

1 late Charles James Kirk, and requests his resignation from the Village
2 Council.

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4 **Section 3.** The Village Council hereby requests an investigation
5 into the conduct of Councilmember Steve Cody that may qualify for
6 suspension of office under Florida Statute 112.51, titled *Municipal*
7 *Officers; Suspension; Removal from Office by the Governor.*

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9 **Section 4.** The Village shall fully cooperate with any investigation
10 that results from this Resolution.

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12 **Section 5.** This Resolution shall take effect immediately upon
13 passage.

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15 **PASSED and ADOPTED** this 15th day of September, 2025.

16

17 Signed by:
18 *Missy Arocha*
19 BEDC211E5E8C48C...
20 **Missy Arocha**
21 **Village Clerk**

Signed by:
Karyn Cunningham
35B93CD2D0CB470...
Karyn Cunningham
Mayor

21

22 **APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

23

24

25 Signed by:
26 *John C. Dellagloria, Esq.*
27 0100A0D7082243216...
28 **John C. Dellagloria**
29 **Village Attorney**

29

30 **FINAL VOTE AT ADOPTION:**

31

32 Council Member Patrick Fiore YES

33

34 Council Member Steve Cody NO

35

36 Council Member Marsha Matson YES

37

38 Vice-Mayor Mark Merwitzer YES

39

40 Mayor Karyn Cunningham YES

EXHIBIT A:

Statement from Mayor Karyn Cunningham

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Posted on: September 11, 2025

A Statement from Mayor Cunningham

Earlier today, I became aware of a deeply troubling social media post made by one of my colleagues on the Village Council in response to the tragic assassination of conservative activist, Charlie Kirk. As a mother and as your Mayor, I am both saddened and disturbed. Violence has no place in our community or in our nation, and words that seek to diminish or make light of such tragedy are equally harmful.

Regardless of political affiliation or public profile, acts of violence are never acceptable in a civil society. We must hold firm to the values that unite us: respect, compassion, and the unwavering belief that disagreements must be addressed through dialogue, not destruction.

As public officials, we are entrusted to lead by example and to uphold the values of respect, empathy, and civility that form the foundation of our democracy. We must model the kind of peaceful discourse that we want to see reflected in our society.

With this in mind, and with great respect for the office I hold, I must call for Councilman Cody to step down. The people of Palmetto Bay deserve leadership that reflects compassion, responsibility, and dignity in moments of crisis.

My deepest sympathies go out to Charlie Kirk's family and to the families and loved ones of anyone affected by a horrific act. In moments like these, we must come together, not as partisans, but as people committed to peace, understanding, and the shared dignity of every human life.

— Mayor Karyn Cunningham
Village of Palmetto Bay



EXHIBIT B:
Statement from Vice Mayor Mark Merwitzer

PALMETTO BAY VICE MAYOR
MARK MERWITZER

Greetings!

I am writing to you today with deep concern about the damage being done to our beloved Palmetto Bay community.

Recently, Councilman Steve Cody made comments mocking the tragic assassination of political commentator Charlie Kirk. When confronted with the widespread outrage from residents and elected officials across party lines calling for his resignation, Mr. Cody told the media, "I was elected to serve until 2028, and I'm going to be serving until that time."

Palmetto Bay is now being mentioned nationwide in the context of hate and division. We are being googled for all the wrong reasons, with people across the country viewing our community as a place that breeds mockery of violence and condones threats against public figures. This is not who we are, and it's not what our community stands for. We are a community that believes in treating our neighbors with care and compassion. We are a place where families feel safe and where civil discourse is encouraged and valued. Violent rhetoric should never guide our conversations about the future.

I am appalled that Mr. Cody refuses to resign despite the clear harm his actions have caused to our community's reputation and values.

Palmetto Bay councilman urged to resign after 'vile' post about slain activist Charlie Kirk



Councilman urged to resign after post calling Charlie Kirk 'a fitting sacrifice'

The outpouring of calls for Mr. Cody's resignation has come from across party lines, from Commissioner Cohen Higgins to Representative Omar Blanco. To me, party affiliation is irrelevant. What is important here is whether you believe in basic human decency, empathy, and respect for the values that make our community special.

If you believe we can help Palmetto Bay return to a path of decency, respect, and humanity, I hope you join us in demanding better from our elected officials. Our children are watching. Our neighbors are counting on us. The values that make Palmetto Bay special are at stake.

Contact the Village Council at council@palmettobay-fl.gov and let them know you expect better from our elected officials. Share this message with your neighbors and friends. Together, we can ensure that Palmetto Bay remains a place defined by empathy and not the hateful remarks of one councilmember.

As always, you can reach me directly **at 786-309-6743**. I'm here to listen and work alongside you to protect the community we love.

