

MINUTES
City of Cocoa
Regular Meeting of The City Council

January 14, 2025

A Regular City Council Meeting was held on Tuesday, January 14, 2025, 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 6:05 p.m.

Councilmember Goins provided the invocation, and Paul Kamus led the assembly in the Pledge of Allegiance.

The City Clerk took the roll.

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

ABSENT:

OTHER STAFF MEMBERS PRESENT:

Abby Morgan, Public Works Director; Rebecca Bowman, Finance Director; Charlene Neuterman, Community Services Director; Samantha Senger, Communications and Economic Development Director; Dara Hennessey, Deputy Chief; Evander Collier, Police Chief; Jack Walsh, Utilities Director; Tammy Gemmati, Administrative Services Director; Robert Beach, Chief Technology Officer; Corbin Gilbert, Help Desk Support Tech; and Jennifer Webster, Planner.

II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of January 14, 2025. (2024-179).

- * **MOTION by Deputy Mayor Weeks; Seconded by Councilmember Koss to approve the agenda for the Regular City Council meeting of January 14, 2025 as written.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Minutes: (a) Regular Meeting of September 10, 2024. (2024-180).

- * **MOTION by Deputy Mayor Weeks; Seconded by Councilmember Koss to approve the minutes for the Regular City Council meeting of September 10, 2024 as written.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Minutes: (a) Regular Meeting of October 8, 2024. (2025-36).

- * **MOTION by Deputy Mayor Weeks; Seconded by Councilmember Koss to approve the minutes for the Regular City Council meeting of October 8, 2024 as written.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

IV. Delegations:

Paul Kamus, 116 Olive St., Cocoa, mentioned he is now serving on the City's General Employees' Pension Board and asked Council if there have been any updates for a H2O emergency number. He'd like to bring an update forward to the pension board.

In response, Mayor Blake shared that he has passed along the suggestion to the State. City Manager Whitten clarified that this would be a federal application, and the process

would need to be presented to a Federal Agency that approves three-digit designations.

Willy Wade, 3025 Dunhill Dr., Cocoa, shared that he has been a citizen since 1989 and has a concern that he'd like to present. He lives in Cocoa North and has noticed a lot of trash and litter around recently. He talked about the exit off I-95 near the Post Office along SR524, as well as Cox Road to Industry Road and east of SR528. He shared that he has a meeting with Gary on Thursday morning to discuss the trash issue.

Ted Fore, 1700 Freda Trail, Brevard County, asked if there was an update on the water pump since the last time he spoke at Council. In response, City Manager Whitten stated that it is still under research and review due to the holidays.

Scott Billue, 825 Forrest Ave., Cocoa, talked about House Bill 1365 and shared that Amber Carroll from Brevard Homeless Coalition recently reached out to him to see if Matthew's Hope would be willing to take the lead on an initiative to help shelter the homeless with three greyhound type buses that would offer a place of temporary rest. He added that they are not an Uber service and will return individuals to the places they were originally picked up from.

He would like to park the buses on their private property when not in use and are asking Council's support and cooperation.

Councilmember Hearn pointed out that there are details that need to be brought before the Council and this needs to be a robust conversation.

Mayor Blake asked Councilmember Hearn if he has spoken to any of the merchants in the Village. In response, Councilmember Hearn stated that he hasn't but thinks that is a good point.

Councilmember Goins asked if Matthew's Hope needs permission to park an empty bus on their own property. In response, City Attorney Garganese provided clarification to the question.

Councilmember Goins added that the elephant in the room is that there are concerns that Matthew's Hope will start allowing the homeless to spend the night on these buses on the property. He pointed out that he understands those concerns and received a text about it earlier today.

Mayor Blake asked Council to learn the ins and outs of the contract and understand all the pieces of the puzzle before making a well-informed decision.

Sharlene Dewitz, 825 Forrest Ave., Cocoa, shared that Matthew's Hope has had a very positive partnership with the Cocoa Police Department and the Fire Department and thanked them for their professionalism.

