

CITY OF COCOA BEACH
CITY COMMISSION
MINUTES
October 2, 2025

A. MEETING CALLED TO ORDER

Vice- Mayor Williams called the meeting to order at 7:00 PM.

1. Pledge of Allegiance
2. Invocation by Keith Capizzi, Pastor, Club Zion Community Church
3. Roll Call

Commission Members Present:

Vice-Mayor Skip Williams
Commissioner Joshua Jackson
Commissioner Tim Tumulty

Commission Members Absent:

Mayor Keith Capizzi
Commissioner Jeremy Hutcherson

Administrative Members Present:

City Attorney Garrett Owen
City Manager A.J. Hutson
City Clerk Karin Grooms
Development Services Dave Dickey
Development Deputy Services Director Brian Palmer
Finance Director Hana Juman
Finance Deputy Director Devan Taly
Fire Chief Justin Grimes
Human Resources Cindy DePina
Information Technology, Nate Guruwaffe
Assistant City Manager/Police Chief Wes Mullins
Water Rec/ Public Works Director Brad Kalsow

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 JACKSON/TUMULTY

I MOVE TO APPROVE

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.

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No public comment.

D. STAFF REPORTS AND ANNOUNCEMENTS

City Manager AJ Hutson announced the appointment of Chief Wes Mullins as the new Assistant City Manager. Mr. Hutson outlined the responsibilities Chief Mullins will be assuming as he transitions into this expanded role.

Mr. Hutson also reported on his attendance at the Brevard Delegation meeting, noting that a common theme among the beachside cities was the discussion of ad valorem issues.

A reminder was given that the Annual Cape Coast Conference will be held at the Aquatic Center this Thursday and Friday. Mr. Hutson expressed his appreciation to staff for their work in successfully closing out Fiscal Year 2025 and preparing for the start of Fiscal Year 2026.

He also highlighted the city's annual art show, noting ongoing collaboration with the organizing group as the event prepares to utilize the city's new green space in the upcoming year.

E. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

The city attorney had no report.

F. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Commissioner Tumulty, serving as Vice Chair of the Cocoa Beach Art Show, recognized Chair Steve Romano and the entire organizing team for their efforts. He emphasized that volunteers are still needed for the event.

Commissioner Tumulty noted that the main stage will be located at City Hall this year rather than on the main street. He requested the Commission's consent to allow beer sales on City property; the Commission provided its approval.

The Art Show will once again take place over Thanksgiving weekend, running for three full days. This year, no food trucks will be present. Instead, the Art Show Board decided that all local restaurants should have the opportunity to benefit from the event's art and entertainment.

Additionally, the Fire Department will host its annual chili fundraiser. Commissioner Tumulty also provided an overview of the planned tent locations and event layout.

Vice-Mayor Williams explained the commission meeting procedure given that only three members were present. He clarified that any item receiving a 2–1 vote would fail, and that a unanimous 3–0 vote would be required for an item to pass during the meeting.

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G. CONSENT AGENDA

MOTION BY JACKSON/TUMULTY

I MOVE TO APPROVE

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve the 09/18/2025, Commission Meeting Minutes
Staff Representative: City Clerk Department
Recommendation: Approve
2. Approve Resolution 2025-23 appropriating funds for projects and purchases not completed during the prior fiscal year. This is a budgeted item.
Staff Representative: Hana Juman, Finance Director, A.J. Hutson, City Manager
Recommendation: Approve

H. ITEMS REMOVED FROM THE CONSENT AGENDA

I. NEW BUSINESS

1. Adopt Ordinance 1704 on first reading — An ordinance of the City of Cocoa Beach, Florida, prohibiting the immobilization (“Booting”) of vehicles by the use of an impoundment device on private property within the city; Providing for findings; providing definitions; providing exceptions; providing for enforcement and penalties; providing for conflicts, severability, an effective date.
Staff Representative: David Dickey, Development Services Director
Recommendation: Approve

MOTION BY JACKSON/TUMULTY

I MOVE TO ADOPT 1704 ON FIRST READING

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

2. Adopt Ordinance 1705 on first reading — An ordinance of the City of Cocoa Beach, Florida, creating a new article III, “street performers and buskers”, of chapter 8, “amusements and entertainment” of the code of ordinances of the city of Cocoa Beach, regulating street performers within the city; providing for findings and definitions; providing for prohibitions and conditions of performance; providing for enforcement and penalties; providing for conflicts, codification, severability, and an effective date.
Staff representative: David Dickey, Development Services Director
Recommendation: Approve

MOTION BY JACKSON/TUMULTY

I MOVE TO ADOPT 1705 ON FIRST READING

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

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Commissioner Tumulty noted that the topic of street performances had been raised several years ago and requested additional information from staff.

Mr. Dave Dickey, Development Services, reported that he had been contacted by an individual interested in conducting street performances. He explained that the City Code does not currently address this issue and noted that he had consulted with the City Attorney regarding the drafting of an ordinance to regulate street performers.

Mr. Dickey acknowledged First Amendment rights in relation to the matter. He further explained that designated performance areas would be established by resolution and provided a general description of those areas.

Commissioner Tumulty thanked staff for the clarification on the details of the proposed ordinance.

3. Resolution 2025-29 - A Resolution of the City Commission of the City of Cocoa Beach, Florida, regulating street performers within the City; establishing prohibited public areas relating to the regulation of street performers in the city; making findings; and providing an effective date.
Staff Representative: David Dickey, Development Services Director
Recommendation: Approve

MOTION BY TUMULTY/JACKSON
I MOVE TO APPROVE RESOLUTION 2025-29
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Commissioner Tumulty inquired about the Art Show, noting concerns about individuals entering the event area. He asked whether the City Manager has the authority to restrict access in certain areas during events.

Vice-Mayor Williams clarified that such matters would be covered under the City's event regulations and inquired about how restrictions would be advertised.

City Manager Hutson explained the special event process and confirmed that it provides the City with flexibility; either to limit access in designated areas or to allow entry, depending on the circumstances.

4. Accept the City's Selection Committee Recommendation of Award for the bids submitted by US Lawns, W&G Maintenance Corp, Rob Potts, Lawns by Scott and Marlowe Landscaping under bid #CB25-009, to provide Grounds Maintenance Services for 34 service areas across the City. Allow staff to enter into a contract with all five companies. This is a budgeted operating expense for FY26.
Staff Representative: Brad Kalsow, Water Reclamation and Public Works

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Director

Recommendation: Approve

MOTION BY JACKSON/TUMULTY
I MOVE TO APPROVE GROUNDS MAINTENANCE SERVICES
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Vice-Mayor Williams expressed his support for allowing multiple contracts, noting that each party may hold their own contracts. He stated he was in favor of the approach.

5. Resolution 2025-30 - A Resolution of the City Commission of the City of Cocoa Beach, Florida, adopting a fine schedule applicable to violations of Ordinance 1700 relating to the regulation of electric bikes and similar devices in the City; making findings; adopting fine schedule for violations related to the use of electric bicycles; requiring posting of fine amounts on the City website and implementation of new fines; and providing an effective date.
Staff Representative: David Dickey, Development Services Director
Recommendation: Approve

MOTION BY TUMULTY/JACKSON
I MOVE TO APPROVE RESOLUTION 2025-30.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Mr. John Dillion spoke regarding the previous item on street performers. He inquired whether the ordinance/resolution would also apply to homeless individuals or others asking for money.

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

- K. ADJOURNMENT

The meeting was adjourned at 7:20 pm.


Karin Grooms, City Clerk, MPA, CMC


Keith Capizzi, Mayor-Commissioner

