CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION
COCOA BEACH COUNTRY CLUB
5000 TOM WARRINER BLVD.
COCOA BEACH, 32931
MINUTES
August 15, 2024

A. MEETING CALLED TO ORDER

1. Pledge of Allegiance

2. Invocation by Pastor Keith Capizzi, Club Zion

3. Roll Call

Commission Members Present:
Commissioner Joshua Jackson
Commissioner Skip Williams
Commissioner Karalyn Woulas
Vice-Mayor Jeremy Hutcherson
Mayor Keith Capizzi - Joined by telephone

Administrative Members Present:
City Attorney Becky Vose
City Manager Wayne Carragino
City Clerk Karin Grooms
Development Services Director Randy Stevenson
Interim Police Chief Wes Mullins
Deputy Fire Chief Justin Grimes
Chief Financial Officer/Assistant City Manager Patrisha Draycott
Community Paramedic Sherry Mahaffey
Chief EMS James Schindler
Principle Planner Loren Wiltse
Project Manager, Scott Maxim
Fire Marshall, Sal Liberto

B. APPROVAL OF THE AGENDA
(Note: Members of the public, Commission and Staff may remove items from the Consent Agendas if they wish to discuss them. Requests for removal need to be made known to the City Commission under the Approval of the Order of Business, at the beginning of the meeting.)

C. SPECIAL PRESENTATIONS

1. Update of the Community Paramedic Program
Staff Representative: James Schindler, EMS Chief, Sherry Mahaffey

Mr. James Schindler, EMS Chief, introduced the Community Paramedic Program. Chief Schindler gave a brief history of the program and its establishment. He spoke about the City of Satellite Beach's program and how the City mirrored the program.
Chief Schindler introduced a retired firefighter, Sherry Mahaffey. Ms. Mahaffey gave a brief history of her career at Cocoa Beach. She spoke about the resources the program provides. She gave an example of lock boxes the program provides for residents. She explained the lock boxes not only assist EMS, they will also assist the police department.
Commissioner Williams inquired about the lock box over the door. Ms Mahaffey noted the fire department does have them. However, the new lock boxes are cheaper, and both public safety agencies are able to access the residents with the new lockbox.
Ms. Mahaffey noted that the medical equipment that can be provided for residents, including electric wheelchairs and scooters. She spoke about having a small group of volunteers and that they could use additional volunteers.

Commissioner Williams, lock boxes on the top of the door. Explained the differences between the old and new locks. Ms. Mahaffey noted that the room behind the stage has medical equipment, and that it's free of charge and will be available as long as needed. She stated that there has been equipment donated, such as electric wheelchairs and scooters. Volunteers donated a beach wheelchair.
Spoke about volunteers that assist the community.
Ms. Mahaffey shared a packet of information for elderly residents.
Gave the commission a blue folder and explains the program and how it helps the residents.

Commissioner Williams highlighted the meals and food, and mentioned the meals on wheels program and that there are certain people who could qualify for low-cost meals.

D. PUBLIC COMMENTS

Comments will be heard on items that do not appear on the agenda of this meeting. Citizens will limit their comments to three (3) minutes. Per Commission Procedures, the City Commission will not take any action or discuss items brought up under the “Public Comment” section of the agenda. The City Commission may schedule such items as regular agenda items and act upon them in the future.

Janice Scott noted that she had referred people to Ms. Mahaffey's program. She gave tribute to the late Bill Meyers who was a big advocate for Meals on Wheels, and reiterated the issue of finding help, especially around noon.
Ms. Scott spoke about Maritime Hammock and the plants to remove from the park. As well as the use of chemicals. She suggested hiring professionals to get rid of the plants.

Nancy Happel who owns Blue Wave beach cottage, a vacation rental, stated that she has had a noise issue since March, and it has affected her clients and explained the sound issues within the area. She noted that she called code enforcement and no one would listen. Mentioned calling the police, and no one showed up. She noted that five guys were coming for a golf tournament and when they hear that noise, that's what they would remember about Cocoa Beach. Ms. Happel asked for help for her customers and business.