Additionally, she shared that she is surprised about the comments made about the merchants in Cocoa Village because she feels that this would be beneficial to them. They have about 3,000 people registered and about 1,500 of those people are already staying here in Cocoa. She shared that the City would be serving its own people.

Shelley Bradford, 825 Forrest Ave., Cocoa, noted that she doesn't want to drag out the conversation, but reiterated that a decision needs to be made fairly quickly as they are on a tight deadline.

Shannon Diaz, 825 Forrest Ave., Cocoa, is the Orange County Matthew's Hope Manager, and talked about her sobriety journey. She explained that a good night's sleep might change someone's life and allow them to put their best foot forward. She believes that this may not solve all of the homeless problems but would be a step in the right direction.

Sarah Dewitz, 825 Forrest Ave., Cocoa, talked about the benefits of a good night's sleep in a safe place. She spoke about physical and mental health impacts and the importance of safety. She spoke about HB 1365 and the message it sends to the homeless that they are not wanted. She believes that the dignity buses will make a difference. They are not asking for permission, but rather Council's support.

Anita Gibson, 451 Stone St., Cocoa, talked about some of her neighbors and that they feel discouraged from coming to meetings because they believe the City will not address their concerns. She talked about the importance of staying involved in the community and keeping the community clean.

V. Consent Agenda:

1. Sewer Field Operations Cured in Place Pipe Rehabilitation Services and Sanitary Sewer Cleaning (Insituform Technologies Inc.) (2024-181). (Utilities Director)
2. Approve a Sole Source Resolution for Exemption from Competitive Bidding to purchase portable and mobile radios and programming services from Communications International for the Police Department and execute all applicable agreements for this purchase, in the amount of \$598,284. (2024-216). (Police Chief)
3. Approve a Resolution Amending the FY25 Budget, BAF#25-020-A, for the Acceptance of Grant Revenue 15PBJA-24-GG-04542-JAGX Bureau of Justice Assistance Grant (JAG) local solicitation, in the amount of \$15,653 and Approve the Expenditures for Overtime and Recruitment Supplies. (2024-223). (Police Chief)
4. Overview of Total State and Local Fiscal Recovery Funds (SLFRF) / American Rescue

Plan Act (ARPA) spending and Request for Approval to Transfer Associated Funding to Replenish Annual Paving Budget. (2024-254). (Finance Director)

5. Approve Second Addendum to Telecommunication Tower Collocation Agreement with T-Mobile South LLC (Tank Island Site - Merritt Island) (2025-33). (City Attorney)
6. Approve a multi-year contract for Auction Services with George Gideon Auctioneers piggybacking off the Volusia County Agreement No. 24-B-184KW. (2024-253). (Finance Director)

- * **MOTION by Councilmember Hearn; Seconded by Councilmember Goins to approve the Consent agenda.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. Ordinance No. 13-2024. Second reading amending the Zoning Ordinance of the City of Cocoa to add Major Recreational Equipment Sales and Rental and limited types of Commercial Vehicle and Heavy Equipment Sales and Rental to the list of permitted uses in the General Commercial (C-G) zoning district and establishing conditions for such use. (2025-10). (Planner)

City Attorney Garganese announced that this is the Second and Final Reading of Ordinance No. 13-2024 and read the title into the record as follows:

Ordinance No. 13-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE ZONING ORDINANCE OF THE CITY OF COCOA TO ADD MAJOR RECREATIONAL EQUIPMENT SALES AND RENTAL AND LIMITED TYPES OF COMMERCIAL VEHICLE AND HEAVY EQUIPMENT SALES AND RENTAL TO THE LIST OF PERMITTED USES IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AND ESTABLISHING CONDITIONS FOR SUCH USE; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Webster shared that no changes have been made since the First Reading.

Mayor Blake opened the Hearing to the public.

