MINUTES
City of Cocoa
Regular Meeting of The City Council

May 10, 2022

A Regular City Council Meeting was held on Tuesday, May 10, 2022, 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 6:01 p.m.

Bryan Bobbit with Keep Brevard Beautiful provided the invocation and a citizen 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:

Jack Walsh, Utilities Director; Charlene Neuterman, Community Services Director; Evander Collier, Chief of Police; Rebecca Bowman, Finance Director; Jonathan Lamm, Fire Chief; Rob Beach, Chief Technology Officer; Bryant Smith, Public Works Director; Samantha Senger, Assistant to the City Manager/PIO; Angela Essing, Growth & Economic Development Director; and Erik Montgomery, Helpdesk Support Tech.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of May 10, 2022. (22-273)

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to approve the Agenda as presented for the Regular meeting of May 10, 2022.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. **Minutes:** (a) Budget Priorities & Goal Setting Workshop, March 15, 2022 (22-225)
(b) Regular Meeting of March 22, 2022 (22-226)

* **MOTION by Councilmember Koss; Seconded by Councilmember Dyal, to approve the Minutes for the Budget Priorities & Goal Setting Workshop held on March 15, 2022 with amendments. She requested that the four documents submitted by Kristin Lortie to be included.**

Councilmember Dyal Rescinded his Second to the Motion.

THE MOTION DIED FOR A LACK OF A SECOND.

* **MOTION by Councilmember Dyal; Seconded by Councilmember Goins, to approve the Minutes as noted above as written.**

AYES: Blake, Hearn, Dyal, Goins
NAYES: Koss

THE MOTION CARRIED (4-1)

III. Awards and Presentations:

1. Trash Bash Results & Awards Presentation. (22-254). (Asst. to the CM/PIO)

Bryan Bobbit with Keep Brevard Beautiful spoke on behalf of the Trash Bash and acknowledged Ms. Neodasha Harris for her time and effort that she puts into this event every year. He announced the winners of the Trash Bash and presented her with checks as well as a trophy to display.

2. Proclamation: Proclaiming May 2022 as "Building Safety Month". (22-253). (Community Services Director)

Ms. Neuterman read the Proclamation into the record proclaiming May 2022 as "Building Safety Month."

3. Proclamation: Proclaiming the last Friday of April as "Arbor Day 2022". (22-278). (Councilmember Koss)

Councilmember Koss read the Proclamation proclaiming the last Friday of April as "Arbor Day 2022".

4. Proclamation: Proclaiming the Week of May 15 - 21, 2022 as "National Police Week." (22-45). (Chief of Police)

Chief Collier read the Proclamation proclaiming the week of May 15-21, 2022 as "National Police Week."

5. Proclamation: Proclaiming the Week of May 15-21, 2022 as "National Public Works Week." (22-282). (Public Works Director)

Mr. Smith read the Proclamation proclaiming the week of May 15-21, 2022 as "National Public Works Week."

IV. Delegations:

The discussion on campaigning was held and Attorney Garganese explained what the Rules of Procedure explains in regards to Council Chambers being a Campaign Free Zone.

Theresa Clifton, Executive Director of the Brevard Humane Society, thanked Council and the City for doing the hurricane preparedness event tonight and for including pet safety. She invited all to Cinco de Critters at Tequila 21 on Wednesday, May 11th from 4-10 p.m.

Tara Gabor, Cocoa resident, felt that at the last council meeting Cocoa showed compassion to the citizens. She mentioned the ordinance that Deputy Mayor Hearn has brought forward as well as the hurricane preparedness event. She further believes that the minutes should include items submitted by citizens.

Trevor & Verna Hughes, Cocoa residents and attendees of the last Citizens Academy, presented a framed letter to the City thanking them for the Academy. Other members of the Academy in attendance also helped present the letter. They wanted all of the departments to know how much they were appreciated and to also receive a copy of the letter.

