CITY OF COCOA BEACH
CITY COMMISSION
MINUTES
June 5, 2025

A. MEETING CALLED TO ORDER

Mayor Capizzi called the meeting to order at 7:00 PM.

1. Pledge of Allegiance

2. Invocation by Greg LeSieur, Pastor, Christ Lutheran Church

3. Roll Call

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.)

MOTION BY
Hutcherson/Tumulty I MOVE TO
APPROVE
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

C. SPECIAL PRESENTATIONS

Mayor Capizzi, congratulated Ms. Mackenzie, a young resident, who was one of the two winners of the FDOT Bicyclist drawing contest for Roosevelt Elementary. The city celebrated Ms. Mackenzie's artwork and noted how it was a contribution to our community and promoted bicycle safety and creativity. She was in attendance with her family.

1. City of Cocoa Beach 100th Birthday Proclamation

Mayor Capizzi read the proclamation and declared June 5th, 2025 the 100th Birthday of the City of Cocoa Beach.

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.

- Ms. Janice Scott spoke about the historical presence of the City of Cocoa Beach, including the height and destiny fights to keep Cocoa Beach the city it currently is. Ms. Scott encouraged the residents to continue to fight the battle.

- Mr. Bill Talbot inquired about the 3-meter diving board as he had not heard back

about the item.
  - Vice-Mayor Williams noted it was a risk issue and would not be able to go forward.
  - Commissioner Tumulty noted that teams and other organizations could benefit from the 3-meter diving board. He mentioned his support for the diving board.
  - Mr. Talbot noted the training and benefits for a 3m program.
  - Mayor Capizzi requested that this is something to sit down and talk about.
  - Commissioner Tumulty mentioned risk management, but we shouldn't hold back for money reasons.
- Acting City Manager, A.J. Hutson, spoke about the city's liability insurance, FMIT. He noted that their guidance was to be cautious due to their historical experience with diving boards. He stated the liability and unauthorized use as it would attract young people. He cautioned about going with the Florida League of Cities insurance program recommendations. While the diving board sponsor would add the city as a named insurer, that does not stop potential lawsuits.
- Mayor Capizzi would like to continue the discussion.

E. STAFF REPORTS AND ANNOUNCEMENTS

Mr. Hutson, Acting City Manager, noted that he had been working with staff and had joined the organization with ease. He discussed the upcoming workshop and informed the Commission that staff would be conducting a mock hurricane preparation drill the following week. Chief Grimes would lead the entire drill and outline expectations for staff participation.

Mr. Hutson thanked Ms. Carrie Lombardo, Executive Assistant, for her assistance with the 100-Year Celebration.

He reminded everyone that it was Vegetation Growth Season and reported that crews would be addressing overgrown areas throughout the city. He encouraged anyone who noticed an area needing attention to notify staff so it could be addressed.

He also reported that crews were completing the final punch list walk-through for the new City Hall.

Mr. Hutson mentioned the need to establish fees, as well as terms and conditions, for use of the City Hall property. While the faculty use would be processed through the Special Events Committee, he requested guidance on distinguishing between resident and non-resident use. Additionally, he noted that parking spaces within the City Hall complex would be marked for both staff and visitor use.

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

No city attorney reports.

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Vice-Mayor Williams inquired about the parking located under the building. He stated that he was comfortable with the City Manager making the final determination regarding its use. He also raised the issue of community room usage and the need to differentiate between resident and non-resident groups, including clubs and non-profits. He suggested this be added as a discussion item for a future meeting.

Mr. Hutson noted that rental fees for other city facilities already vary. The Commission discussed the existing fee schedules, and the consensus was to allow residents to pay a lower rate than non-residents.

Commissioner Tumulty stated that city-sponsored events, such as Art Fest and Friday Fest, should not be charged additional fees for using City facilities. He emphasized that spaces like the community room or bandshell should be available for these events. He also brought up the topic of parking passes and asked the Commission to consider allowing Cocoa Beach teachers and school staff to purchase parking passes at the resident rate.

Mayor Capizzi expressed agreement with Commissioner Tumulty regarding event access to City facilities if it falls under the allotted events.

Commissioner Jackson expressed enthusiasm and support for Mr. Hutson serving as Acting City Manager.

Mayor Capizzi also raised concerns about the transition of 1st Street North from 90-minute to paid parking. He requested that the street revert to 90-minute parking to better support nearby businesses. Commissioner Tumulty agreed with the Mayor's recommendation and suggested that the Commission should review parking fees as part of the discussion. He noted that Cocoa Beach's parking rates are currently below average. Commissioner Williams inquired about the specific number of spaces and the area impacted. He stated he would support reverting those spots back to 90-minute parking.