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

- * **MOTION by Deputy Mayor Weeks; Seconded by Councilmember Hearn to approve Ordinance No. 13-2024 on Second and Final Reading.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Ordinance No. 15-2024. Second Reading of an Ordinance amending the official zoning map designation of sixteen (16) parcels of real property, totaling 8.36 acres, more or less, and generally located adjacent to State Road 520 near the intersections with Virginia Avenue, Ruth Street, and Aurora Street, in Cocoa, Florida, more particularly depicted and described on exhibit "A" attached hereto, from Brevard County Single-family Residential (RU-1-9), General Retail Commercial (BU-1), and Retail, Warehousing & Wholesale Commercial (BU-2) to City of Cocoa General Commercial (C-G). (2025-12). (Planner)

City Attorney Garganese announced that this is the Second and Final Reading of Ordinance No. 15-2024 and read the title into the record as follows:

Ordinance No. 15-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP DESIGNATION OF SIXTEEN (16) PARCELS OF REAL PROPERTY, TOTALING 8.36 ACRES, MORE OR LESS, AND GENERALLY LOCATED ADJACENT TO STATE ROAD 520 NEAR THE INTERSECTIONS WITH VIRGINIA AVENUE, RUTH STREET, AND AURORA STREET, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM BREVARD COUNTY SINGLE-FAMILY RESIDENTIAL (RU-1-9), GENERAL RETAIL COMMERCIAL (BU-1), AND RETAIL, WAREHOUSING & WHOLESALE COMMERCIAL (BU-2) TO CITY OF COCOA GENERAL COMMERCIAL (C-G); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Webster stated that no changes have been made since the First Reading.

Mayor Blake opened the Hearing to the public.

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

- * **MOTION by Deputy Mayor Weeks; Seconded by Councilmember Hearn to approve Ordinance No. 15-2024 on Second and Final Reading.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Ordinance No. 14-2024. Second reading of an ordinance adopting a large scale Comprehensive Plan text amendment; amending a policy in the future land use element related to the mixed-use future land use category, establishing the authorized uses permitted on the ground floor of a mixed use building, such mixed-use buildings being eligible for residential density bonuses generally of an additional five (5) dwelling units per acre for vertical mixed-use buildings and up to 125 dwelling units per acre for vertical mixed-use projects in the very limited geographical area identified in Policy 1.1.2.6 of the Comprehensive Plan and requiring a development agreement by the city council under certain terms and conditions deemed necessary and acceptable to the City Council. (2025-11). (Planner)

City Attorney Garganese announced that this is the Second and Final Reading of Ordinance No. 14-2024 and read the title into the record as follows:

Ordinance No. 14-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, ADOPTING A LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT; AMENDING A POLICY IN THE FUTURE LAND USE ELEMENT RELATED TO THE MIXED-USE FUTURE LAND USE CATEGORY, ESTABLISHING THE AUTHORIZED USES PERMITTED ON THE GROUND FLOOR OF A MIXED USE BUILDING, SUCH MIXED-USE BUILDINGS BEING ELIGIBLE FOR RESIDENTIAL DENSITY BONUSES GENERALLY OF AN ADDITIONAL FIVE (5) DWELLING UNITS PER ACRE FOR VERTICAL MIXED-USE BUILDINGS AND UP TO 125 DWELLING UNITS PER ACRE FOR VERTICAL MIXED-USE PROJECTS IN THE VERY LIMITED GEOGRAPHICAL AREA IDENTIFIED IN POLICY 1.1.2.6 OF THE COMPREHENSIVE PLAN AND REQUIRING A DEVELOPMENT AGREEMENT BY THE CITY COUNCIL UNDER CERTAIN TERMS AND CONDITIONS DEEMED NECESSARY AND ACCEPTABLE TO THE CITY COUNCIL; FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE COMPREHENSIVE PLAN, SEVERABILITY, AND AN EFFECTIVE DATE, AND LEGAL STATUS OF THE PLAN AMENDMENT.