E. STAFF REPORTS AND ANNOUNCEMENTS

Mr. Wayne Carragino, City Manager, noted Maritime Park. He noted that they would need a specialized company to remove the wedelia plants. He also stated that the herbicide needed to remove the plant would have collateral effects like killing the surrounding trees.
Vice Mayor Hutcherson inquired if it had always been there or if it was invasive. Commissioner Williams noted there was some, but since only some of the property got mowed, it grew over the other plants. Commissioner Williams noted to mow over, understands it will come back.
Mr. Carragino noted that it's not a bad idea, but noted the poison ivy, and Commissioner Williams, stated that poison ivy is not a big deal. Hutcherson asked about how it would be taken care of. Carragino said they would handle it in house.
Mayor Capizzi noted the invasives would remove the coverage and if they were to remove any invasives they should take care of the Brazilian peppers and that it should be outsourced; not on this budget, but the next budget.
Commissioner Wiliams stated that we took out Australian pines, and if there were any Brazilian peppers, then he's blind. Commissioner Williams also stated that there may be a few, but with the shade trees, there are oaks and some dying bay trees. Palm trees are growing. Anything they are proposing will not take away the coverage.
He's not for using the killer herbicide, and he recommended mowing and that the area just needs more TLC.

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Commissioner Williams asked Mr. Carragino if he got his voicemail about the caged ladder at the new City Hall building and asked if he was going to get it undone because of various OSHA safety issues.
Mr. Carragino stated that he would.
Commissioner Williams asked Mr. Carragino if the construction company could not charge us for the caged ladder that is already on site.
Vice Mayor Huctherson mentioned the increased mosquito population. Mayor Capizzi agreed with Vice Mayor Hutcherson about the mosquitos.

H. CONSENT AGENDA

MOTION BY WOULAS/WILLIAMS
I MOVE TO CONSENT AGENDA
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve July 16, 2024, and August 1, 2024, Commission Meeting Minutes
   Staff Representative: City Clerk's Office

2. Approve the ranking of audit firms, as recommended by the Auditor Selection Committee, with Mauldin & Jenkins, ranked as number 1, and authorize staff to negotiate a contract.
   Staff Representative: Patrisha Draycott, Chief Finance Officer

3. Approve contracting Doug Wilson Construction Services to begin renovations on the Cocoa Beach Skate Park.
   Budgeted Item. $82,679.00
   Staff Representative: Scott Maxim, Project Manager

Mr. Scott Maxim noted what was going to be replaced and the concerns from citizens about going with a concrete edge and not using a metal coping. He noted that he spoke with Mayor Capizzi, and Mr. Carragino and noted regarding repairs. He noted that they came up with a compromise by replacing a 40-foot section with a concrete edge and would see what the response is like. Mr. Maxim also stated that along with the 40-foot section, they're going to replace the pool coping caps, and they're going to rebuild a 6x8 section that is sinking.
Commissioner Williams inquired about the sinking section in the skate park.
Mr. Maxim was not aware of how the contractor would repair it.
Commissioner Williams gave an example of how to correct it.
Vice Mayor Hutcherson, inquired about the repairs. Mr. Maxim confirmed that the costs were in the approved budget of $82,679.00.
Commissioner Williams noted it's part of the agreement. Hutcherson explained the process. Mr. Maxim explained that the contractor was working with a subcontractor who originally worked on this skate park.
Commissioner Williams stated that they're going to do this work and stated that Mr. Maxim is the project manager and asked if he wrote the contract. Mr. Maxim stated that he wrote the RFP and that they provided the proposal. Commissioner Williams asked if they provided any warranty for their work. Maxim noted that they did but didn't know how long and that he would need to look.
Commissioner Williams noted his concerns about a lack of a warranty, and that they should look into the injections or face problems years down the road.