Kristin Lortie, Cocoa resident, acknowledged Councilmember Koss, as she was the only person who spoke up in regards to meeting minutes. At least four sets of minutes have omitted information. Ms. Lortie had flip charts with information that she believes was being omitted and feels that the citizens of Cocoa should be represented. All of the information she was presenting could be found on the Cocoa Cares Facebook page.

Sean Johnson, Circle of Life Outreach Ministry on Rosetine Street, in Cocoa, voiced his concerns about the homeless situation in Cocoa. He advised they are working with people who go out and help treat the homeless as people. He also asked about the redistricting and asked if a person wanted to run for office, could they be grandfathered in if they live in the district that has a seat up for election, but have been redistricted into a new district.

Mayor Blake asked the City Attorney about redistricting. In response, the City Attorney noted that any candidates would have to qualify under the new districting boundaries.

V. Consent Agenda:

(A) General Consent Items:

1. Authorize the City Manager to approve a change order with Cortez Heating and Air, LLC in the amount of $20,795 to expedite the delivery and installation of the Civic Center's replacement cooling units under Bid # B- 22-08-COC. Request Council to approve a Resolution Amending the FY 2022 Budget, BAF #22-085. (22-287). (Public Works Director)

(B) Multi-Year Contracts:

2. Approve Participation in a Multi-Year Cooperative Purchase Agreement with Gossamer Bay, Inc. dba Universal Controls Instrument Service, Inc. for Flow Meters Parts, Repairs, and Recalibration Services Utilizing the Pinellas County, Florida, Contract #190-0445-B(JA) (ITB) effective August, 10, 2021 through August 10, 2026. (22-213). (Utilities Director)

* **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:

1. Consider the appointment of (1) one of the following applicants as a Regular member to the Diamond Square CRA for a three (3) year term: Astrid Heard, Alley Gallagher, Sean Johnson, Crystal McQueen or Michael Simpson. (22-241). (Administrative Services Director)

Ms. Neuterman explained the item and noted that this would fulfill the three-year term that the existing member had and then it will be renewed if Council chooses at the end of this year.

Astrid Heard, applicant, noted she was new to the City and would like to give back to the City. She is learning a little about the CRA and felt that her skills would benefit the board. She is interested in helping to improve the area.

Sean Johnson, applicant, noted he was interested in serving as a member as he thinks Cocoa is great and unlike any other. He would like to be more than just a pastor in the City. Cocoa is one of his favorite places in Florida and would like to be a member in order to give his input.

Crystal McQueen, applicant, stated that her family was originally from Titusville but she has been a part of Cocoa for about fourteen years. She does a lot of work in ministry, mental health and helps the homeless in the area. She has a double masters and served on the US 1 CRA before it was dissolved. She has experience and wants to be a voice.

Michael Simpson, applicant, advised he was here to be a part of his community, to help make changes as his family is here, and Diamond Square is a nice area to live in. He enjoys the surroundings and has been doing things that need done in his community. It is a beautiful place and he would like to continue to make it better. He also would like to be a voice for his community.

Mayor Blake applauded them all.

Councilmember Goins asked that Council send a letter to Ms. Delores Martin because she was a long-time volunteer. Ms. Neuterman noted that she, along with Ms. Chabot and Ms. Moore delivered a gift and certificate to her.

Councilmember Koss stated that this was a difficult decision to make but it was a great position to be in. There are a lot of qualified candidates and she hoped there were other vacancies that they could possibly fulfill. She hoped they would all apply if not selected.

* **MOTION by Councilmember Dyal; Seconded by Councilmember Goins, to appoint Ms. Crystal McQueen to Seat #3, on the Diamond Square CRA through January, 2023.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve the current Code Enforcement Lien for the property located at 1146 Lake Dr., be reduced to $1,009.84. (22-247). (Chief of Police)

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to reduce the Code Enforcement lien to $1,009.84.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Requesting Council approval for a revised street closure date for the upcoming Historic Cocoa Villa ge Main Street Car Show originally scheduled for April 2, 2022 as rescheduled to June 19, 2022. (22-248). (Asst. to the CM/PIO)

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approval of Councilman Dyal's appointment, Ms. Shannon Lathem, to the Sustainability Advisory Board. (22-258). (Administrative Services Director)

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to appoint Shannon Lathem to the Sustainability Advisory Board.**

Kristin Lortie spoke about the nominee and felt that it would be helpful to hear from the appointee and that it would have been nice for more information to be included.