City Attorney Garganese added that the State provided technical guidance on other unrelated topics not directly related to this amendment, but guidance that staff has reviewed. This Ordinance is now ready for Council's consideration on Second and Final Reading.

Ms. Webster reiterated that no changes have been made to this amendment.

Councilmember Koss shared that she still believes the additional dwelling units that are done for mixed-use is a benefit to the citizens of Cocoa, however she understands that it will be reduced by fifty percent with this change.

Ms. Webster clarified that the developer can construct up to fifty-one percent residential living space on the ground floor and the rest must be for non-residential use.

Councilmember Koss added that overall, she doesn't have too many issues with it, however she does have concerns about the Bank of America building which is what she feels is the driving force behind the change. She explained that this is a key piece of property in Cocoa Village and having this vibrant commercial space available is a benefit to all the people in Cocoa, versus privatizing the space.

Mayor Blake opened the Hearing to the public.

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

* **MOTION by Mayor Blake; Seconded by Councilmember Goins to approve Ordinance No. 14-2024 on Second and Final Reading.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins

NAYES: Koss

THE MOTION CARRIED (4-1)

VII. Council Business:

1. Council approval on the updates to the UpStart Cocoa Minority and Small Business Program to foster the growth of small businesses in the City of Cocoa and approval of Budget Adjustment to roll over allocated funds from previous years. (2024-243). (Comm. & Econ. Dev. Director)

Ms. Senger talked about the adjustments staff is requesting and wished to point out an error on the BAF.

The changes include:

- a) Updating throughout the document from Office of Economic Development to Communication and Economic Development Department. This is just a change in Department name.
- b) Changing eligible businesses from brand new businesses to any business in Cocoa that is less than three years old with 10 employees or less and any business in

Diamond Square area that is less than five years old with 10 employees or less unless the business is relocating into the area. This is to be able to assist a wider range of new businesses. If a business is less than 5 years old, they likely still need assistance with ensuring their success long-term. It also allows us to reach businesses in the Diamond Square community that already have a location. Many new businesses struggle to find available locations in Diamond Square.

- c) Allowing eligible businesses to reapply for the program if they weren't selected after 6 months instead of one year. This allows the applicant to get feedback from the committee and make the needed adjustments and then reapply.
- d) Removing the requirement to submit a business plan with the application. Instead, we have added questions to the application that will provide most of the information from a business plan and the businesses will be working with weVENTURE to create a business plan if selected for the program. Much of what we were getting was not helpful, so we broke out pieces of the plan and included it in the application to ensure we were getting good information that would be useful for the committee members.
- e) Added the option for eligible reimbursable expenses to include membership in the Space Coast Black Chamber of Commerce and the Hispanic Chamber of Commerce for one year. It previously just had the Cocoa Beach Regional Chamber of Commerce.
- f) Added the requirement for each applicant to meet with a representative of the Small Business Development Council (located on the Cocoa campus of Eastern Florida State College) prior to meeting with the committee members. The SBDC representative will help the applicant better prepare for the applicant's meeting with the review committee. Ultimate selection will still be up to the committee.

Victoria Jones, 3070 Cirrus Dr., Cocoa, spoke as a resident of the City of Cocoa and also as a representative of the Space Coast Black Chamber. She asked Council to table this item to allow a round table discussion with residents and to allow taxpayers the opportunity to provide feedback.

Additionally, she shared that she sent an email to all of Council at the end of December and urged them to act ethically.

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

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

- 2. Consideration of the 2025 City Council meeting date additions and cancellations. (2025-25). (Administrative Services Director)

Ms. Gemmati explained that this is an annual item that helps staff set up the meeting calendar for the year. She added that a few issues have been brought to staff's attention after the item was written and staff will need some clarification.

Specifically, Council needs to determine a meeting date in March due to some conflicts with upcoming conferences that Council may want to attend.

The City Council agreed to a Special Meeting on Tuesday, March 18th at 6pm.

