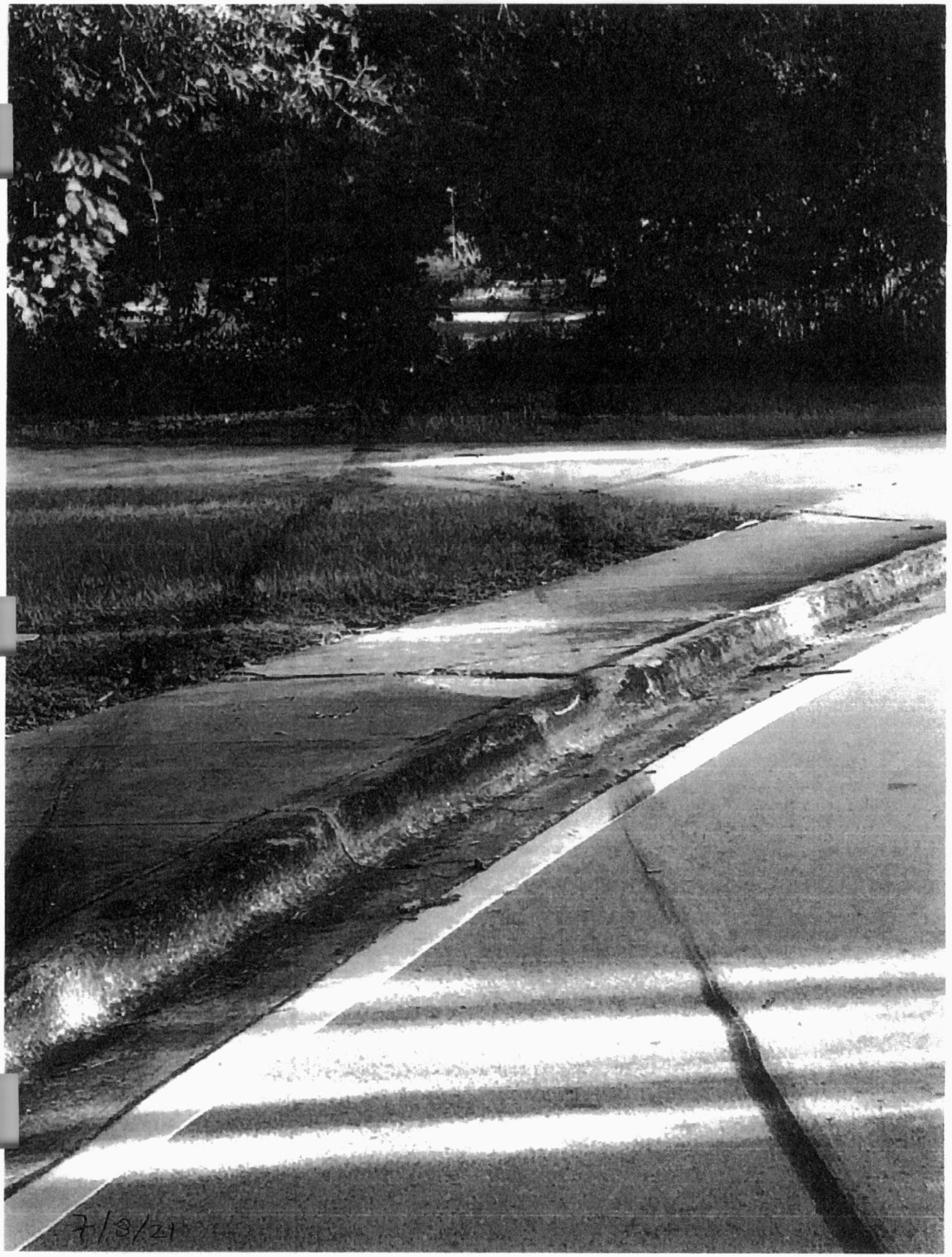
Narrative

07/08/2021 : 07:24:23 cocoafl\emyny Narrative: made contact with caller. An unknown vehicle did not make the curve and skid appro 250ft from the road way into the callers yard causing damage to grass and small tree. a business card and case number were provided Caller requests more night patrols for speed in the area. Caller also captured pictures and will be providing those to Cocoa City Counsel for speed limit signs.
07/08/2021 : 06:56:19 cocoafl\ksanders Narrative: NFI
07/08/2021 : 06:55:41 cocoafl\ksanders Narrative: ADV IT LOOKS LIKE THE VEH DIDN'T MAKE THE CURB... ALSO ADV THERE IS A PATH AT LEAST 50 YARDS LONG RUNNING THROUGH HER NEIGHBOR'S YARD & HER YARD... UNK VEH DESC
07/08/2021 : 06:54:33 cocoafl\ksanders Narrative: ADV IT LOOKS LIKE A VEH S-4'D IFO HER RESD OVERNIGHT...
07/08/2021 : 06:53:12 cocoafl\ksanders Narrative: 1056 W/COMP @ RESD

