MINUTES
City of Cocoa
Special Meeting of The City Council

March 30, 2023

A Special City Council Meeting was held on Thursday, March 30, 2023, 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. A moment of silence was held for the recent events in Tennessee and North Carolina.

Deputy Mayor Hearn provided the invocation and Lloyd Roberts, Chairman of the Code Enforcement Board, 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
	Kristin Eick	City Attorney
	Rebecca Bowman	Acting City Manager
	Carie Shealy	City Clerk
ABSENT:	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager

OTHER STAFF MEMBERS PRESENT:

Jack Walsh, Utilities Director; Charlene Neuterman, Community Services Director; Lorne Stinnet, HR Manager; Samantha Senger, Director of Communications & Economic Development; Evander Collier, Chief of Police; Jonathan Lamm, Fire

Chief; Mitch Lawyer, Tech Services Supervisor; Bryant Smith, Public Works Director; and Lisa Richardson, Help Desk Support Tech.

II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of March 30, 2023. (23-206)

* **MOTION by Mayor Blake; Seconded by Councilmember Koss, to approve the Agenda as Amended to add Item III.5, a Proclamation proclaiming the month of March as "Women's History Month".**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED (5-0)

2. Minutes: na

III. Awards and Presentations:

1. Proclamation: Proclaiming the week of April 9 - 15, 2023 as "National Public Safety Telecommunicators Week." (23-127). (Chief of Police)

Chief Collier read the proclamation into the record.

2. Proclamation: Proclaiming the Month of April, 2023 as "Water Conservation Month". (23-202). (Utilities Director)

Mr. Walsh read the proclamation into the record.

3. Proclamation: Proclaiming the Month of March as "Hemophilia and Bleeding Disorders Awareness Month". (23-219). (Deputy Mayor Hearn)

Deputy Mayor Hearn read the proclamation into the record and presented it to the representatives in attendance. Tyler Nazario and his mother thanked Council for the recognition and provided further information about hemophilia.

4. ~~5.~~ Proclamation: Proclaiming the month of March as: "Womens History Month." (Councilmember Koss)

Councilmember Koss read the proclamation into the record.

Mayor Blake acknowledged Cocoa High School Principal Denise Stewart for all that she does as a school principal and for the community.

5. ~~4.~~ Presentation/Update by Family Promise of Brevard. (23-173). (Tara Pagliarini, Executive Director)

Ms. Pagliarini, Executive Director of Family Promise of Brevard, advised that they were in attendance to thank the City of Cocoa and to celebrate the project and all that has been going on. She provided a brief history of the project and announced that this has been going on for about three years. Family Promise is a hub of services that help families re-stabilize. They have revamped the old Fire Station #1 and they opened on March 1, 2023.

Dr. Synthia Doaks spoke about the classes that participants go through and provided statistics on how they have benefited from the programs. They are becoming certified and are able to get better jobs. She further spoke about the FAFSA and noted that Brevard County is number one in the state for completion. Lastly, Dr. Doaks mentioned the UF/Cocoa High School connection program and if anyone was interested in higher education that they could contact her.

Akili Phillips with Family Promise spoke about the grand opening event happening on Saturday and thanked the community partners who would be donating food and services for that event.

Councilmember Goins believed that sometimes Council gets flack for the things that they do. He is proud of the former Council for standing up for the community and doing what was best. He appreciates Family Promise and for those in Brevard County coming together. This is a great thing.

Councilmember Koss echoed Councilmember Goins' sentiments.

Mayor Blake thanked them and their ability to change lives.

IV. Delegations:

Rhonnie Clarke, Cocoa resident, voiced his support for Open Door Concierge Services. He was once homeless and supports what they do.

Erica Jackson, Cocoa resident, Executive Director of Open Door Concierge Services, Inc., advised that they are being asked to leave their office space at 1053

Fern Avenue by NDC Asset Management and the Cocoa Housing Authority. They are a female owned, African American company and their passion is mental health and homelessness. She came here in April 2022 and they have been working and providing outreach support, they prepare meals, and give out donations. They asked Council to help them remain in the City at that address and to advocate for them.