Commissioner Jackson stated that some residents are concerned about the concrete lip and that the metal coping is better in terms of putting the skate board on the edge as well as holding up better than the concrete edge. He inquired if the new concrete edge would feel the same as the metal coping and not tear up boards.
Mr. Maxim explained that the concrete won't feel the same as metal, but stated that the new concrete mix would be durable enough to hold up and reiterated the trial period and will judge whether they will replace the metal coping based on feedback.
Commissioner Jackson inquired about insurance for someone getting hurt, with the concrete coping versus the metal and asked if there was a way to keep track of the performance of the concrete.
Mr. Maxim explained how other skate parks have transitioned from metal to fully concrete.
Jackson questioned if we learned from the other skate park.
Mr. Maxim noted that the engineer spoke with the other skate park owners and that

people were responding positively. He stated that it's a user preference. He stated that concrete is already at our skate park, but it's not the same as the new concrete being proposed; it's harder and can take the impact of the trucks. There are no issues with the concrete braking causing a kid to fall.
Commissioner Jackson asked about how he's receiving feedback about the coping, and how the kids can send the feedback.
Mr. Maxim noted he is working on it and is open to suggestions about how to receive feedback. He stated that right now he has his email posted, and they can email him directly with feedback.

Mayor Capizzi noted he could answer most questions. He noted he skates and noted Commissioner Jackson's concerns.
Mayor Capizzi noted that he worked with Mr. Maxim and is good this project. He explained the item and that the test section is a quarter pipe and is in a spot that isn't in a flow section, so it's in a great spot for testing and would be as big of a deal if it was concrete, but he doesn't think they will like it.
Commissioner Jackson stated that it was smart to try things, and likes having the ability to reverse decisions as needed as long as we're willing to listen to the kids using the parks and keeping them as good or better than they are now.
Vice Mayor Hutcherson asked if the metal is a technical issue and if it isn't, is it still feasible?
Mr. Maxim stated that they are capable of doing the metal, but it will be a more complicated, harder project.
Mayor Capizzi stated that the engineer assured us that the special concrete is good and is being used at skate parks all over and that it's being used to fix metal copings. He stated that it's a good compromise and that they're doing it in a spot that will not mess up the park.
Commissioner Jackson, stated that we should trust the engineer Byron.

MOTION BY WILLIAMS/JACKSON
I MOVE TO APPROVE SKATE PARK
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

4. Cancel the September 5th, 2024 7:00 pm Regular Commission Meeting.
   The next Commission meetings are as follows: September 4th, 2024 at 6:00 pm (Budget and Regular) and September 19, 2024, at 7:00 pm (Budget and Regular).
   Staff Representative: Wayne Carragino, City Manager

I. ITEMS REMOVED FROM THE CONSENT AGENDA

J. UNFINISHED BUSINESS

1. Adopt on second reading of Ordinance 1690;
   AN ORDINANCE OF THE CITY OF COCOA BEACH, BREVARD COUNTY,

FLORIDA; TO APPROVE A PLANNED DEVELOPMENT PROJECT WITH AN ACCOMPANYING MASTER CONCEPTUAL DEVELOPMENT PLAN, MASTER CONCEPTUAL SITE PLAN, AND DEVELOPMENT AGREEMENT WITH ACCOMPANYING ATTACHMENTS; TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF COCOA BEACH BY CHANGING THE ZONING DESIGNATION FROM OCEANSIDE (OC) TO PLANNED DEVELOPMENT (PD) FOR TWO PARCELS OF LAND TOTALING 4.667 ACRES, MORE OR LESS, LOCATED EAST OF OCEAN BEACH BLVD ON THE NORTH, SOUTH SIDE OF MEADE AVENUE AND NORTH OF PULSIPHER AVENUE ON PARCELS IDENTIFIED WITH PARCELS NO.24-37-26-CG-113-6 and 24-37-26-CG-112-12 WITHIN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; PROVIDING FOR AUTHORIZATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Representative: Loren Wiltse - Principal Planner, Randy Stevenson - Development Services Director