H. CONSENT AGENDA

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

1. Approve the May 15th, 2025 and the May 20th, 2025 Commission Meeting Minutes
   Staff Representative: City Clerk Department
   Recommendation: Approve

2. Approve the Memorandum Of Understanding (MOU) between the School Board of Brevard County and the City of Cocoa Beach for School Resource

Officer (SRO) services. This one-year MOU aligns with the MOU between the School Board of Brevard County and the Brevard County Sherriff's Office for

the 2025-26 school year. For the 2025-26 school year, the School Board of Brevard County will reimburse the City $74,000 per SRO for law enforcement services, which includes a portion of the salary, benefits, and associated costs, for up to the assigned two (2) SRO(s), and for a total not to exceed $149,000.00. This is a budgeted item.
Representatives: Wes Mullins, Police Chief
Recommendation: Approve

3. Approve the amended Acting City Manager agreement to include section 6, indemnification.
Staff Representative: Becky Vose, City Attorney
Recommendation: Approve

I. ITEMS REMOVED FROM THE CONSENT AGENDA

J. UNFINISHED BUSINESS

1. Accept the Quit Claim Deed provided by the School Board of Brevard County for Ramp Road Park and the Pond located on Freedom 7 School property.
Staff Representative: Morgan Zuhlke, Stormwater Utility Manager
Recommendation: Accept

MOTION BY WILLIAMS/TUMULTY
I MOVE TO ACCEPT THE QUIT CLAIM DEED FROM BREVARD COUNTY SCHOOL BOARD
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

2. Discuss and approve the salary range for the City Manager search conducted by Colin Baenziger Associates. - ADDED 6/04/2025
Staff Representative: Becky Vose, City Attorney
Recommendation: Discuss and Approve

MOTION BY WILLIAMS/TUMULTY
I MOVE TO DISCUSS

Vice-Mayor Williams addressed the salary analysis provided by the city manager search firm. He referenced the regional salary ranges and stated that Cocoa Beach was in a unique situation. He confirmed that the Commission had agreed to allow the future City Manager to reside anywhere within Brevard County. He explained that salary would ultimately be determined based on qualifications and negotiations, and that a range should be included in the recruitment brochure. He recommended setting the salary range at $160,000 to $235,000 per year and noted that City staff would handle the contract negotiations.

Mayor Capizzi referred to the firm's recommended range of $140,000 to $190,000 and

expressed his agreement with that figure.

Commissioner Tumulty cautioned against selecting the lowest possible salary,

emphasizing that "you get what you pay for." He explained the responsibilities of the City Manager, noting that most residents may not fully understand the role, which involves 24/7 oversight of the entire City and its departments. He stressed that compensation should reflect the caliber of professional the City is seeking.

Ms. Becky Vose, City Attorney, commented on the professionalism of Mr. Colin Baenziger and read an email exchange between him and Vice-Mayor Williams regarding appropriate salary recommendations.

Commissioner Tumulty recalled previous City Managers and highlighted the importance of including benefits such as a car allowance to avoid the perception that Cocoa Beach is not competitive or appealing.

Commissioner Jackson asked Vice-Mayor Williams how he arrived at the upper limit of $235,000. Vice-Mayor Williams responded that he had discussed the matter with Ms. Vose and reviewed compensation from other municipalities. He further shared that his initial preference was $240,000, but he lowered the amount to emphasize the importance of candidates wanting the job for more than just financial gain.

Mayor Capizzi stated that the salary had not been the reason for the departure of previous City Managers. He added that if the Commission were to approve a salary up to $200,000, the City Manager should be required to live within Cocoa Beach city limits.

The Commission then engaged in a broader discussion regarding residency requirements. Some members expressed concerns about mandating residency, while others saw value in requiring the City Manager to live within the community.

Commissioner Tumulty remarked that the current Commission was fortunate to already live in Cocoa Beach and acknowledged that it would be difficult to afford to move there under today's housing market conditions.

Commissioner Jackson expressed understanding of the Mayor's viewpoint but suggested that while residency in Cocoa Beach should be preferred, it should not be required, emphasizing flexibility in attracting qualified candidates.

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE SALARY RANGE FROM $160,000 - $235,000 PER YEAR.

- Ms. Janice Scott addressed the Commission regarding the proposed salary range for the City Manager position. She noted that the cities being used for comparison were significantly larger than Cocoa Beach and expressed concern about allowing a City Manager to live too far from the community. She stated that the City Manager does not need to have in-depth knowledge of every department

and also pointed out that homeownership should not be a requirement for the position. She urged the Commission to reconsider their stance on residency and

salary expectations.