Mayor Blake shared that the Housing Authority was transitioning in leadership and that there are powers in numbers and applauds them for what they are doing. He suggested that they let the dust settle and then decisions can be made.

Councilmember Goins asked what date they had to be out by in which Ms. Jackson stated April 10, 2023. They were given a thirty-day notice. He asked if all of their email correspondence could be forwarded to the City Clerk.

Mayor Blake mentioned Family Promise of Brevard and Matthews Hope and believed that once everything was up and running, everyone was going to follow Cocoa as we are setting the precedent.

Deputy Mayor Hearn was familiar with Open Door Concierge Services and the many services that are provided by them in the City. Their location is perfect and he hoped that the City could draft a letter of support for them.

Councilmember Koss spoke with Ms. Ginn at the Housing Authority and attended their meeting this afternoon. She got a positive sense from Ms. Ginn and knows that they provide valuable services. She thanked them for all that they do.

V. Consent Agenda:

(A) General Consent Items:

1. Request Council to award Bid # B 23-16-COC to the lowest and responsive bidder Integrated Fire & Security Solutions, Inc. (IFSS) for the Fire Alarm Panel Upgrade at the Historic Cocoa Village Playhouse in the amount of $113,602 and execute the agreement. Approve a Resolution Amending the FY 2023 Budget, BAF # 23-0. Approve a Project Contingency Resolution for approval of any Change Orders not to exceed $10,000. Authorize the City Manager to execute amendments and extensions to the agreement within approved contingency. (23-179). (Public Works Director)

2. Staff recommends approval of the vacation of the utility and drainage easements located at the south 5' of Lot 2 and north 5' of Lot 3, BLK6 of the College Manor Unit 3 Subdivision. (23-217). (Public Works Director)

(B) Multi-Year Contracts:

3. Approve an Amendment to City of Cocoa and Beemats Multi-year Service Level Agreement #21-11-COC, Floating Wetlands Water Quality Project (Contract No. 21-11-COC); and Approve Resolution to Waive Competitive Bidding for Beemats floating wetlands maintenance services. (23-190). (Public Works Director)

4. Approve the Multi-Year agreements for RFQ Q-23-01-COC for Continuing Service Agreements: Architectural, General Civil Engineering, and Traffic Engineering Services. Authorize the City Manager to sign the renewal agreements. (23-191). (Public Works Director)

5. Approve a multi-year purchase of critical infrastructure technology services and authorize the City Manager to execute the multi-year service order. (23-212). (Chief Technology Officer)

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED (5-0)

VI. Public Hearings:

None.

VII. Council Business:

1. Approve the current Code Enforcement Lien for the property located at 1206 N Cocoa Blvd., be reduced to $2,500.00 as recommended by the Code Enforcement Board. (23-192). (Chief of Police)

Amelia Qablawi, was in attendance and her husband was on speaker phone. It was noted by Attorney Eick that if Council agreed they could allow him to speak.

Nezar Qablawi, spoke in regards to the lien reduction request and were requesting that the lien be lowered as they were not aware that it existed. When they found out about the lien corrections were made right away.

Mayor Blake clarified that the Code Board approved the lien reduction to $2500 and asked if they were planning on selling or keeping the property. In response, the applicant stated that they were planning on selling. Mayor Blake advised that he was in support of the Board and their decision.

Councilmember Goins asked what the vote was at the Code Board meeting. In response, Councilmember Dyal stated that he believed it was unanimous. Councilmember Goins further questioned why the property was left like it was for so long and felt that as an owner you know what the City would deem to be a violation and what is not a violation.

Mr. Qablawi stated it was not left like that and had gone several times and cleaned up the property. He further stated that he had tried to work with the Cocoa Police Department.

Councilmember Goins stated that the issue was not just the homeless, as there were also a lot of cars and boats.

Mr. Qablawi stated that he had told Code that if they would give him a few weeks he would get it cleaned up but he was out of town and needed to get containers.

Ms. Qablawi advised they recently got a trash bin but it was a small one and the trash alone is awful.