MOTION BY WILLIAMS / WOULAS
I MOVE TO APPROVE 1690 SECOND READING
ROLL CALL VOTE

Mr. John Dillon expressed his concern about the traffic study for the project. He noted Ocean Beach Blvd.'s high traffic, with ocean city, not express

Vice Mayor Hutcherson inquired about the concerns regarding traffic studies,
Mr. Stevenson stated that this allows the development to move forward, and we may need to do things. However, he explained the thought process and the plan. He explained the process of the PD also known as a planned development. Mr. Stevenson noted he does not work for the company but the city, and that we need to look out for the city.

Commissioner Williams noted the proposed surface for parking is 650 spots.
Mr. Stevenson confirms that the current parking spaces are at 272.
He explained the numbers of spaces, and discussed the agreement. The city will have the bottom floor of the garage.
Commissioner Williams stated that the bottleneck of traffic will go away with a better flow of traffic and with employee parking permits. The current experience of going in and out is a total mess.
Mayor Capizzi stated that he is usually totally against giving away city property, but for this project, it makes sense. The peer employees were already utilizing the spaces provided. He hopes that the pier personnel will use their own spots, which would free revenue for us.
Commissioner Williams stated that with the August 6 agreement, there were 2 readings and a 5-0 vote to vacate the property. The three-party agreement was approved by the city, county commission, and developer.
its done,

John Dylan talked about walking pedestrians and 10–15 people at a time, and reiterated that the traffic was increasing.

K. NEW BUSINESS

1. ~~Approve First Reading of Ordinance 1689:~~ **Tabled to September 19th, 2024.**
   ~~AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING SPECIFIC SECTIONS OF APPENDIX B OF THE COCOA BEACH CODE OF ORDINANCES, LAND DEVELOPMENT CODE; PROVIDING FOR MINIMUM REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM (NIFP); AMENDING ARTICLE IV "DEFINITIONS;" WITHIN CHAPTER I, "PURPOSE AND GENERAL PROVISIONS"; AMENDING SECTION 3-37 "FORTY-FIVE-FOOT BUILDING HEIGHT LIMIT" AND SECTION 3-38 "REQUIRED FINISHED FLOOR ELEVATION" WITHIN CHAPTER III "DESIGN STANDARDS" ARTICLE III. "DEVELOPMENT AN CONSTRUCTION"; AMENDING SECTION 4-40 "APPLICATION FOR A VARIANCE FROM THE CITY COMMISSION FOR A HEIGHT TO EXCEED FORTY-FIVE (45) FEET" WITHIN CHAPTER IV "LAND DEVELOPMENT PROCEDURES", ARTICLE IV. "VARIANCE, WAIVER AND SPECIAL EXCEPTION"; AMENDING Article III "FLOOD DAMAGE PREVENTION" WITHIN CHAPTER VII "STORMWATER MANAGEMENT AND FLOOD CONTROL"; ALL WITHIN THE LDC; INCORPORATING RECITALS; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY; AND EFFECTIVE DATE.~~

   ~~Staff Representative: Loren Wiltse - Principal Planner, Randy Stevenson - Development Services Director~~

MOTION BY WILLIAMS WOULAS
I MOVE TO APPROVE TABLE SEPTEMBER 19
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Williams noted the education on this.

2. Request: City Commission review and approve first reading of Ordinance 1688 (Amending the City of Cocoa Beach Comprehensive Plan) and authorize transmittal of the proposed amendments to the State Land Planning Agency for the State Coordinated Review Process prior to second reading.