She questioned if the Board will have meetings as there have not been any meetings scheduled. She pointed out that the next meeting Brevard Sustainability Working Group will be May 23rd at noon. Most cities are represented and it would be welcomed to have representation from Cocoa.

Councilmember Dyal announced that Ms. Lathem would have been here but had another meeting. He pointed out that they are all about sustainability at her place of business.

Councilmember Koss supported what Councilmember Dyal stated and she was impressed with Ms. Lathem.

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Consider the reappointment of Ms. Pam Shaia and Mr. Dan Quattrocchi as members of the Board of Adjustment through May, 2025. (22-263). (Administrative Services Director)

* **MOTION by Councilmember Goins; Seconded by Councilmember Dyal, to approve the Reappointments of Ms. Pam Shaia and Mr. Dan Quattrocchi as members of the Board of Adjustment through May, 2025.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

6. At the request of Deputy Mayor Hearn, Staff is requesting that the City Council consider the residential rental notice ordinance recently proposed by the City of Tampa, Florida increasing the notification period related to the termination of certain month-to-month residential tenancies to 30-days, and requiring residential landlords to provide 60-days written notice to tenants when rents will be increased by more than 5%, and provide direction on whether the City Council desires to consider adopting a similar ordinance. (22-283). (Deputy Mayor Hearn)

Deputy Mayor Hearn spoke as to why he requested that this item be brought forward. He noted that there is a crisis not only locally but also in the United States when it comes to housing. Rent prices are increasing and he is asking that the City do something in order to help. He is recommending to direct staff to gather as much information and to bring it back to a work shop. He thought that an email

or hotline could be available for those who feel they meet the criteria. He further felt that Cocoa should be leading the way in Brevard County as there are a lot of citizens being affected.

* **MOTION by Deputy Mayor Hearn to bring information to a workshop to see how this could be enforced.**

Mayor Blake agrees with him but believes that a lot of information needs to be disseminated in terms of information. He further concurred with the collaboration between the City Manager, staff and City Attorney.

Deputy Mayor Hearn further believes that this would encourage communication between the tenant and the landlord.

Ms. Neuterman added that staff researched the city of Tampa Bay City Council's approach to pass an ordinance and explained what the ordinance entailed. The first reading had passed and the second reading would be on May 19th. Staff would need to do further research to determine how they would work through this process and how landlords could notify the tenants and the City. It would also need to be determined how the City would enforce, monitor and track this information. Research and a report would need to be provided back to Council. While there are several other cities that have enacted this ordinance there are none in Brevard County who have at this time.

Councilmember Goins thanked Deputy Mayor Hearn for bringing this item forward. He mentioned that the Cocoa Police Department used to have a rental property listing because there used to be a lot of rentals that the City was not aware of. Additionally, he requested that a clause be included in the ordinance regarding that if a property was going to be sold they have to provide a ninety-day intent to sale notice.

Councilmember Koss commended the Deputy Mayor for legislating on an issue that is a growing concern all over the United States. She was in support of this. Councilmember Dyal also thanked him.

Deputy Mayor Hearn noted that this proposed ordinance includes community partners and would give them the time to communicate with those affected to help find other solutions.

Kristin Lortie, Cocoa resident, found this proposal very interesting and it was the second month where the same councilmember has brought an item forward. This

was also brought up at a Palm Bay meeting and it is a reasonable measure. She felt that a policy and enforcement is important and that this should go through the public hearing process. She spoke about a conversation on rent control that she had with another Cocoa Cares member and she does not object to the measure.