Councilmember Goins recommended that as property owners, they fence in their property to prevent the homeless from coming in. He further stated he would vote "no" on this. He is not going against the Code Board but felt they give more leniency to commercial properties than residential.

Councilmember Koss confirmed the address and believed a message needed to be sent when property owners are not here. This impacts other properties as well.

Deputy Mayor Hearn understands the points made by other councilmembers and was glad the properties were being sold so that they can be utilized.

* **MOTION by Deputy Mayor Hearn; Seconded by Mayor Blake, to approve staff's recommendation.**

AYES: Blake, Hearn, Koss

NAYES: Dyal, Goins,

THE MOTION CARRIED (3-2)

2. Approve the current Code Enforcement Lien for the property located at 1202 N Cocoa Blvd., be reduced to $2,500.00 as recommended by the Code Enforcement Board. (23-193). (Chief of Police)

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Hearn, to approve staff's recommendation.**

AYES: Blake, Hearn, Koss

NAYES: Dyal, Goins,

THE MOTION CARRIED (3-2)

The applicant thanked them for their time.

Mayor Blake understands their issues but reiterated that they are responsible as they are the property owners.

VIII. City Business:

1. Approval of the 2022 AVT exemption for Walmart based on the fulfillment of all the requirements of the Ad Valorem Tax Abatement Economic Incentive Agreement by maintaining 239 jobs at an average annual wage above $42,421. (23-200). (Director of Communication & Economic Development)

Ms. Senger spoke on this item and explained what the agreement entailed. She pointed out that Walmart currently has 688 full and part time employees and while that is down from 760 last year, it is still well above the requirement in the agreement.

* **MOTION by Mayor Blake; Seconded by Councilmember Goins, to approve the 2022 AVT exemption for Walmart based on the fulfillment of all the requirements of the Ad Valorem Tax Abatement Economic Incentive Agreement by maintaining 239 jobs at an average annual wage above $42,421.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED (5-0)

Multi-Year Contracts:

None.

IX. Informational Agenda:

1. Council request to review the cumulative purchase approvals over $35,000 and under $50,000 for period 10/01/2022 to 2/28/2023. (23-182). (Finance Director)

2. FY 2023 Budget Adjustment Report. (23-184). (Finance Director)

3. Data showing the relation between the estimated and actual income and expenses to date. (23-186). (Finance Director)

X. Reports:

Acting City Manager Bowman recognized Mr. Lawyer sitting in for Mr. Beach, and Mr. Stinnett was filling in for Ms. Gemmati.

Ms. Senger reminded Council that Trash Bash was being held this Saturday at Riverfront Park.

She further noted that the City was hosting the tree photo contest and asked for those photos to be submitted. The deadline was being extended to Thursday, April 6th. This is a part of the Arbor Day Celebration in Riverfront Park on April 22nd.

Ms. Neuterman advised that at the last Special meeting Council voiced interest in extending the date of the Diamond Square CRA to September 30, 2039. That takes it to the limit of the CRA and allows the CRA time to complete projects. If a letter gets approved fifteen years would be added to the plan. They hope to move this forward in order to bring the Board to the forefront of the community.

TIF funds were discussed and Mayor Blake asked if they could request to expand the TIF fund amount. In response, Ms. Neuterman felt it was definitely worth the ask and to show what has been accomplished and what can be achieved.

Ms. Neuterman confirmed that they were asking to increase the time of the CRA as well as the TIF fund amount. She has a letter that needs to get to the County office by tomorrow.

Council clarified they would like the TIF funding increased to $200,000.

Ms. Neuterman felt that was an acceptable ask based on what was in the Interlocal Agreement and hoped they could all work together.

Ms. Bowman announced that they were still in the audit process and that financial statements would be brought to the second meeting in April. She mentioned portions of the audit that they are required to do and at this point there are no issues and expecting a clean audit.

Chief Lamm advised that the County passed a county-wide burn ban as the drought index is above 500. There is an extremely high fire danger level right now. There is not open burning, land clearing, etc. Chief Lamm stressed that you can still cook on grills. He asked Council for a consensus to enact a city-wide burn ban and for the City Manager to do this applicable to all County ordinances, etc.

