

MINUTES
City of Cocoa
Special Meeting of The City Council

June 4, 2024

A Special City Council Meeting was held on Tuesday, June 4, 2024, 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.

Tammy Findlay provided the invocation and Chief Lamm led the assembly in the Pledge of Allegiance.

The City Clerk took the roll.

PRESENT:	Michael C. Blake	Mayor
	Lavander Hearn	Deputy Mayor
	Matthew Barringer	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Monica Arsenault	City Clerk

ABSENT:

OTHER STAFF MEMBERS PRESENT:

Abby Morgan, Public Works Director; Lora Howell, Deputy Finance Director; Jonathan Lamm, Fire Chief; Charlene Neuterman, Community Services Director; Evander Collier, Police Chief; Jack Walsh, Utilities Director; Tammy Gemmati, Administrative Services Director; Samantha Senger, Communications & Economic Development Director; Robert Beach, Chief Technology Officer; and Lisa Richardson, Help Desk Support Tech.

II. Approval of Agenda and Minutes:

1. Agenda: Special Meeting of June 4, 2024. (24-324)

- * **MOTION by Councilmember Koss; Seconded by Mayor Blake to approve the agenda for the Special meeting of June 4, 2024 with an amendment to remove item VII.1.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

None.

IV. Delegations:**V. Consent Agenda:****(A) General Consent Items:**

1. Approve a Resolution Amending the FY24 Budget, BAF#24-091A and Accept the 2024-2025 round one award of the Florida Local Government Cybersecurity Grant, a State of Florida funded grant, for cybersecurity services and capabilities. The contents of this grant award are **confidential and not for public release per F.S. 119.0725**. (24-312). (Chief Technology Officer)
2. Approve the KABOOM grant application of \$50,000 for the planning and installation of handicap-accessible playground equipment at Provost Park. (24-319). (Communications & Econ. Dev. Director)
3. Authorize an amendment to the Construction Agreement between the City of Cocoa and Patriot Response Group for modifications to the Scope of Work at 1058 Grove Avenue, a State Housing Initiative Program (SHIP) funded project in the amount of \$12,200.00, bringing the total cost of the project to \$86,831.00; and authorize a Contingency Resolution not to exceed 10% for any future change orders during the project. Authorize the City Manager to sign the contract amendment and execute any subsequent change orders on the project. (24-330). (Community Services Director)
4. To Approve a Resolution Amending the FY24 Budget (BAF#24-079-T) in the Amount of \$317,448.00. (Utilities Director)

(B) Multi-Year Contracts:

- * **MOTION by Councilmember Koss; Seconded by Councilmember Barringer to approve the Consent agenda.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. Consideration of Second and Final Reading of a Land Development Code Amendment to Chapter 18, Subdivisions, to create a new Article VII, Lot Splits and Boundary Line Adjustments, and to make certain other amendments to Chapter 18 as necessary to effectuate the new Article VII; providing amendments to the City's subdivision application requirements and processing procedures for Preliminary and Final Plats; altering the requirements for posting security to ensure completion of public improvements prior to Final Plat Approval; amending processing procedures for site plans processed concurrently with plat applications; eliminating specific procedures related to flag lots; changing staff designations; and providing for the repeal of prior inconsistent ordinances and resolutions. (24-329). (Planner)

City Attorney Garganese announced that this is the Second and Final Reading of Ordinance 06-2024 and no changes have been made since First Reading. He read the title into the record as follows:

Ordinance No. 06-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 18, SUBDIVISIONS, OF THE CODE OF THE CITY OF COCOA TO CREATE A NEW ARTICLE VII, LOT SPLITS AND BOUNDARY LINE ADJUSTMENTS, AND TO MAKE CERTAIN OTHER AMENDMENTS TO CHAPTER 18, OF THE CODE AS MAY BE NECESSARY TO EFFECTUATE THE NEW ARTICLE VII; PROVIDING FOR AMENDMENTS TO THE CITY'S SUBDIVISION APPLICATION REQUIREMENTS AND PROCESSING PROCEDURES FOR BOTH PRELIMINARY AND FINAL PLATS; ALTERING THE REQUIREMENTS FOR POSTING SECURITY TO ENSURE COMPLETION OF PUBLIC IMPROVEMENTS PRIOR TO FINAL PLAT APPROVAL; AMENDING THE PROCESSING PROCEDURES FOR SITE PLANS PROCESSED CONCURRENTLY WITH PLAT APPLICATIONS AND REQUIRING APPROVAL OF THE CITY COUNCIL ON SUCH SITE PLANS; ELIMINATING SPECIFIC

PROCEDURES FOR THE CREATION OF FLAG LOTS WITHIN THE CITY OF COCOA; CHANGING REFERENCES TO THE COMMUNITY DEVELOPMENT DIRECTOR TO THE CITY MANAGER OR DESIGNEE IN THE CODE RELATED TO SUBDIVISION AND SITE PLAN APPLICATION PROCESSING; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor Blake opened the Hearing to the public.

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

- * **MOTION by Councilmember Barringer; Seconded by Deputy Mayor Hearn to approve Ordinance 06-2024 on Second and Final Reading.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Council Business:

- ~~1. Approve the current Code Enforcement Lien for the property located at 3629 E Malory Ct., be reduced to \$3,078.65 as recommended by the Code Enforcement Board. (24-307). (Police Chief)~~

VIII. City Business:

- 1. City Council approval of Resolution No. 2024-049 establishing a new board appointment process. (24-288). (Administrative Services Director)

City Manager Whitten clarified that this resolution does not change the residency requirement that currently exists.