Ms. Neuterman clarified Ms. Lortie's comment on rent control and she advised this direction would not have anything to do with controlling rent with individuals living within the city of Cocoa. It would be a sixty-day notice that is provided if rent is increased by more than five percent.

Deputy Mayor Hearn clarified his motion:

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Dyal, to allow for staff, the City Manager and the City Attorney to schedule a Workshop and to bring an item that would have an ordinance that could ultimately be adopted. Also to add in a sixty-day clause regarding intent to sale of any home, condo, or property.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

City Manager Whitten mentioned upcoming dates and that the workshop would be in the month of July.

III. City Business:

1. Approve a Resolution certifying that the Habitat for Humanity of Brevard program is consistent with the City of Cocoa's plans and regulations in order to comply with the provisions of the Community Contribution Tax Credit Program. (22-257). (Community Services Director)

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. City Council approval to support a community-based program, providing grant funds to subgrantees, utilizing the State and Local Fiscal Recovery Funds (SLFRF). This program will provide funds to qualifying summer camp programs

and services, for economically-disadvantaged school-age citizens residing within the City of Cocoa. Approve a Resolution, Amending the FY22 Budget, BAF# 22-082-T. (22-284). (Finance Director)

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

Ms. Bowman explained that at a previous Council meeting a school came forward and requested funding for their summer programs. She explained how this was determined. It was noted that the Brevard Parks program would not be funded. It was noted no because they are funded through Brevard County. A 501c3 would come in and do the program and we would help with the program. Part of the review of submittals is what their plan is. It is a total of $70,000 and up to $10,000 for each.

It was clarified that it would be open to anyone who is a 501c3 and if they meet qualifications they can submit.

Councilmember Goins felt that the City Manager cleared up his questions and was in support of this.

City Manager Whitten noted this would come back June 7th but programs start June 1st. He was not sure if this could be reimbursable but wanted to make Council aware unless they want staff to make the recommendations or award recommendations.

Ms. Bowman added that this was federal grant funding and costs incurred are not eligible.

It was confirmed that they will make sure that the community is aware.

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

It was confirmed that staff was making the recommendation.

Multi-Year Contracts:

None.

IX. Informational Agenda:

None.

X. Reports:

Mayor Blake recognized Mr. Scott Billue and welcomed him to the City of Cocoa.

City Manager Whitten announced that registration has opened for the Florida League of Cities Annual Conference, which will be held in Hollywood, Florida, August 11-13, 2022. All Councilmembers would like to attend.

Ms. Senger announced that a Key to the City presentation will be held on Saturday, May 21, 2022 at 10 a.m. at Riverfront Park for Javian Hawkins.

Mr. Walsh reminded all citizens that there was a notice sent out in water bills about a disinfection change. It was done last year as well and the change will start on May 21st. The water is still safe to drink. If anyone has questions they can contact Utilities.

Mr. Smith provided an update on the Brightline closures and pointed out that the Highland Drive closure was extended to May 28th.

Councilmember Koss stated that she shared lunch today with Officer Rhoades and Maverick who is the new K9 with the Cocoa Rotary. It was heartwarming to hear the story of the new K9 Maverick.

She got to do "Josh the Baby Otter" with the Cocoa Rotary at Cambridge Elementary. The Principal shared with her obstacles that the school is enduring after the pandemic. The school has several needs after Covid and hoped that the City would step up for the kids at Cambridge as well.

Councilmember Koss mentioned her attendance at the IEMO II conference and noted it was very helpful. The importance of workshops was a topic discussed and there was an emphasis that workshops are not a place for making decisions. She further shared that there was an emphasis on strategic planning. She asked if they were going to complete the City's strategic plan at some point.

In response, City Manager Whitten advised that the upcoming workshop is a Budget and Priority Setting Workshop. Items that staff were directed to bring back will be discussed at the workshop. It will cover both budget and the strategic plan.