   Ordinance No. 1688 AN ORDINANCE OF THE CITY OF COCOA BEACH, BREVARD COUNTY, FLORIDA, AGREEMENT; AMEND THE COMPREHENSIVE PLAN TITLE TO BE "CITY OF COCOA BEACH COMPREHENSIVE PLAN 2045"; AMENDING DEFINITIONS TO BE CONSISTENT WITH THE LDC; AMENDING SECTION I "FUTURE LAND USE ELEMENT" INTRODUCTION DATA TO REFLECT CURRENT

POPULATION ANALYSIS AND FORECASTING FUTURE GROWTH, AND AMENDING POLICY I.1.1 AND I.1.2, AND AMENDING FLUE MAPS TO CHANGE DATES TO 2045; AMEND SECTION II, "COASTAL MANAGEMENT ELEMENT" INTRODUCTION DATA AND ANALYSIS AND POLICY I.1.1 ADDING NORTH THOUSAND ISLANDS MANAGEMENT PLAN DATA; AMENDING SECTION III "CONSERVATION ELEMENT" UPDATING THE INTRODUCTION DATA AND ANALYSIS TO INCLUDE LISTED PLANT AND ANIMAL SPECIES; AMENDING SECTION IV, "RECREATION AND OPEN SPACE ELEMENT" INTRODUCTION DATA AND ANALYSIS TEXT AND POLICY I.1.3 TO REFLECT A 2045 PLANNING HORIZON; AMENDING SECTION V, "HOUSING ELEMENT" INTRODUCTION TEXT TO REFLECT CURRENT POPULATION AND GROWTH TRENDS THOUGH 2045; AMENDING SECTION VII "INFRASTRUCTURE ELEMENT" INTRODUCTION DATA AND ANALYSIS TEXT AND POLICY'S I.1.1, I.1.3, I.1.6, AND POLICY'S I.2.2 – I.2.4 TO REFLECT THE CITY'S CURRENT POTABLE WATER SERVICE PROVIDER, AND PROVIDE CONSISTENCY WITH THE CITY'S POTABLE WATER CONTRACTUAL AGREEMENT; AMEND SECTION VIII "MOBILITY ELEMENT" POLICY'S I.1.3, I.1.20 AND I.13.1 TO REFLECT CURRENT TRANSPORTATION PRIORITIES, AND UPDATE MOBILITY MAPS TO REFLECT 2024 CONDITIONS AND ANTICIPATED 2045 CONDITIONS; AMENDING SECTION IX "CAPITAL IMPROVEMENT ELEMENT" TO REFLECT RECENT CIP TABLES; AND PROVIDING FOR FINDINGS, CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Staff Representative: Loren Wiltse - Principal Planner, Randy Stevenson - Development Services Director

MOTION BY WILLIAMS/WOULAS
I MOVE TO APPROVE ORDINANCE 1688 ON FIRST READING
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

****Make note this will return in few months*****
Janice Scott, noted the land management plan, and that Cocoa Beach is considered a high coastal hazard and would like that language in the comprehensive plan.

Commissioner Williams noted that there were not any changes to the Flue map.
Mr. Stevenson, the zeroing changes from the PD that were approved.

Commissioner Jackson questioned the adjustments about the number of residents.

Vice Mayor Hutcherson asked if this is different to the CIP plan, just incorporating the CIP plan.

Mr. Wiltse stated that it's just a policy update without having to update the map.
Mr. Stevenson noted the stormwater master plan community rating service is at an 8 for flood insurance.

Mayor Capizzi inquired about adding to the map.
Commissioner Williams said no, that it's already been approved just adding it to the map.

Williams requirement updates based on the changes made to the 2025 plan made years ago.
Mayor Capizzi inquired about a vacant lot on A1A. Commissioner Williams noted its prices and that properties in that area can provide services but not retail.
Mayor Capizzi stated that this is something to think about.
Commissioner Williams stated that if they want to rezone property, then they can put it through the process with the city and when the 2065 plan comes out we can reflect it on the map. Think about it over the year.