-Mark



Vice Mayor Mark Merwitzer
14730 Southwest 75th Avenue
Palmetto Bay, FL 33158 US

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EXHIBIT C:
Statement from Councilmember Marsha Matson

Calling for Resignation of Councilmember Steve Cody

By Marsha Matson, Palmetto Bay Village Council District 3

Colleagues, residents, and friends,

In the United States, everyone has the right to speak freely. The First Amendment is one of our greatest treasures, and I will defend it always. But what we are discussing here tonight is not about the First Amendment. It is about accountability.

Councilmember Steve Cody has abused his position. His hateful and malicious comments are not the voice of a private citizen — they are the words of an elected official who represents every single one of us in Palmetto Bay. And words spoken from this seat of government carry consequences.

For more than five years, Councilmember Cody has disrespected and humiliated people — in our meetings, in emails, and on social media. He posts grotesque caricatures of residents he dislikes. He calls people degrading names. He spreads false accusations. He has even chosen to sue this Village and our newly elected Vice Mayor in an attempt to overturn the results of an election. That lawsuit alone, by my estimate, is costing taxpayers \$50,000. He also filed a false complaint against me, which I won — but not before it cost taxpayers another \$27,000.

This pattern of behavior has brought our residents pain, humiliation, and needless expense. Who among us can calculate how much more in dollars and distress this will cost before it ends? When is enough, enough?

We in Palmetto Bay have a civility ordinance — a law that prohibits humiliating others. Yet Councilmember Cody violates it, again and again, without consequence. And now his most recent comment — about Charlie Kirk — crossed another line. He mocked sacred values: the respect we owe the dead, the respect we show to religion, the respect we give to grieving families. He inflamed the issue of gun violence by twisting the words of the Lord's Prayer to link a gun manufacturer to the "fitting sacrifice" assassination of a young activist.

In just a few words, he managed to denigrate faith, civic engagement, and basic human compassion. This was not leadership. This was cruelty.

Public office requires restraint, maturity, and respect for the community. An elected official must rise above provocation, not wallow in it. Steve Cody has shown, time and again, that he cannot or will not do so.

The damage is spreading. I am receiving emails from across the country about him and about Palmetto Bay. Our residents are angry, our reputation is suffering, and our Village is being dragged down by one man's reckless conduct.

For the sake of our community, for the dignity of this council, and for the peace of the residents we serve — I say enough. Councilmember Cody should resign.

And let me add this: now that we all fully understand the character of Councilmember Cody, if he refuses to resign, this council must act to preserve order, civility, and respect on this dais. For nearly two years, I have asked the Mayor to move my seat away from Steve Cody. His conduct is not only disruptive to the proper functioning of this council, it is also corrosive to my ability to serve with dignity and peace of mind. Tonight, in light of his continued behavior, I repeat that request with urgency. I ask the Mayor once again to move my seat on the dais away from Steve Cody — and to do so now.

EXHIBIT D:
Statement from Councilmember Steve Cody Regarding
Recent Social Media Post

FOR IMMEDIATE RELEASE

September 11, 2025

Statement from Council Member Steve Cody Regarding Recent Social Media Post

Yesterday, I regrettably made a significant error in judgment by sharing a quotation on my personal Facebook page that referenced remarks made by the deceased Charlie Kirk in 2023 concerning the Second Amendment and gun violence.

This action, born out of my deep anger and frustration with the now too common tragedy of gun violence, was misguided.

I want to state unequivocally that this post did not and does not reflect my personal values, my deeply held beliefs, or my solemn responsibilities as an elected official.

The language I shared regardless of my intent could easily be interpreted as minimizing the very real and devastating toll of gun violence in our communities. I understand that intent does not mitigate impact, and for that, I take full and complete responsibility for my lapse in judgment.

The post has been removed.

I wish to make it absolutely clear that I do not endorse the sentiment expressed in that quotation.

As a father and a grandfather, the safety and well-being of our families are always paramount to me. As public officials, I acknowledge that I have a fundamental duty to engage thoughtfully, to demonstrate respect for all viewpoints, and to never make light of issues that profoundly affect lives and families.

To the Kirk family, my sincere condolences during this difficult time, and my apologies for any statements I made that caused you further distress.

And to anyone who was offended or hurt by my post, particularly those impacted by gun violence, I extend my most sincere and profound apologies.

I am committed to learning from this mistake, to exercising significantly greater care in all my future communications, and to dedicating my energy to the issues that are most critical to the well-being and prosperity of our community.

###

—

Steve Cody
Council Member, District 2
Village of Palmetto Bay
Cell: 786-570-0363

EXHIBIT E:
Social Media Post

 **Steve Cody** 2h · 🌐

Charlie Kirk is a fitting sacrifice to our Lords: Smith & Wesson. Hallowed be their names.



**"I think it's worth to have a cost of, unfortunately, some gun deaths every single year so that we can have the Second Amendment to protect our other God-given rights."
- Charlie Kirk, 2023**