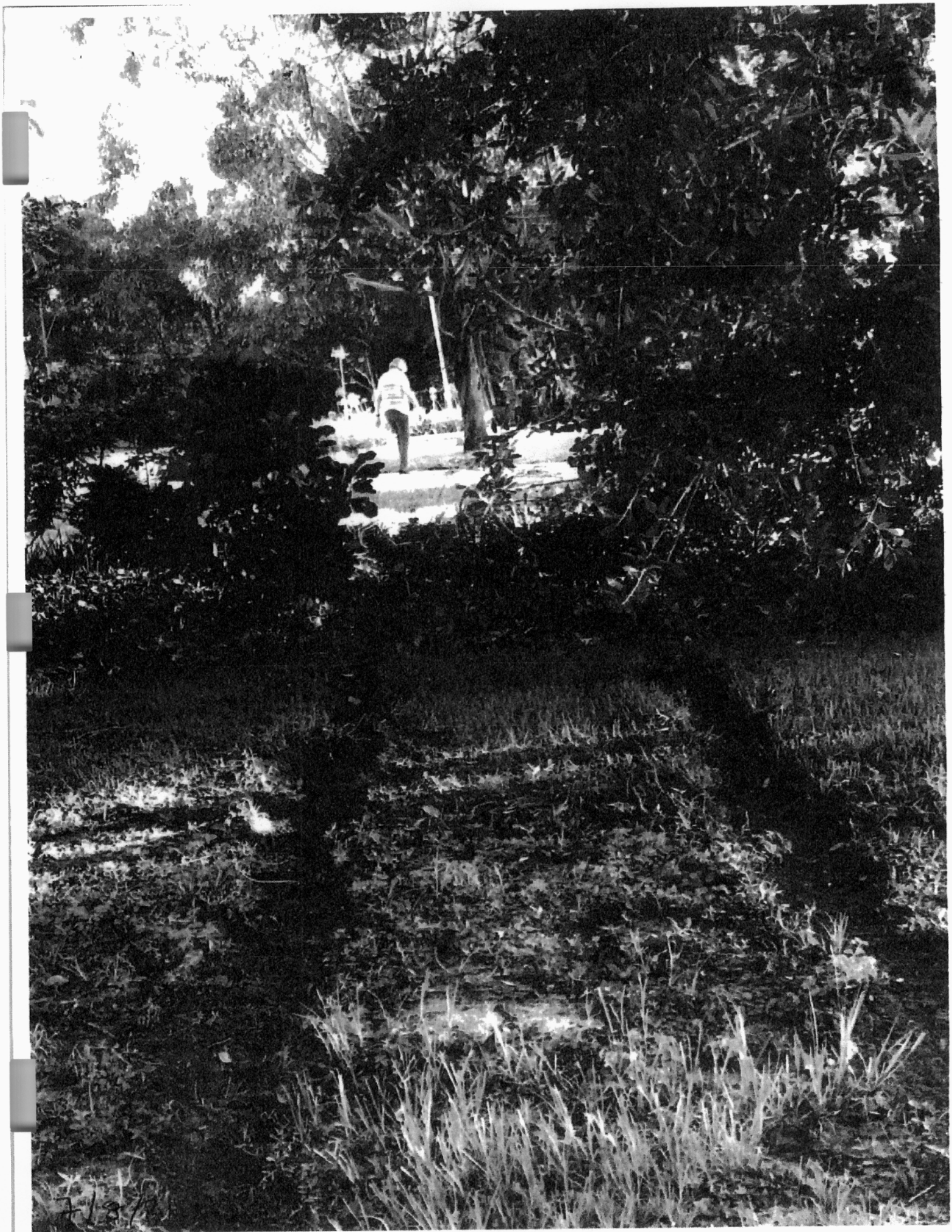


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