CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES
February 1, 2024

A. MEETING CALLED TO ORDER
Mayor Capizzi called the meeting to order at 7:00 P.M.

* Invocation - Pastor Mark Reynolds, First United Methodist Church
Pastor Keith Capizzi gave the invocation.

* Pledge of Allegiance

* Roll Call
<u>Commission Members Present:</u>
Commissioner Joshua Jackson
Commissioner Skip Williams
Commissioner Karalyn Woulas
Vice-Mayor Jeremy Hutcherson
Mayor Keith Capizzi

<u>Administrative Members Present:</u>
City Attorney Becky Vose
City Manager Wayne Carragino
City Clerk Karin Grooms
Development Services Director Randy Stevenson
Community Redevelopment Agency/Planner, Devan Taly
Chief Financial Officer Patrisha Draycott
Procurement, Martha Horak
City Engineer, Jared Francis
Leisure Services Director, Laird McLean
Fire Chief, Ryan Duckworth
Deputy Fire Chief, Justin Grimes
Interim Police Chief, Wes Mullins
Public Works Director, Robert Torres

B. APPROVAL OF THE AGENDA
MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO APPROVE THE AGENDA EXCEPT PULL ITEM J1. TO AFTER THE CONSENT AGENDA.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

C. 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.

D, STAFF REPORTS AND ANNOUNCEMENTS
There were no reports.

E. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS
There were no reports.

F. CITY COMMISSION REPORTS AND ANNOUNCEMENTS
Commissioner Jackson brought up previous discussions on E-Bikes. Received requests from residents for the commission to readdress the e-bike speed, and Minutemen bike paths. Noted rules need to put into place. Mentioned an action of swerving done by children, which is coming up to walkers at a fast speed swerving around at the last second. Commissioner Jackson requested the city to put together a plan of action to implement a policy or intervention process to increase safety.

Mayor Capizzi would like to have someone with the Police Department get with the schools for E-bike etiquette. Noted parents hand children the e-bikes and don't educate them on safety. The Mayor inquired regarding any enforcement regarding any bicycle behavior.

Interim Police Chief Wes Mullins briefly noted that the legislator is slow to catch up to trends. Bicycles and E-Bikes are the same thing at this moment. Research regarding rules and regulations of bicycles to include auditable noise.

Mayor Capizzi noted he rides a scooter, and it is hard to regulate. Compared to Airbnb's.

Mr. John Lose, Task Force member for Golf Carts and E-Bikes discussed what the group did and items that came out of the group. Had not seen anything come forward to the Commission from the group. Key recommendation was on sidewalks, set a speed limit to 12 mph. Mentioned the inability to monitor the speed, however the speed was kept down, it would help. Mentioned signage and Police presence.

Commissioner Jackson suggested physical intervention to slow down the e-bikes but wouldn't impede others.

Interim Police Chief Mullins noted they could educate. Another way of invention is by enforcement of helmets. Can stop, educate on the spot.

Commissioner Williams suggested dusting off notes of the task force and bringing them back to the commission.

Commissioner Jackson congratulated Cocoa Beach Jr/Sr High School Basketball team who would be celebrating the school's 70th Anniversary Friday evening (2/2/2024) with their first basketball and cheer team. Encouraged residents to join and celebrate with the team and cheer squad.

Commissioner Williams noted the neighborhood collected signatures and he provided the City Clerk with the petitions from the neighborhood of Holiday Lane regarding boat ramp repairs.

Mayor Capizzi congratulated Commissioner Jackson (Seat 2), and resident Tim Tumulty (Seat 3) putting in for office for the 2024 Election. Commissioner Williams clarified that Commissioner Woulas will be termed out of office this year. Mayor Capizzi confirmed his running for Mayor.

G. CONSENT AGENDA
The City Attorney read the Consent Agenda.

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

1. Approve the January 18, 2024, Commission Meeting Minutes
Representative: City Clerk Department
Recommendation: Approve

2. Approve the purchase of a 2025 Freightliner dump truck from Orlando Freightliner, Inc. via Florida Sheriff's Association Bid # FSA23-VEH21.0 for $151,437 to replace a 2005 Freightliner dump truck. This is a budgeted item.
Representative: Robert Torres, Public Works Director
Recommendation: Approve