Ms. Gemmati also pointed out that the State of the City meeting proposed for October 14, 2025 also conflicts with a Regular City Council meeting. City Manager Whitten added that a decision on that meeting date can be made at a later date and does not need to be decided tonight.

- * **MOTION by Deputy Mayor Weeks; Seconded by Councilmember Hearn to approve the item with the recommended changes to cancel both Regularly scheduled Council meetings for March, schedule a Special City Council meeting on Tuesday, March 18, 2025 and to cancel the State of the City Meeting on Tuesday, October 14, 2025 which will be rescheduled at a later date.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. City Business:

1. Brevard County Interlocal Agreements for Billing Fees Related to FA and SA. (2024-237). (Finance Director)

- * **MOTION by Mayor Blake; Seconded by Deputy Mayor Weeks to approve the item.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. Informational Agenda:

1. FY 2025 November Budget adjustments. (2024-238). (Finance Director)
2. In accordance with City Code, Section 2-74, at the beginning of each month during the fiscal year, the City Manager shall submit to City Council data showing the relation between the estimated and actual income and expenses to date. (2024-239). (Finance Director)

3. In accordance with the Financial Operations Manual (FOM) the City Manager shall submit to City Council in the form of an agenda item any approved change orders to construction contracts that the City Council has authorized the City Manager, by resolution, to approve in excess of the City Manager's spending authority. (2024-240). (Finance Director)
4. Finance Department is providing details related to FY24 Surplus Revenue from Auction Sales. (2024-241). (Finance Director)
5. Report to Council of the Local Preference Award Listing for FY24. (2024-242). (Finance Director)
6. Bi-weekly Report from December 6, 2024 - January 9, 2025. (2025-37). (City Manager)
7. Informational Only - The City of Cocoa's Open Board Vacancies. (2025-38). (Administrative Services Director)

X. Reports:

Ms. Senger reminded everyone that the Annual Economic Development event is tomorrow night at 4pm at the Cocoa Civic Center.

Ms. Neuterman shared that the historic restoration of the windows and doors at the Harry T. Moore Center is now complete.

City Manager Whitten shared that the Space Coast TPO has been awarded almost five million dollars in rail crossing elimination grants to enhance safety at seven rail crossings.

Councilmember Koss shared that she was planning her Town Hall meeting on Tuesday, March 18th but will be looking to reschedule to a new date to accommodate the Special City Council meeting.

Councilmember Hearn shared a photo of a large pile of trash and furniture piled up along the road, left outside by a landlord in front of their property. He has seen this happen time and time again and will no longer stand for it. He would like to see swift action taken and would like Council to come up with a policy to address blatant disrespect from some of the landlords and property owners in the City. He would like the policy to allow Code Enforcement to take immediate action on issues such as this.

Councilmember Goins agreed and suggested that staff possibly look at how other City's are handling these types of issues. He added that Waste Management will not pick up trash and furniture piled up like that and Code Enforcement should be able to put out a roll-over notice to get it picked up immediately.

City Manager Whitten shared that he, along with Ms. Senger, had a meeting with Waste Management this morning to discuss bulk and yard waste. Discussion was held at this meeting to eliminate the process of having to call in yard waste and bulk pickup,

but rather just have a regularly scheduled service, just as regular waste is picked up weekly. He added that there is a cost associated with this service, but an item will be brought back to Council at a later date once more information is available.

Deputy Mayor Weeks shared some photos from events she recently attended, including the 100 Year Anniversary for the Cocoa Rotary Club, a turkey distribution event and the Fun Day event she attended with the Mayor.

Lastly, she wished everyone a Happy New Year and thanked staff for their professionalism and assistance since she's been on the Council.

XI. Adjournment:

- * **MOTION by Mayor Blake; Seconded by Councilmember Goins to adjourn the Regular meeting of January 14, 2025.**

AYES: Blake, Weeks, Hearn, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:00 p.m.


Michael C. Blake, Mayor

ATTEST:


Monica A. Senault, CMC, City Clerk