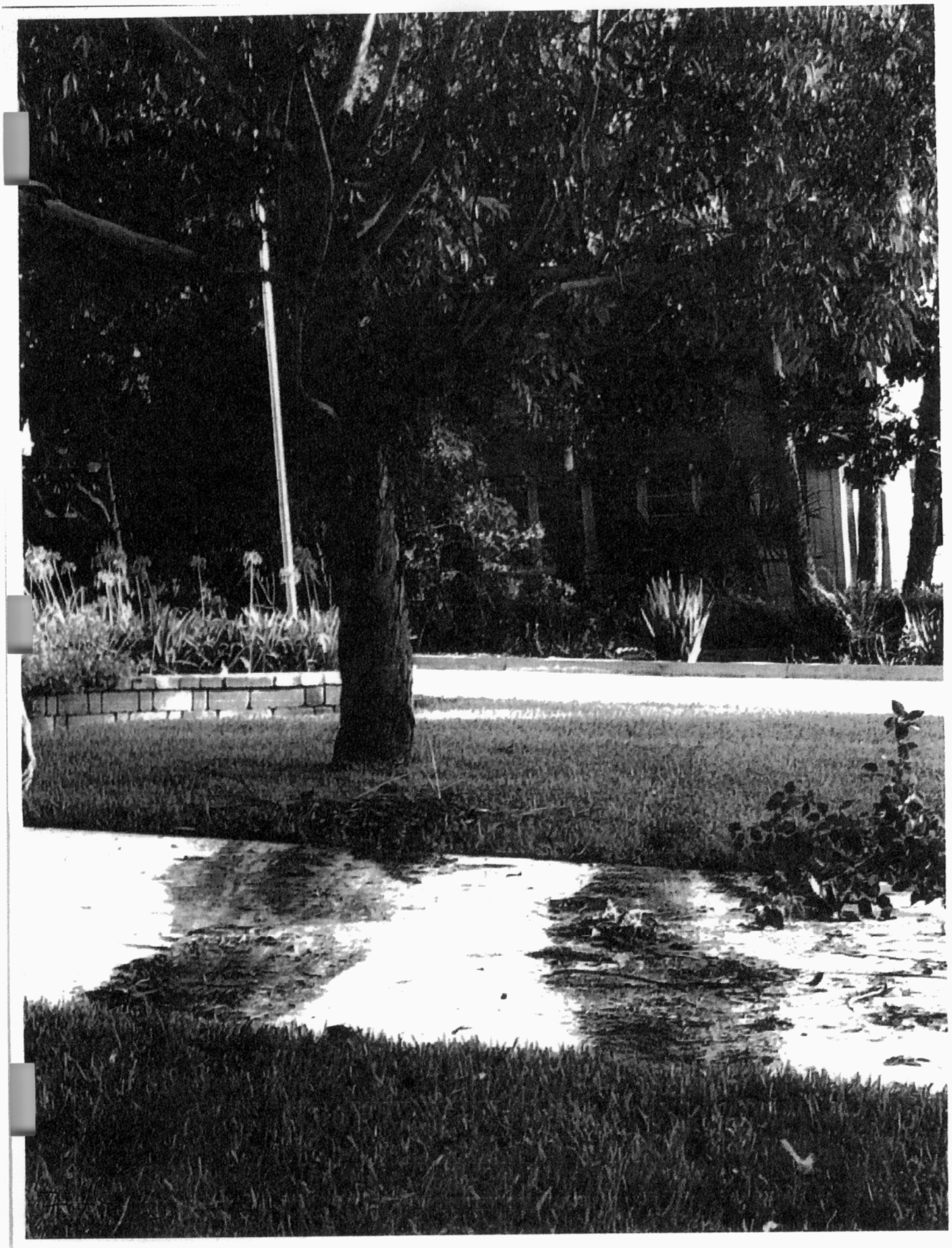