3. Review, update and renew the Statewide Mutual Aid Agreement (SMAA) with the Florida Division of Emergency Management (FDEM). All local governments in the state of Florida are required to enter into this agreement to prepare for natural disasters and other emergencies. This agreement is also required to apply for reimbursement from the Federal Emergency Management Agency (FEMA) after disasters and other public emergencies.
Representative: Ryan Duckworth, Fire Chief
Recommendation: Approve

4. ~~Permission to proceed with the Phase 4 renovations and repairs of deferred maintenance issues in the Cocoa Beach Country Club located at 5000 Tom Warriner Boulevard. Phase 4 upgrades include electrical, fixtures, concrete finish, and carpentry at a cost of $92,473. Phase 4 will be paid for with ARPA Funds.~~
~~Representative: Wayne Carragino, City Manager~~
~~Recommendation: Approve~~ **REMOVED 1-31-2024**

5. Request to “approve the Commercial Visual Improvement Grant Program agreement between CRA and Gregory Dippolito and Penelope Dippolito that was approved by the CRA Board”.
Representative: Devan Taly, Community Redevelopment Agency
Recommendation: Approve

H. ITEMS REMOVED FROM THE CONSENT AGENDA
There were no items removed from the Consent Agenda.
New Business J1 was moved during approval of agenda. Minutes from item will be found under New Business.

I. UNFINISHED BUSINESS
1. Adopt Ordinance 1684, Second Reading, Public Hearing and Adoption, An Ordinance Of The City Of Cocoa Beach Further Amending The City Of Cocoa Beach Firefighters' Retirement System, As Restated In Ordinance No. 1431, As Subsequently Amended, Amending Section 7, Pre-Retirement Death, And Amending Section 8, Disability, Providing For Compliance With Chapter 2019-21, Laws Of Florida, Providing For Severability Of Provisions; Repealing All Ordinances In Conflict Herewith And Providing An Effective Date. Ordinance No. 1684 amends Ordinance No. 1431.
Representative: Laitham Kellum, Fire Pension Board
Recommendation: Adopt

The attorney read Ordinance 1684 by title.
MOTION BY WILLIAMS/JACKSON
I MOVE TO ADOPT ORDINANCE 1684 ON SECOND READING.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

2. Adopt Ordinance 1685 on Second Reading, Public Hearing and Adoption, An Ordinance Of The City Of Cocoa Beach, Florida, Adding A New Article XII, “Pass-Through Of Development Review Fees”, Of Chapter 2, “Administration”, Of The Cocoa Beach Code Of Ordinances; Allowing The City To Pass Through Development Review Costs To Developers And Applicants For Development Review; And Providing For Codification, Conflicts, Severability; And Effective Date.
Representative: City Commission
Recommendation: Adopt

The attorney read Ordinance 1685 by title.
MOTION BY WOULAS/JACKSON
I MOVE TO ADOPT ORDINANCE 1685 ON SECOND READING.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

3. Space Coast Mural Fest is requesting funding for the 2024 Space Coast Mural Festival.
Representative: Kyle Trent, Space Coast Mural Representative
Recommendation: Approve

The city attorney read the item I3.

Commissioner Williams noted he requested the information to be brought back. Noted that he saw the artist, and everyone worked hard but did not see the amount of public participation that would merit this to be a city sponsored event.

Commissioner Woulas mentioned it is a great event. Would like to see the event and how it works with the community. Bring back to future meeting. Noted Cocoa Beach Main Street was also putting on a Mural Fest.

Mayor Capizzi noted the Kite Fest, and conscience was not to proceed forward with Kite Fest.

Commissioner Hutcherson agreed with Commissioner Woulas.
Mayor Capizzi noted he did not want to spend the resident's money on this event.

The item dies as no motion was made for the event.

4. Staff are requesting direction on the path forward with the City of Cocoa Beach annual 4th of July fireworks event. The event was not budgeted for FY24.
Representative: Wayne Carragino, City Manager
Recommendation: Provide Direction

The City Attorney read item I4.

MOTION WILLIAMS/JACKSON
I MOVE TO NOT HAVE THE JULY 3RD FIREWORKS FOR $27,000.

KC Finke commented on lack of support for events.

Commissioner Woulas noted that it would be a let down for the City and the businesses not to have it. It's a great day to celebrate one day for everyone. Economic and benefit for the City.

Commissioner Williams mentioned it is on a Wednesday. Noted the dates of the other Firework shows within the town. Commissioner Williams noted the rotation of the dates.

Commissioner Hutcherson is interested in the drone show. Would like to consider this next year.