Councilmember Koss advised that on May 3rd there was an informational meeting organized by Linda Dolphin regarding Projects J & K and there will be another meeting on May 17th, as this item will be coming before Council on May 24th. Volunteers have done a lot of research. She invited council, staff and the community to the meetings. It is a complex and difficult project and could potentially impact pocket books.

Councilmember Koss revisited the minutes issue and hoped that she could receive some clarity on minutes. If a citizen is willing to participate and engage, go to meetings and provide their opinions, in that degree then they should be included in the minutes. They received an email from the Sierra Club and felt it should go on the record supporting the Cocoa Conservation Area.

She asked the City Attorney if she was allowed to attach something to the official minutes. In response, City Attorney Garganese advised it was a Council decision in terms of those miscellaneous items being included. Minutes are a summary of actions taken. Ultimately, they are the boards' minutes as there are very few legal requirements other than dually noting actions.

Deputy Mayor Hearn announced that he attended the Space Coast League of Cities Dinner last night.

He further noted the attendance of the unveiling of the "Gilmore Community Park". There were a lot of citizens who spoke on the good that Mr. Gilmore has done in the community. The Community Garden will also be located there.

Councilmember Goins felt this was a great meeting and announced that the Cocoa High Track Team will be going to the State Championship this Thursday. His daughter will also be attending through Rockledge High School. The event will be at the University of Florida.

He spoke about a community clean up initiative held on Saturday and it was a great time invested in the younger folks in the community. They cleaned up areas of the community and photos were provided.

The Juneteenth event will be on June 18th from 11-3 p.m. at Riverfront Park. He invited all to come out.

Councilmember Goins further showed a photo of the Cocoa Village Hotel and felt it was great to see the sign as it has been a long time coming.

He voiced his appreciation for all in attendance today and stressed that they are doing business. Some may agree and some may not.

In closing, he believes that the Gilmore Community Park will be a good thing for the community.

Councilmember Dyal noted he was proud of the bathrooms as well at the parks and spoke of his attendance at the walk with the Chief in College Green area. Next week is the walk at Gilmore Park and they will walk around the neighborhood.

He will be at the event for Cinco de Critters and he planted a tree for Arbor Day.

He thanked staff and believes everyone is wonderful. We are doing things as a team and he likes that.

Mayor Blake thanked everyone for enduring the meeting. He spoke of his attendance at a celebration for Beit Shemesh, which is our Sister City. They celebrated the 74th anniversary of Israel's independence.

He thanked all for the Veterans Wall Raising events that they have had. It has been requested that the All Female Village be named in honor of Major Abbie Sweetwine. She was in WW2 and was in the military when it was segregated. He asked that with Council's blessing, they let the City Manager do protocol and dedicate this Village in honor of her.

* **CONSENSUS OF COUNCIL TO DEDICATE THE ALL FEMALE VILLAGE IN HONOR OF ABBIE SWEETWINE.**

Additionally, Mayor Blake voice a concern of an issue on Varr Avenue with Spencer Collins. Many have been asking about this and there needs to be something done in order to get justice for the community. He requested that this be addressed.

He thanked Homer Brown for signing a blanket trespass on Aurora Street so that people cannot park there. Illegal vehicles will be tagged and towed. He asked all to continue moving forward.

He congratulated Denise Stewart for being Cocoa High's new principal. He also saluted Mr. Rashad Wilson who will now be over the School Transportation and Infrastructure.

A National Day of Prayer was held under leadership of Dr. Botswana Bostick with many churches participating in the event. There was a very heartfelt spirit in the room.

In closing, he thanked Council, City departments and everyone else for the compassion with what happened to his house. He spoke about the incident and was thankful and grateful it was not worse. He thanked public safety, staff, students, etc. for visiting him to ensure he was okay.

He thanked Team Cocoa and stated that we all have the right to disagree but in the end we are doing what is best for Cocoa.

XI. Adjournment:

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to adjourn the Regular meeting of May 10, 2022.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:09 p.m.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

CORPORATE SEAL of Cocoa FLORIDA