

**Minutes  
City of Cocoa  
Special Meeting of The City Council  
March 17, 2020**

A Special City Council Meeting was held on Wednesday, March 17, 2020, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

**I. Opening Matters:**

Mayor Williams called the meeting to order at 4:05 p.m.

Chief Lamm provided the invocation and Councilmember Koss led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Jake Williams, Jr.	Mayor
	James Goins	Deputy Mayor
	Don Boisvert	Councilmember
	Lorraine Koss	Councilmember
	Brenda Warner	Councilmember
	Anthony Garganese	City Attorney
	John A. Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Monica Arsenault	Assistant City Clerk

**OTHER STAFF MEMBERS PRESENT:**

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Nancy Bunt, Community Services Director; Michael Cantaloupe, Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Samantha Senger, Assistant to the City Manager/PR Specialist; Leshawn Hinton, Helpdesk Support Tech; and Dodie Selig, Planning and Zoning Manager.

**II. Meeting Topics**

1. Coronavirus Discussion

City Manager Titkanich provided an update regarding COVID-19 and shared that on Saturday, March 14, 2020 Brevard County issued a State of Emergency which they have indicated covers both incorporated and unincorporated areas of the County. Word was also received prior to this meeting that Florida Department of Emergency Management (DEM) announced that an event number has been assigned which will be used for the purposes of processing items through FEMA.

He noted that the top priority is the health and safety of the City's employees and its citizens. The City has set up sanitation stations and is working to keeping services available.

City Manager Titkanich provided stats on Florida's Coronavirus, and pointed out that there is one presumptive positive case in Florida. He added that if anyone experiences the symptoms of respiratory illness they should use telehealth or contact their physician. Furthermore, based on the phone screening, you may be advised to call the Florida Department of Health for purposes of testing. City Manager Titkanich shared that Brevard County Department of Health's number is 321-454-7101 or United Way can be reached at 2-1-1 which connects to the EOC.

Additionally, the IT Department is continuing to test telecommuting for employees. Staff has established a plan for leave of absences which is subject to change. For individual COVID-19 cases, employees will use accrued sick leave first, then their city day, followed by vacation time. The city will advance employees who do not have the time two weeks or ten days, a maximum of eighty hours. Requests for telecommuting work are being reviewed on a case by case basis. City Manager Titkanich noted that by the end of today or tomorrow further information will be distributed to directors.

He pointed out that in order to further protect staff and citizens employees have been asked to take responsibility for their own trash so custodial staff can reduce the amount of time spent in a city facility and spend more time sanitizing high traffic areas. Certain city facilities will allow limited access to the public and staff will coordinate with delivery vendors. City Manager Titkanich explained that virtual meetings are being encouraged, specifically with the City's consultants. IT is encouraging the use of Microsoft Office 360.

He pointed out that travel has been cancelled through May 13<sup>th</sup> by the City Manager for staff and council but this could also change. Per the CDC, it is recommended that mass gatherings of fifty or more people be cancelled as well as gatherings of ten or more for people sixty-five or older or those with under-lying health issues.

City Manager Titkanich mentioned a list of events that have either been cancelled or postponed due to the Coronavirus. He explained that staff is seeking approval to refund deposit fees for private events booked through city facilities.

- \* **MOTION by Councilmember Warner; Seconded by Councilmember Koss, to approve the cancellations of mass gatherings following CDC recommended guidelines and all city facilities to refund any deposits and monies paid by individuals for private events unless they choose to postpone.**

**AYES: Williams, Goins, Boisvert, Koss, Warner**

**THE MOTION CARRIED UNANIMOUSLY (5-0)**

Staci Hawkins-Smith, Cocoa Village Playhouse, shared she had been in touch with City Manager Titkanich before the weekend. The situation we are in is a worldwide disaster and she sent a detailed report to City Manager Titkanich with the precautions they are taking at the Playhouse.

She mentioned that this is something they have never experienced before and she wants the council to understand that if they do move forward with these cancellations the Playhouse may come back to ask council for financial assistance. She explained that the Playhouse relies solely on ticket sales to support their organization. Their board has not made any formal decisions as to what will be brought before council as they are following what the city recommends as they are a city owned building.

Should they have to stop production, they will need to seek permission from the royalty houses to postpone and move their entire season. She added that they could continue rehearsals to prepare not knowing what the dates will be. They are not putting this above wellness she just wants the Council to be aware that they may need financial assistance. She shared stats on the amount of money made monthly by the Playhouse.

City Manager Titkanich discussed nonessential public meetings. He pointed out that some cities, such as Bonita Springs, are broadcasting live and they have an email address where citizens can email questions for the Council to address at the meeting. He noted that he is seeking direction from the Council on cancelling meetings such as townhalls, board meetings, etc.

Councilmember Warner noted that she feels Planning and Zoning and Board of Adjustment could still be held as long as CDC guidelines were followed as she would hate for someone to have to wait months for the boards to meet in order to

have an agreement approved if they are waiting on a project. This could be reviewed on a case by case basis.

Mayor Williams pointed out that he doesn't want to risk the liability.

Councilmember Koss thought virtual meetings might be a good option to consider.

City Attorney Garganese explained that there have been talks with the governor to soften the Sunshine Law to hold teleconferences, however under Attorney General's law a physical quorum must be present to conduct a meeting. He explained that while some board members and interested parties may attend, there are others who may have a vested interest in an item as well but may be quarantined with no way to participate. They are waiting to see what direction is given in regard to the softening of the Sunshine Law.

Assistant City Manager Fuhrer added that staff will continue looking into virtual meetings.

Councilmember Koss noted the importance of social distancing and doing your part to curve the Coronavirus. She feels we should cancel the council meeting on March 25<sup>th</sup> to send a message to everyone about the importance of social distancing and then re-evaluate the situation after that.