VOICE VOTE ON THE MOTION CARRIED 3 TO 2. COMMISSIONER WOULAS AND COMMISSIONER HUTCHERSON: NAY

5. Provide direction on correspondence with Brevard County Commissioners regarding Lifeguard funding for our beaches.
Representative: Wayne Carragino, City Manager
Recommendation: Provide Direction

The city attorney read item I5.
City Attorney, Becky Vose explained to the City Commissioner the need to send a letter to the county with what the commission would like to send to the County.

Commissioner Hutcherson stated the memo was spot on of what needed to be said.

MOTION WILLIAMS/JACKSON
I MOVE TO HAVE CITY ATTORNEY TO DRAFT A LETTER AND SEND IT BACK AS THE RESPONSE.

It was questioned from the audience as to what was in the memo. City Commission explained the what the County Commissioners are wanting. City Attorney read the memo for the audience.

Mr. Tumulty noted the letter read by Ms. Vose. When asking for funding ask for an additional 5 million dollars. When ask for 1 million you may get nothing. He mentioned TDC is driving tourist to the city and they do not support that and the residents support it. Discussed our infrastructure, Police and Fire and how it affects the city. Noting how to ask for additional funding for covering our city.

City Attorney noted what was allowed and not allowed to use for the TDC funding, to include special events.

Commissioner Woulas wanted to look into the City's own Lifeguard program.
Commissioner Williams noted the package the fire department and how it would be the city funding it.

Commissioner Hutcherson inquired Commissioner Woulas' thought with having cities own lifeguard. Commissioner Woulas gave ways to control and ways to own the force.
Discussed with how to proceed with lifeguards.

Commissioner Williams noted he would like to see what the county would like to do.

Commissioner Jackson inquired from the City Attorney items that the TDC could fund? Ms. Vose noted she would need to do research on what could be done.

Commissioner Williams would like to move forward with the County.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

J. NEW BUSINESS

1. FDOT Raised Crosswalks - FDOT would like the Commission to select one of the proposed options for safety improvements along State Road A1A.
Representative: Jared Francis, City Engineer
Recommendation: Present and Discuss

The City Attorney read item J1.

Mr. Jared Francis, City Engineer introduced FDOT with a request for a vote and direction for preferred alternative of the Commission.
FDOT provided presentation for Northbound and Southbound SR. A1A from Crescent Beach to Minutemen Causeway.
The FDOT team presented the process and project overview. Requested the commission for a decision based on two options provided from FDOT.
Option 1 provided raised crosswalks at 6 of the 12 pedestrian crossing locations. This option will include In-Roadway Warning Lights. To be activated when button is pressed. With this option, there will be added signage and a reduction of speed from 35 mph to 30 mph.
Option 2 is 12 pedestrian crossings with flat/flush crosswalks. All pedestrian crossings will have in-roadway warning lights. The travel lanes widths near crosswalks will be reduced. The speed limit will remain at 35 mph.

Commissioner Woulas inquired why this is being discussed? She notes a meeting regarding the crosswalks and not wanting them mostly due to the yellow and the number of crosswalks.

FDOT noted that they did not put in the rectangle lights but still put in the 12 crosswalks. Noted this is the same project from the conversation years back.

Mayor Capizzi noted Satellite Beach's crosswalks and noted that was not in favor of the raised crosswalks.

Mayor Capizzi inquired if this would be negotiated. Noted that 8th Street would be better than 10th Street for a crosswalk. FDOT noted the locations are based pedestrian studies done within in the city. The raised crosswalks is to alert the drivers.

Commissioner Williams noted that the raised crosswalks and concerned about public safety. Noted he preferred the flat crosswalks.

Commissioner Hutcherson inquired about the inconsistency along A1A. Noted how the one in Satellite Beach. Noted he preferred option 2. Discussed the crosswalks at 1st North and how it's on the downstream and how cars are turning.

FDOT is asking the commission to vote on the decision from the Commission.

Commissioner Hutcherson asked for clarification for the speed reduction from option 1 and 2 and if they could reduce the speed with option 2. FDOT explained the need for the reduction of speed and why they are unable to reduce the speed without the raised crosswalks.

Commissioner Williams noted that the commission fought hard for the lights with the red/yellow/green. Noted the effectiveness of the crosswalks.

Hutcherson inquired about how the new lights were chosen and FDOT noted how and why those locations received the 'red/yellow/green", '

It was inquired from Commissioner Williams about the lights and the power source for the flashing lights. FDOT noted that they are solar powered.