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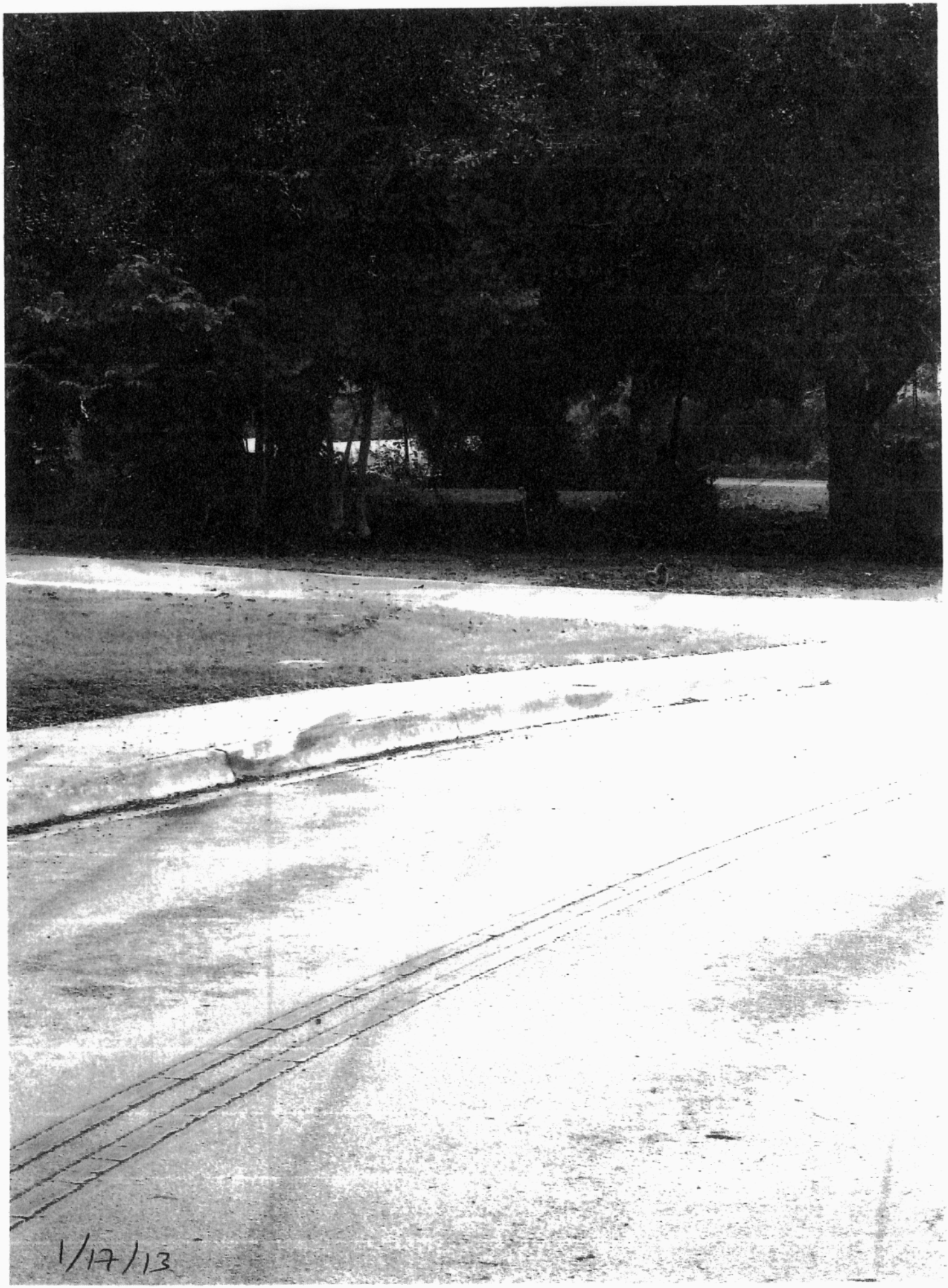