Following her comments, the Commission and Ms. Vose clarified the population sizes of the cities referenced in the earlier discussion to provide context for the comparisons.

VOICE VOTE ON THE MOTION CARRIED AYES-3 , NAY- 2 HUTCHERSON/CAPIZZI

K. NEW BUSINESS

1. Ramp Road Park FPL Agreement and Easement

   A. Accept the agreement between the City of Cocoa Beach and Florida Power & Light Company (FPL) to install and maintain new fixtures, poles and hand holes at the Ramp Road Parking Lot. The one-time Contribution in Aid of Construction (CIAC) is $12,277.35. The estimated increase to the monthly bill will be ~~$583.84~~ $293.19, which includes the price of the lights, poles, energy, maintenance, hand holes, wire, and conduit. This is a budgeted item.
   B. Approve the FPL Lighting Easement, which will give FPL access to install and maintain the lighting plan for the Ramp Road Parking Lot.

   Staff Representative: Morgan Zuhlke, Stormwater Utility Manager
   Recommendation: Approve

MOTION BY WILLIAMS / TUMULTY
I MOVE TO ACCEPT THE AGREEMENT WITH FPL
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Commissioner Hutcherson inquired about Minutemen Cswy. for lighting. He wanted to understand the plan.
Commissioner Tumulty inquired what was being suggested for Minutemen Cswy. It was clarified as to what is being asked and clarification for what the plan would be.
Mr. Brad Kalsow, Public Works/Water Reclamation Director confirmed that the project was not funded in FY 25 but was added to the projected budget for FY 26.

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

2. Approve the replacement Rooftop Unit (RTU) HVAC system for the Police Department in the amount of $64,350. This is an emergency purchase and the unit has a 14-16 week lead time. This is not a budgeted item in FY25.

Staff Representative: Brad Kalsow, Water Reclamation and Public Works Director, Wes Mullins, Chief of Police
Recommendation: Approve

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE THE REPLACEMENT ROOFTOP UNIT FOR THE POLICE DEPARTMENT.

Mayor Capizzi inquired about the age of the rooftop unit. Vice-Mayor Williams noted the unit's location at the Police Station. Mayor Capizzi also asked whether the proposal included a warranty. Mr. Kalsow stated that the current proposal did not specify a warranty, but he would reach out to the vendor to inquire.

The Commission discussed the importance and benefits of having a warranty. Mr. Kalsow reiterated he would follow up with the company to see what warranty options might be available.

Vice-Mayor Williams asked about the number of quotes received for the replacement. Discussion followed regarding the Commission's preference for obtaining three bid proposals before making a final decision. Mr. Kalsow informed the Commission that three out of four coils were currently failing and staff was making efforts to maintain the system temporarily.

Mayor Capizzi emphasized the importance of obtaining multiple bids and warranties, comparing the City's purchasing practices to managing one's own home. Mr. Kalsow confirmed that the cost would appear in the proposed budget for FY 2026.

Commissioner Jackson spoke in support of moving forward with the proposal while also exploring available warranty options.

Mr. Kalsow also presented the option to repair or replace the coils, which could reduce the lead time for a fix.

Commissioner Tumulty inquired whether the AC system currently failing was the same unit discussed previously. Mr. Scott Maxim, Project Director, confirmed that the system had experienced issues since the building's completion. Chief Wes Mullins further noted that the AC had been inconsistent for the past two years and reiterated that it had been a persistent problem.

Commissioner Hutcherson emphasized the need for better planning to avoid emergency spending situations.

Following further discussion, Commissioner Tumulty withdrew his second, and Vice-Mayor Williams withdrew his motion to approve the replacement.

WILLIAMS/HUTCHERSON
MOTION STAFF GET 3 BIDS TO DO THE QUALITY ANALYSIS TO BRING BACK TO

THE COMMISSION WITH THE RECOMMENDATION EARLIEST MEETING.

Vice-Mayor Williams elaborated on air conditioning systems, highlighting ways to improve efficiency and preserve refrigerant.
Mr. John Dillon suggested the possibility of re-coating the AC system and supported obtaining three competitive bids.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Commissioner Tumulty inquired about preventive maintenance programs. Mr. Kalsow responded that there are programs in Public Works and Water Reclamation.

Mayor Capizzi emphasized the importance of implementing checklists as part of maintenance practices.

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

M. ADJOURNMENT

The meeting was adjourned at 8:07 pm.

X _____
Karin Grooms
City Clerk

X _____
Keith Capizzi
Mayor