Commissioner Woulas inquired about the sign and request that it would be removed. Engineer of record for FDOT explained the roadway and a 2-foot separation and how they are placed differently than Satellite Beach.

Discussion regarding the posts in Satellite Beach and what FDOT proposes.

Mayor Capizzi asked for flat, no signs and take the number of from 6 crosswalks to 3? FDOT noted that would not be possible.

Commissioner Jackson thanked FDOT for thinking of pedestrian safety but noted that the flat was the preference.

Mr. Keith Capizzi noted he was not in favor of the sign in the middle of the road. Noted 8th Street and the traffic.

Mr. Scott Cunningham mentioned that the flashing yellow is a universal slow down with caution verses with red that says stop.

Mr. John Lose noted that option 2 makes sense and it calls out 6 areas that enhance pedestrian safety. Traffic should not be impacted when the crosswalk is not in use.

Mr. Tim Tumulty, noted to the commission that option 2 is the route they are going to go. Noted that Commissioner Williams understands DOT side. Understands that speed limits can not be selected. Having raised crosswalks would give it as a speed soft-ing. Noted the 1st North crosswalk mentioned earlier along with stopped traffic.

Commission Williams noted how pedestrian study's are done and how they count. Noted that its not during every event.

Commissioner Jackson noted the speed limit change from the north side. Placing one raised in the north bound side, to fact check those coming into the city.

Mayor agreed with Commissioner Jackson, however requested the change to 8th Street.

Commissioner Woulas noted the city's issue with yellow. Inquired if red was an option. FDOT noted they are unable provide that for the crosswalks.

MOTION BY WILLIAMS/JACKSON
I MOVE APPROVE OPTION 2, REMOVE SIGN FROM THE MIDDLE OF THE ROAD, NORTH BOUND SUMMER STREET DO OPTION 1 WITH THE RAISED. ADDITIONAL CROSSWALK AT 8TH STREET OR TO REPLACE 1OTH STREET.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

J2. Consider Annual Parking Space(s) Reserved for Private Business Usage
Representative: Patrisha Draycott, Chief Financial Officer
Recommendation: Provide Direction

The City Attorney read item J2.

Commissioner Williams understood why this is wanted and requested and how it can get into favoritism battles.

Ms. Patrisha Draycott, Chief Financial Officer, explained how the process is currently regarding reserved parking for private businesses. Requesting direction from the commission on how to proceed forward. Noted the annual cost of average revenues and disagreed that is value to the city. Would like a different calculation for the potential not the average. Would like to put together a policy and be consistent.

Commissioner Williams stated a hypothetical situation regarding businesses downtown and noted how it would affect the weekend traffic and not making any additional funds. Discussed other areas with parking spaces within the city that could affect other businesses.

Ms. Draycott updated the commission with the current request with valet parking.

The Commission discussed the potential favoritism among businesses and how to when to park.
Commissioner Woulas inquired about the impact of the businesses if don't renew them.
Ms. Draycott explained there is one that has a year agreement, one is a beach vendor has a trailer wishing to park overnight.

Commissioner Williams noted that the space taken by the trailer is parked in a paid space. If they wish to have the space, they should arrive early.

Commissioner Hutcherson clarified the current agreement that is being brought forward is not a city lot. Ms. Draycott clarified the situation with the commission. Private Public Partnership.

Commissioner Woulas inquired how many contracts the city currently has. Noted only one currently active the others are expired based on what the Commission's decisions.

Mr. Tumulty noted that the business owners are not in attendance and not high on their priority list and it's not in the best interest of the city.

MOTION WILLIAMS/HUTCHERSON

MOTION TO NOT GO FORWARD WITH ANY FURTHER CONSIDERATION FOR ANNUAL PARKING SPACES FOR PRIVATE BUSINESSES.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

K. GENERAL PUBLIC COMMENT (only if not accommodated in the 30-minute time period earlier)
There were no additional public comments.

Mr. Tim Tumulty requested a training session for every board on Robert Rules of Order. Noted the verbiage on the agenda. Discussed how motions and discussions are to be made during a meeting. Noted a negative motion is difficult and hard to understand.

L. ADJOURNMENT
The meeting was adjourned at 8:39 P.M.

Karin Grooms, MPA, CMC City Clerk	Keith Capizzi Mayor- Commissioner