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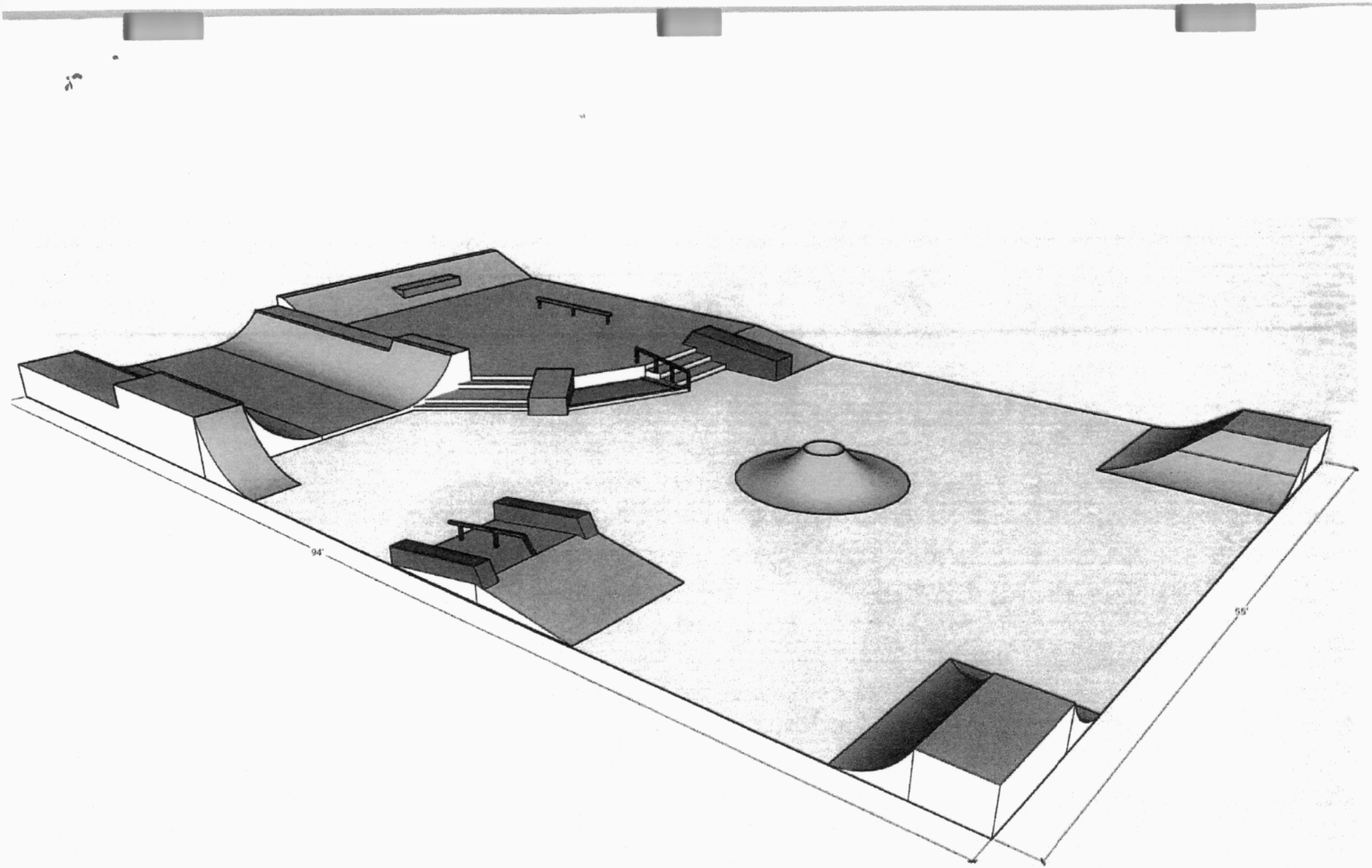