Cocoa Beach has put measures in place to follow social distancing guidelines such as only allowing thirty-five people in chambers at a time, six feet apart, or allowing the public to watch from outside, or even allowing staff members who do not have items to either go home or monitor the meeting from their office.

City Manager Titkanich shared that bars and nightclubs are to close today beginning at 5pm and close for the next thirty days. It has been recommended that restaurants only utilize fifty percent of their seating capacity in dining areas, with tables six feet apart. They are also encouraged to provide take-out and delivery services.

City Manager Titkanich pointed out that the City is implementing a non-shut off policy for utility services.

Councilmember Koss asked if the City has the power to stop evictions. In response, City Manager Titkanich stated that the City does not have that power.

Additionally, Councilmember Koss asked about five minute parking zones for takeout restaurants. In response, City Manager Titkanich stated that staff is looking into it.

City Manager Titkanich mentioned that IT has ordered additional chrome books for telecommuting.

Councilmember Warner inquired about non-payment and suspension of late fees for water customers. She asked if the City will be implementing this immediately for customers within the city first and then speaking with other cities we service to see how they want to handle it? In response, Ms. Bowman explained that staff is waiting to move forward until they are able to talk to other cities because when this is done it would need to be all encompassing as there is no ability to distinguish inside/outside residents.

Councilmember Warner clarified that there is a consensus to cancel public meetings such as committee and board meetings for the next two weeks but to leave the March 25<sup>th</sup> Council meeting on the calendar for now. Additionally, in two weeks staff will re-evaluate the virus situation before deciding whether or not additional meetings need to be cancelled.

- \* **Consensus to cancel public meetings such as committee and board meetings for the next two weeks but to leave the March 25<sup>th</sup> Council meeting on the calendar for now.**

Mayor Williams asked about quarantine shelters for the homeless. In response, City Manager Titkanich noted that Chief Lamm can raise that issue at the EOC meeting tomorrow at 1pm.

Deputy Mayor Goins asked if the water in the sanitizing stations is recycled water. In response, Mr. Smith explained that it is not and there are two tanks.

Deputy Mayor Goins stated several schools in Brevard are giving out food during the school closures to those who need it. Emma Jewel is giving food out to the community and asked if the City could assist them with food. He explained that they put out a request for reimbursement but haven't heard anything back yet. If they are denied they will not be reimbursed and they are providing both breakfast and lunch which can be costly.

Councilmember Warner elaborated further and pointed out that Cambridge Elementary will actually be the location where the food will be distributed. They are also looking for volunteers to deliver food as some families don't have a form of transportation. A SCAT bus run may also be an option.

Mayor Williams shared that he had received some information from Mr. Cole prior to the meeting. He stated that in an effort to support our scholars, Emma Jewel will be offering hot lunches daily from 11am-1pm starting Monday, March 23<sup>rd</sup> through

Friday March 27<sup>th</sup>. In order to maximize social distancing, meals will be delivered to the vehicles that pull through the car loop.

Dave Brubaker, Brevard Sharing Center, is serving to-go meals. Extra meals will be given to families with children. Over one hundred fifty meals were given today and they will keep their doors open while following CDC recommendations.

## 2. Transition of City Manager

City Manager Titkanich pointed out that the City has been very busy, as we are in the process of recruiting a police chief, COVID-19 is going on, there are plan reviews and projects moving forward, and the beginning of budget workshop season approaching. Council has been provided a mutual agreement where City Manager Titkanich would forgo the ninety-day process.

City Attorney Garganese explained that this is a mutual separation agreement and the Council would terminate City Manager Titkanich's agreement effective today.

City Manager Titkanich explained he understands the need for a quick and smooth transition and is not opposed to the agreement. He has enjoyed working with the Council and staff. His recommendation is for Council to approve the agreement and appoint Assistant City Manager Fuhrer the Interim City Manager. Executive search quotes have been provided by Ms. Gemmati to help with the search of a new city manager.

City Attorney Garganese added that this is a standard agreement that has been used in the past.

Deputy Mayor Goins asked for clarification in regard to paragraph eight.

- \* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to accept the termination agreement, to appoint Matt Fuhrer the Interim City Manager, to direct the City Attorney to work on an agreement with Mr. Fuhrer to bring back to Council for their approval and to direct HR to bring back information to Council that they will need in order to move forward with the selection of a new City Manager.**

**AYES: Williams, Goins, Boisvert, Koss, Warner**

**THE MOTION CARRIED UNANIMOUSLY (5-0)**

Interim City Manager Fuhrer pointed out that there is a seven-day revocation period and three days after that the City needs to complete the pay out in accordance with Section 6 which may not be enough time to process the funds.

Authorization is needed by Council for staff to complete this. He added that this information will be provided to Council.

Ms. Gemmati mentioned that she spoke with an executive search firm today who advised that the Coronavirus may impact the ability to get the ball moving.

- \* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Goins, to approve a budget amendment to take money out of fund balance to provide funding for the City Manager's payout.**

**AYES: Williams, Goins, Boisvert, Koss, Warner**

**THE MOTION CARRIED UNANIMOUSLY (5-0)**

**IV. Adjournment:**

- \* **MOTION by Councilmember Boisvert; Seconded by Councilmember Warner, to adjourn the Special meeting of March 17, 2020.**

**AYES: Williams, Goins, Boisvert, Koss, Warner**

**THE MOTION CARRIED UNANIMOUSLY (5-0)**

**The meeting adjourned at 5:20 p.m.**

---

**Jake Williams, Jr., Mayor**

**ATTEST:**

---

**Carie Shealy, MMC, City Clerk**  
**(Transcribed by M. Arsenault, Asst. City Clerk)**