Ms. Vose stated that if the property owner wants to rezone, they need to bring it forward. We don't rezone unless the owner wants to do so. Commissioner Williams stated that it is not affect the transmittal.
Mayor Capizzi stated that he thinks that the property has been sold, Commissioner Woulas reiterated that the owner needs to bring it forward.

Commissioner Williams stated that it's contingent on the owner to go to the city and to get it rezoned to what they want.

3. Approve the first reading of Ordinance 1692;
   AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING SECTION 1-8, "GENERAL PENALTY; CONTINUING VIOLATIONS; ADJUDGING FINES AND IMPRISONMENTS", OF CHAPTER 1, "GENERAL PROVISIONS", AND SECTION 5-49.1 "PENALTY FOR VIOLATION OF ARTICLE" OF ARTICLE iiiB "OCEANFRONT BUILDING RESTRICTION LINE AND SEAWALL LINE" OF CHAPTER 5 "BEACHES, FILLS, BOATS, AND WATERWAYS" AND SECTION 26-7 "ILLEGALLY PARKED MOTOR VEHICLES IN A TOW-AWAY ZONE; REMOVING; STORAGE; RESTORATION' OF ARTICLE I, "IN GENERAL" OF CHAPTER 26, "TRAFFIC" OF THE COCOA BEACH CODE OF ORDINANCES, UPDATING PENALTY PROVISIONS FOR VIOLATIONS OF THE CITY CODE AND ELIMINATING ALL OUTDATED REFERENCES TO MUNICIPAL JUDGES FROM THE CITY CODE AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

   Staff Representative: Randy Stevenson, Director of Development Services

MOTION BY WILLIAM/WOULAS
I MOVE TO APPROVE ORDINANCE 1692
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Janice Scott stated that she would like the directors on first reading to talk about the item and why it's done. Towing illegal parking- contractors are not to leave their trailers on city streets, or park without a vehicle. She also stated that the previous director would have them sign a permit stating that they would not leave them in the driveway. She described that the trailers are black and will sometimes put the orange cones out. She stated that they used to put out kerosene lamps. She stated that this is something that goes on in the city too often, and wants this to be incorporated.
Commissioner Williams read the code - to clarify a section - and that code violations can go through proceedings to the city's special magistrate, which is what is done now. It clarified section 549-1. It referred back to section 1-8 of the code.
Charge for towing or removal by a municipal judge which we do not have anymore.

Ms. Vose noted that the municipal judge position hasn't been in place since 1975. The purpose of this is to straighten out the code to update the penalties. If there will be a change, there would need to be a separate ordinance.

Ms. Scott inquired about the legality of the code, for the contractors to sign a form and is aware that what she brought up is not the point of this ordinance, but brought it up as an opportunity to talk about it.

Mr. Stevenson stated that he needed to look at that as he did not remember it. He stated that we do monitor illegal parking, to allow emergency vehicles through the streets. He stated that he will look at documents and will check any that may need to be updated.

L. GENERAL PUBLIC COMMENT
(Only if not accommodated in the 30-minute Public Comment period earlier)

Rick Anderson stated that he was having a hard time understanding priorities here. The golf course, skate park, stated that earlier in the meeting there was a public safety issue regarding the removing of weeds that could get someone very sick like poison ivy. We are debating necessary public issues. He stated that we spent money without thinking about it, and if the same amount of money is being used for the skate park, but isn't there for both the skate park and the park, it should be spent on the park instead.
Vice Mayor Hutcherson stated that he understands and wants to do the project with full transparency.
Commissioner Williams stated that if you stay on the trails, you're good. The poison ivy is on the sides of the trails, so it's not a public safety issue.

Mr. Dillon asked if the design company knew the OSHA requirements, did they know, or did they see the design package. He also asked if someone in the city looked at the design package and pulled mistakes out of it. Mr. Dillon mentioned the weeds growing. He mentioned the mold on the ceiling and that it needed to be removed.

M. ADJOURNMENT