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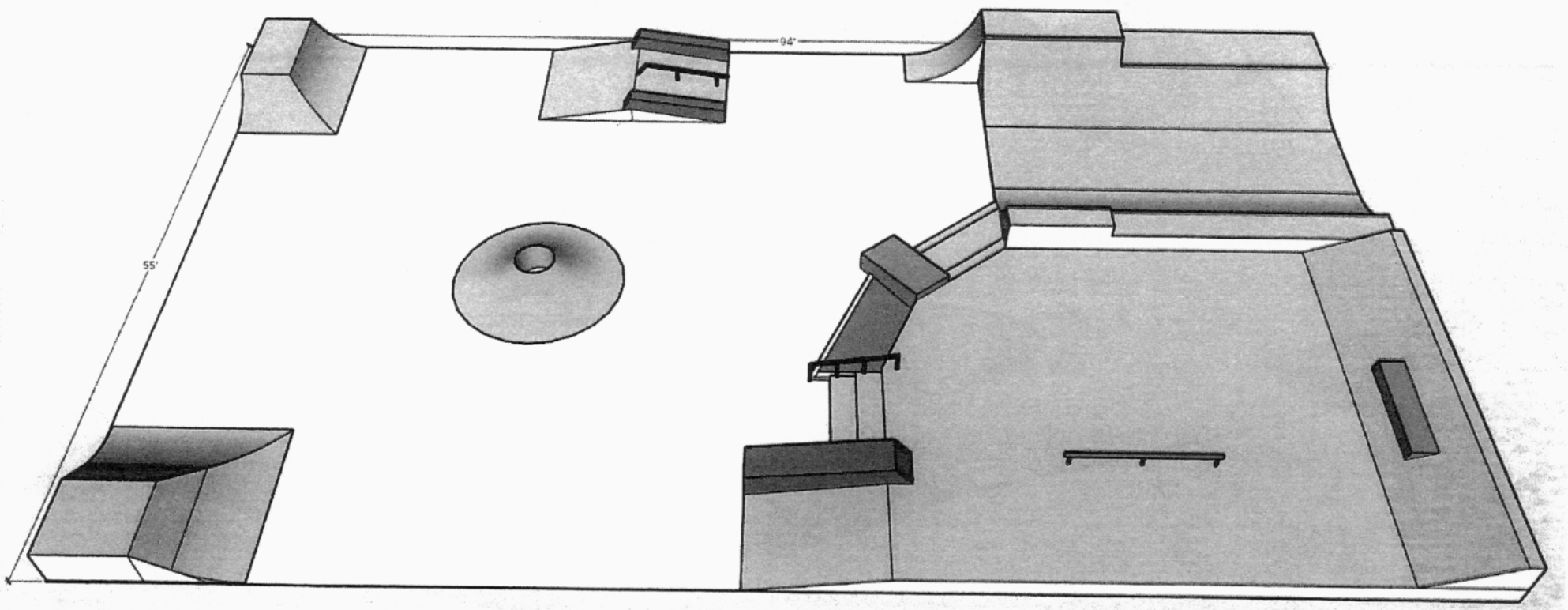
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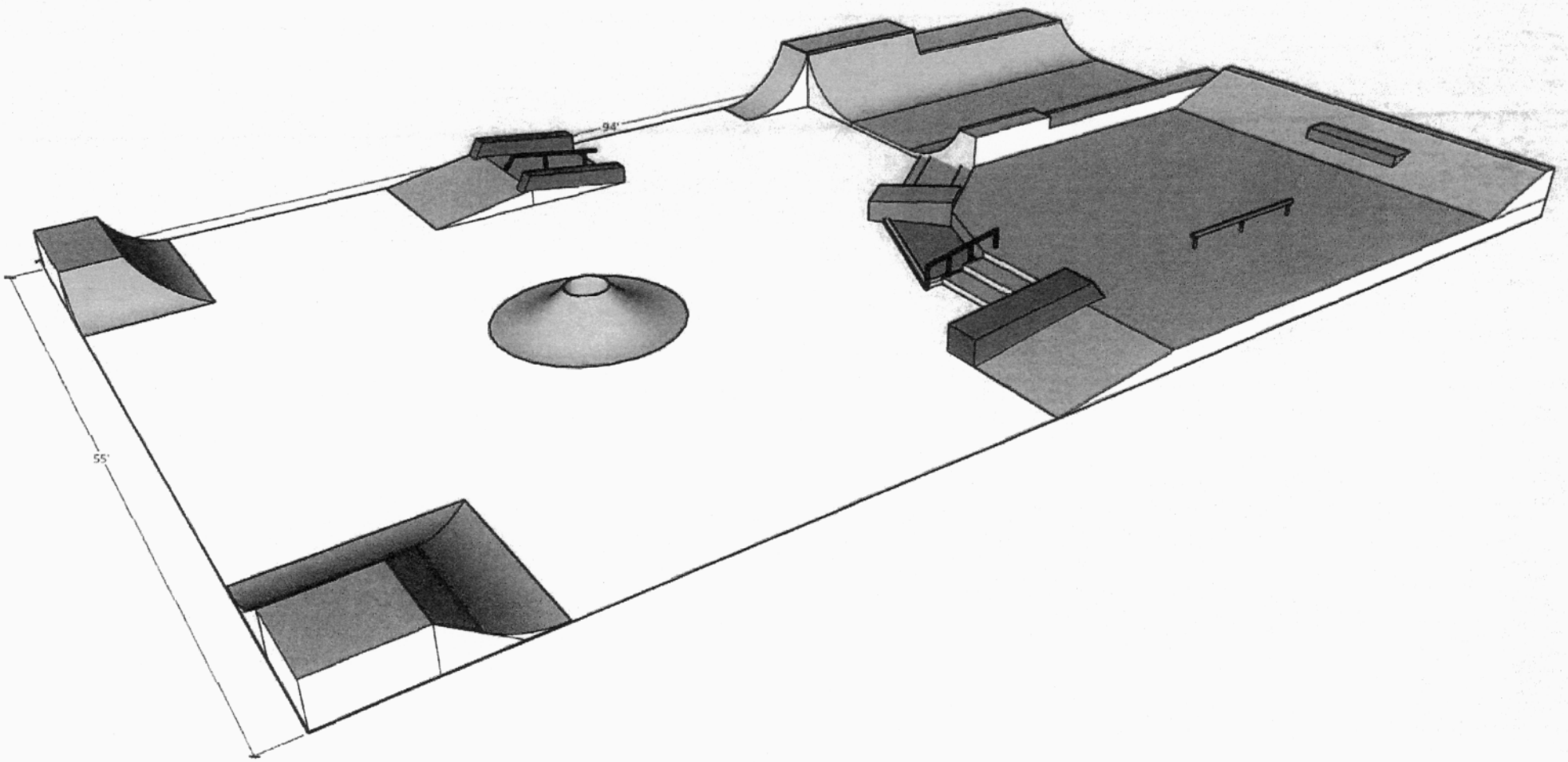