* **Consensus to enact a City-wide burn ban and allow the City Manager to include any applicable County or City ordinances with it. The Burn Ban will stay in effect until the KBDI reaches below 450.**

In a question posed about Orchid Lakes, Chief Lamm stated that he had met with them and the site manager and would call them again, but this needed to be in place first.

Mr. Stinnett gave an update on the Cocoa Works program as well as a new program geared at garnering interest for students in the police and fire professions.

Councilmember Koss spoke about the Orchid Lakes groundbreaking and work being done to extend the shore line. She reminded all about the performing arts in District 4 at EFSC's Simpkins Fine Arts Center. Lastly, she reminded everyone to submit their tree photos for Arbor Day as this was an important way to teach about trees.

She advised that there was an issue with a property that was platted a long time ago and there are many non-conforming lots in the city. There are residents trying to replace sheds but cannot meet the current requirements.

She stated that they are required to pay $1,300 to go in front of the Board of Adjustment and they are only updating their shed so it will look better. She mentioned that she has made some calls and there are things such as Administrative Variances. She felt like BOA should be for big things and not to replace a shed.

She would like staff to bring this back to Council if it is a policy issue in order to empower staff to make administrative variances.

Mr. Smith noted they can do an administrative variance if it is a 20% setback and explained the reasonings why they cannot do it on the property in question.

Councilmember Koss reiterated that she would like this on an upcoming agenda. Mr. Smith clarified if they were bringing back setbacks or setbacks for accessory structures. In response, Councilmember Koss asked for solutions to be brought back and advised this was for another property, not the MacFarland property. Additionally, she would like fees revisited for an outdoor structure that is replacing a structure.

Further discussion was held on this subject.

Deputy Mayor Hearn thanked Public Works staff for an easement that was re-established. Neighbors are very pleased and staff was nice and respectful.

He mentioned that he spoke to the cub scouts a few weeks ago about local government and attended the Quarterback Club Banquet for the Cocoa High School Football Team. The City was presented with a sponsorship certificate.

Lastly, Deputy Mayor Hearn announced that he would be at Bracco Pond for the Trash Bash at 8 a.m.

Councilmember Dyal attended Cocoa Little League's Opening Day and threw out the first pitch. He also attended and was a judge at the car show in Cocoa Village. Lastly, he participated in the Chief's Walk in District 3 and it was good to see everyone come out, as well as the officers. He thanked staff for all that they do.

Councilmember Goins participated in Meals on Wheels this morning and shared that they had nineteen seniors. Word is getting around so that is good. He thanked Public Works for cleaning up the old community garden on Peachtree Street and invited all to the Trash Bash.

He spoke about code lien reductions on commercial properties and believed owners needed to be held responsible. He felt fines should be kept as is and not reduced.

Councilmember Goins showed photos from his visit at the Children's Hunger Project and an event where he was awarded "Elected Official of the Year" by the National Social Workers Association. He attended a ceremony and received an award. He stated it feels good when people recognize what you do.

Additionally, he showed photos of the new gym, multi-media center, and parking at Emma Jewel Charter Academy. It is all just conversation at this point and what their vision is.

He showed a photo of his rain barrel that he has been painting and noted that Emma Jewel Charter Academy has a few barrels as well.

He thanked all for coming and shared that he and the Mayor would be going to Tallahassee next week.

Mayor Blake thanked Chief Collier and the SWAT Team as they were able to subdue a situation recently.

He attended the National League of Cities conference this past weekend and met with Senator Posey. He is hoping to get some funding for SR 524 as well as cyber optic broadband width. He showed photos of his trip to Washington DC and announced that travel was paid for by the Florida League of Cities. He further showed photos of the Orchid Lakes groundbreaking where he, along with other Councilmembers were in attendance.

He announced that he and Councilmember Goins would be traveling to Tallahassee to attend Legislative Actions Days. They also mentioned FEMA and ARPA monies at the National League of Cities.

XI. Adjournment:

* **MOTION by Councilmember Dyal; Seconded by Mayor Blake, to adjourn the Special meeting of March 30, 2023.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 7:57p.m.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk