

**CITY OF COCOA BEACH
CITY COMMISSION
MINUTES
September 4, 2025**

A. MEETING CALLED TO ORDER

Mayor Capizzi called the meeting to order at 6:00 PM.

1. Pledge of Allegiance
2. Invocation by Pastor Mark Wodka, Canaveral Port Ministry

Pastor Keith Capizzi from Club Zion provided invocation for the city.

3. Roll Call

Commission Members Present:

Mayor Keith Capizzi
Vice-Mayor Skip Williams
Commissioner Joshua Jackson
Commissioner Tim Tumulty
Commissioner Jeremy Hutcherson

Administrative Members Present:

City Attorney Becky Vose
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
Finance, Senior Financial Analyst, Ander Hanson
Fire Chief Justin Grimes
Fire Deputy Chief, Steve Lea
Fleet Director Jonathan Mickler
General Manager, CBCC Ed Thinger
Human Resources Cindy DePina
Information Technology Director Kevin Perez
Information Technology Deputy Director, Ron Munns
Information Technology Lauren Domenech
Information Technology, Nate Guruwaffe
Leisure Services Andi Segarra
Police Chief Wes Mullins
Police, Deputy Chief Kris Kuehn
Police, Major Joseph Versaggi
Police, Major Manny Hernandez
Water Rec/ Public Works Director Brad Kalsow

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B. BUDGET HEARING

1. Approve the Tentative Millage rate of 6.0000 mills for Fiscal Year 2026. The Proposed Millage rate of 6.0000 mills is 0.65% higher than the Rollback rate of 5.9610 mills. Adoption of the Millage rate by Resolution No. 2025-16 is scheduled for September 18, 2025. Staff Representative: Hana Juman, Finance Director; A.J. Hutson, City Manager
Recommendation: Approve

The City Attorney read item B1.

MOTION BY WILLIAMS/TUMULTY

I MOVE TO APPROVE THE TENTATIVE MILLAGE RATE OF 6.0000 MILLS FOR FY 26.

ROLL CALL VOTE 4-AYES/1-NAY- HUTCHERSON

2. Approve the Tentative Budget making appropriations for Fiscal Year 2026. Adoption of the Budget by Resolution No. 2025-17 is scheduled for September 18, 2025.
Staff Representative: Hana Juman, Finance Director; A.J. Hutson, City Manager
Recommendation: Approve

MOTION BY WILLIAMS/TUMULTY

I MOVE TO APPROVE TENTATIVE BUDGET

ROLL CALL 4-AYES/1-NAY - HUTCHERSON

Mr. KP Finke inquired about two city projects that he did not clearly see within the budget and inquired about grant funding.

C. APPROVAL OF THE AGENDA

MOTION BY WILLIAMS/JACKSON

I MOVE TO APPROVE THE AGENDA

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

D. SPECIAL PRESENTATIONS

1. Proclamation for National Suicide Prevention Month, September 2025
Representative: Wayne Price

Mayor Capizzi read the proclamation and declared September as National Suicide Prevention Month. The proclamation was presented to Mr. Wayne Price and Ms. Johnette Gindling, CEO/President of Space Coast Health Foundation. Ms. Gindling thanked the Commission for the proclamation and their continued promotion of suicide awareness. She also provided statistics regarding suicide rates in the State of Florida.

Ms. Ginny Gleason, Director of the Do It For Hunter organization, noted that the nonprofit was formed four years ago and shared additional statistics, highlighting that

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2023 was a record year for suicides. She spoke about the organization's annual *You Matter Day*, which will be held at Merritt Island High School in 2025.

Vice-Mayor Williams inquired about the distinction between overdoses and suicides. Ms. Gleason explained how such determinations are made.

E. 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.

No public comment.

F. STAFF REPORTS AND ANNOUNCEMENTS

City Manager A.J. Hutson briefed the commission on matters that had occurred since the previous meeting.

He discussed recent communication with the Florida Department of Transportation (FDOT) regarding the Bike Safety Symbol contest winners, currently displayed in front of Roosevelt Elementary School. FDOT has requested their removal due to new federal regulations that went into effect in July, which prohibit such markings on sidewalks. Mr. Hutson noted that other schools are also affected by this change. Commissioner Tumulty inquired how this occurred, and Mr. Hutson explained that it was a direct result of the new regulations. Commissioner Tumulty also commented on FDOT and its spending practices.

Mr. Hutson reported that he has been working with Cocoa Beach Main Street (CBMS) on the renewal of their agreement with the City. This item is expected to come forward for consideration at the September 18, 2025, meeting.

He also recognized and congratulated Mr. Pete Malzone on his retirement after 53 years of service with the City.