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JAN 2013

JAN 2013


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Monica Arsenault

From: Lorraine Koss
Sent: Thursday, July 15, 2021 6:23 PM
To: Monica Arsenault
Subject: statement

This is a formal statement for the public record. I read word for word the paragraph highlighted. The rest is paraphrasing to be managed as you wish.

I have apologized to Mayor Pro Tem Raymond, as I hope other council members will, for the rejection of the Cape Canaveral Team from Cocoa chambers at the last Council meeting. We sacrificed decorum, we sacrificed respect, for a protocol that does not apply to an educational presentation. They did not come here to tell us what to do or even make recommendations, simply to share their experience. In the Council-Manager form of government, the League of Cities encourages council members to use the presentation part of the agenda and reports to educate colleagues on issues of importance to them. Adhering to sunshine laws, gives us few other options.

The rejection of Cape Canaveral was ultimately part of the continued aggression and intimidation directed at me, the only female member of this Council. Am I targeted because I am female? I don't know. However, Council needs to be aware that the impact is not just on me. It is felt by our female citizens who see the hostile work environment on this dais and have complained to me that they are reluctant to come forward for fear they will be treated with the same rudeness. Even worse, as was said to me last week, "After seeing that, I'm so turned off it makes me not want to have anything to do with the city."

I make this statement at the urging of numerous female supporters, constituents, and several Space Coast Councilwomen, who have advised me that I must demand to be treated with the same respect given my male colleagues.

I ask to move forward with the intention of communication, collaboration, and cooperation in all Council matters.