City Attorney Garganese clarified the non-residency provision that already exists in the City's code.

Ms. Gemmati explained that staff has developed a defined process for board vacancies. This process includes a timeline with a ninety-day notice of a board vacancy, an application period of thirty days, with an opportunity provided to the expiring board member, an alternate member(s) and the public to apply. An item for consideration will be brought before Council at the 1st Council meeting the month before the expiration.

Councilmember Goins asked Council if they might be interested in considering an amendment to the Ordinance to allow eligibility to someone who may not own real property in Cocoa, or be a resident, but have a business tax receipt and own a business in the City of Cocoa.

In response, Councilmember Koss and Councilmember Barringer shared that they would be interested in receiving more information about this before making a decision.

- * **MOTION by Councilmember Koss; Seconded by Councilmember Goins to approve Resolution No. 2024-049.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve, as recommended, the proposed Fiscal Year 2025 benefit renewal medical, dental, life, and disability insurance; and to authorize the City Manager to sign related agreements. (24-300). (Administrative Services Director)

- * **MOTION by Mayor Blake; Seconded by Councilmember Goins to approve the FY25 benefit renewal and to authorize the City Manager to sign related agreements.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. Informational Agenda:

1. The City of Cocoa's Board Vacancies. (24-331). (Administrative Services Director)

X. Reports:

City Manager Whitten talked about the fence at Provost Park. There has been some talk that the fence is too high and creates an "institutionalized" look. City Manager Whitten shared that he drove by today and the fence is only about four feet high. Additionally, he is aware that the purpose of the fence is to deter those who are not there to utilize the park appropriately. He will work to bring back options and costs associated with whatever the solution may be to Council.

Mayor Blake shared that he is in support of a taller fence.

Councilmember Goins pointed out that he is more concerned with the bathrooms than he is with the fence. In response, City Manager Whitten clarified that the issue with the bathrooms is more about cleanliness and they may need some repairs, such as new doors, however there are no talks about adding any additional bathrooms. He shared that he is planning on bringing back a list of things and some numbers back to Council.

Councilmember Koss shared that she is appreciative of the fact that staff took into consideration the height of the fence and the perception that would come with that, especially around a park. She agrees that safety is the most important and feels that the investments that were made for the new and improved activities will deter any negative activities.

Additionally, she agrees with Councilmember Goins in regard to the bathroom situation and feels that they need to be sanitary and up to par.

Councilmember Barringer asked Council if they might consider seeing if the fence works before they pull it out since it is already there. This will be an additional cost of approximately \$12,000-\$15,000 dollars that may be better used somewhere else.

Further discussion was held on the parks and who is ultimately responsible for maintenance. City Manager Whitten pointed out that more information will come back to Council in July.

Ms. Senger shared that the Juneteenth Festival will be held on Saturday, June 15th from 10am-5pm at Riverfront Park.

Additionally, on July 4th there will be an Independence Day Celebration at Riverfront Park.

Councilmember Koss provided a District 4 Report. She showed a map and pointed out two main areas within District 4 that are unincorporated and hopes that someday they will be.

She talked about Travis Park and the recreation center, particularly several unused computers in the computer lab. In response, Mr. Beach shared that the County owns those computers and he has reached out to the County to see when they will be setup.

Additionally, the camp at the park is underutilized. They have room for 45 children and only about 22 children are enrolled. She would like Council to consider offering some sort of support to their camp.

Councilmember Koss talked about the Dangerous by Design study. Brevard is notably rated 11th in the nation for accidents. She spoke about the ongoing

roadwork at Clearlake Road and while she understands that residents are upset with the construction right now, she feels it is a good project that will ultimately save lives.

She pointed out that she, along with Mayor Blake, recently attended the Brevard County Affordable Housing Summit and shared some of the takeaways that she learned.

Councilmember Barringer shared a photo of sidewalk improvement on Range Road and thanked staff for getting that done prior to the upcoming school year.

Additionally, he talked about several properties throughout the area that border on City and County lines. Some of these particular properties are actually located in the County but they are attracting no good. In response, Mayor Blake recommended talking to the Commissioners for Districts 1 and 2.

City Manager Whitten shared that he would be happy to pass these concerns along to the appropriate parties.

Deputy Mayor Hearn noted that there will be a family-friendly event that will be held on June 16th at Crosswinds. The event will begin at 3pm and there will be a peace walk as well as a backpack and t-shirt giveaway.

Deputy Mayor Hearn shared that he attended the FBC conference back in April, however there was an occurrence in which he need to check in a day early. He asked Council if they would authorize payment for that additional night's cost.

- * **MOTION by Councilmember Barringer; Seconded by Councilmember Koss, to authorize payment for an additional night's stay for Deputy Mayor Hearn at the Florida Black Caucus conference that took place on April 3rd.**

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Councilmember Goins shared that on June 8th at the Missionary Baptist Church on 474 King Street there will be a Save our Sons event.

Mayor Blake shared several photos from recent events he attended.

XI. Adjournment:

- * **MOTION by Councilmember Goins; Seconded by Councilmember Barringer, to adjourn the Special meeting of June 4, 2024.**

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 7:35 p.m.

Michael C. Blake, Mayor

ATTEST:

Monica Arsenault, City Clerk