Finally, Mr. Hutson informed the commission of the passing of former Water Reclamation Director Darby Blanchard. He highlighted Mr. Blanchard's extensive history with the City and his contributions to numerous projects throughout his career.

G. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

No city attorney reports.

H. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Commissioner Jackson welcomed and thanked City Manager Hutson for officially taking on the role of City Manager. He also announced that Brevard County schools are excelling, with five schools ranked among the top in Florida. Commissioner Jackson cautioned young drivers about the new Bus Patrol program, which installs

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cameras on the stop arms of school buses. He explained that initial notifications will be issued as warnings, but subsequent violations will result in citations.

Commissioner Tumulty spoke about the new school cell phone policy. He noted that, rather than allowing an interim adjustment period, schools immediately began issuing referrals. He outlined the process, which includes confiscation of the phone for the day, requiring parents to collect the device, and, ultimately, suspension for repeated offenses. Commissioner Tumulty also recognized Mr. Malzone and Mr. Blanchard for their many years of dedicated service to the City.

Vice-Mayor Williams reflected on his memories of working with Mr. Blanchard during his tenure with the City. He inquired of the City Manager whether the City's emergency management plan was up to date or required revisions. Fire Chief Grimes responded that the plan had been updated. City Manager Hutson added that staff recently conducted a mock hurricane exercise. Fire Chief Grimes and the commission further discussed the plan and emphasized the importance of coordination with other agencies.

Commissioner Hutcherson commented on the City Manager recruitment process and activities from the prior week. He spoke about the candidate review and disbursement process, and expressed appreciation to City Manager Hutson.

Mayor Capizzi stated that while he had not previously known Mr. Hutson, he had conversations with City staff revealed high regard for him. He also addressed the Transportation Board, emphasizing the importance of strong communication and alignment.

Vice-Mayor Williams noted that he previously served as the City's representative on the Transportation Board. He spoke about projects that had been brought forward during his tenure, including the process for speed bump installation and the final outcomes of those projects.

I. CONSENT AGENDA

MOTION BY JACKSON/TUMULTY

I MOVE TO APPROVE

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

It was inquired whether Item I2 was a budgeted item. Mr. Brad Kalsow, Public Works/Water Reclamation Director, confirmed that it is budgeted and explained that the work is handled on a task-order basis.

1. Approve the August 7th, August 19th and August 21st Commission Meeting Minutes
Staff Representative: City Clerk Department
Recommendation: Approve
2. Approve a contract extension with Marlowe Landscaping for a period of one year to expire September 1, 2026.

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Staff Representative: Brad Kalsow, Public Works & Water Reclamation
Director

Recommendation: Approve

3. Approve a one-year Memorandum of Understanding (MOU) between the City of Cocoa Beach and the City of Cape Canaveral to share the cost of the School Resource Officer (SRO) assigned to Cocoa Beach Junior/Senior High School for the 2025/2026 school year. This is a budgeted item.

Staff Representative: Wes Mullins, Police Chief

Recommendation: Approve

J. ITEMS REMOVED FROM THE CONSENT AGENDA

K. UNFINISHED BUSINESS

1. Adopt Ordinance 1700 on second reading, An Ordinance of the City of Cocoa Beach, Florida, adding a new section 22-2.5, "regulation of electric bicycles and similar devices on specified rights of way", of article I, "in general" of chapter 22, "streets and sidewalks" of the code of ordinances of the City of Cocoa Beach; providing regulations for the use of electric bicycles and similar devices on specified rights of way; and providing for conflicts, codification, severability, and an effective date.

Staff Representative: Wes Mullins, Police Chief

Recommendation: Approve

The City Attorney read Item K1. Ms. Becky Vose, City Attorney, explained the two exhibits attached to the agenda. She noted that the first had been adopted at first reading; however, following edits by Police Chief Wes Mullins, she recommended that the commission move forward with the revised version.

MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO APPROVE
ROLL CALL VOTE - AYES - 5 NAYES - 0

Vice-Mayor Williams inquired about the possibility of adding language requiring that special events address the use of e-bikes, skateboards, or bicycles in the areas where events are held.

Chief Mullins discussed prior conversations on the matter, noting both the pros and cons of restricting use in certain areas beyond the Minutemen corridor. He stated he would follow the direction of the commission.

Mayor Capizzi commented that operating e-bikes on the roadway can already constitute a violation of existing laws, and the Police Department could issue citations accordingly.

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Chief Mullins reiterated that he is prepared to implement whatever measures the commission directs.

Vice-Mayor Williams recommended proceeding with the ordinance as presented and suggested the City consider posting signage during special events regarding e-bike and bicycle use.

Commissioner Tumulty reflected on prior discussions regarding special events and supported the idea of increased signage. He emphasized that the commission should rely on staff expertise in police-related matters and stated that any trial period should be citywide rather than limited to Minutemen Avenue. He also commented on the ways bicycles are currently being used in the community.

The commission continued its discussion regarding areas for special events and requested that the City Manager work with event organizers to address signage.

Ms. Vose clarified with the commission which exhibit was being approved. She explained that any additional streets or events could be added later by resolution.

Commissioner Jackson commented on concerns raised by citizens and outlined the steps needed to move forward.

Commissioner Hutcherson noted that the ordinance provides a framework for future adjustments.

L. NEW BUSINESS

1. Approve Fiscal Year 2026 Liquid Sodium Hypochlorite bulk supply piggyback agreement addendum utilizing Bay County contract bid number 22-27 for Odyssey Manufacturing Co. to supply the wastewater treatment plant at a price of \$1.69 per gallon. This is a budgeted Operating Expense.
Staff Representative: Brad Kalsow, Public Works & Water Reclamation Director

MOTION BY WILLIAMS HUTCHERSON

I MOVE TO APPROVE AS READ

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

2. Accept the City's Selection Committee Recommendation of Award for the bid submitted by American Facility Services, Inc. under bid #CB25-008, to provide Janitorial Services for City Hall, Fire Station 51 and Police Station. Allow staff to enter into a contract with American Facility Services, Inc. This is a budgeted operating expense for FY26. If a contract can not be negotiated with American Facility Services, Inc. allow staff to enter into a contract with the second and/or third ranked company.
Staff Representative: Brad Kalsow, Water Reclamation and Public Works Director
Recommendation: Approve

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MOTION BY HUTCHERSON/JACKSON
I MOVE TO APPROVE AS READ
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Vice-Mayor Williams inquired who is currently responsible for maintaining the parks and garage facilities not listed among the three current facilities.

Mr. Brad Kalsow, Public Works/Water Reclamation Director, explained the existing janitorial services in place for those facilities, noting both contracted services and staff involvement. He also outlined the contract agreements covering all facilities.

Mayor Capizzi asked about the bidding process for these services. Mr. Kalsow described the evaluation and ranking process used.

Commissioner Jackson noted the decrease in funds associated with the contracts.

City Manager Hutson added that a six-month probationary period is included in the agreement.

3. Emergency Ordinance 1703 - AN EMERGENCY 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 pending the adoption of a regulatory scheme for booting through the regular ordinance process; PROVIDING FOR FINDINGS OF EMERGENCY; PROVIDING DEFINITIONS; providing exceptions; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR conflicts, NON-codification, SEVERABILITY, an EFFECTIVE DATE AND AN ENDING DATE.

MOTION BY WILLIAMS/JACKSON
I MOVE TO APPROVE
ROLL CALL VOTE AYE-5 NAY-0

Vice-Mayor Williams inquired City Attorney Vose about the prior meeting discussion regarding emergency towing. Ms. Vose explained that some companies had been using the booting process as a temporary measure, but the emergency ordinance adopted by the City prohibits booting until a permanent ordinance can be established.

Mayor Capizzi asked whether language from the existing towing ordinance could be applied to booting. Ms. Vose clarified that the current ordinance does not regulate booting and emphasized that booting is not addressed under state law. She explained that towing companies are often not in compliance with existing laws and that additional signage requirements under state law will need to be incorporated. She stated she will conduct further research and bring forward a draft ordinance for first reading.

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Commissioner Jackson noted that the City's efforts are aimed at addressing the predatory practices of certain towing companies. He also noted that he doesn't want the visitors subjected to this approach for booting or towing.

Ms. Vose added that while companies may tow vehicles, they frequently fail to comply with state law. Mayor Capizzi noted ethical considerations and stressed the importance of adopting an ordinance that ensures the City's practices are fair and properly regulated.

Vice-Mayor Williams inquired from City Attorney, Vose about the previous meeting regarding the emergency towing. Ms. Vose spoke about the companies using the booting process to restrict the process until the city is able to get something permanently.

Mayor Capizzi inquired about the verbiage of the towing ordinance but directed towards booting.

Ms. Vose clarifies and explains that the emergency ordinance prohibits booting. It was explained how the towing companies don't comply with the laws and they will need to add additional signage with the state law. She noted that booting is not regulated by the state. She did note that she will need to do research to bring forward an ordinance.

M. GENERAL PUBLIC COMMENT

(Only if not accommodated in the 30-minute Public Comment period earlier)

N. ADJOURNMENT

The meeting was adjourned at 7:02 pm.



Karin Grooms
City Clerk, MPA



Keith Capizzi
Mayor-Commissioner