
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, MARCH 18, 2020 ♦ 6:00 P.M.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on March 18, 2020, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

PRESENT:	Thomas J. Price	Mayor
	Michael Cadore	Councilmember, Seat #1
	Dr. R. Shaun Ferguson	Councilmember, Seat #2
	Sammie Brown Martin	Councilmember, Seat #3
	Frank T. Forester	Councilmember, Seat #4
	Duane A. Daski	Councilmember, Seat #5
	Ted J. Hartselle	Councilmember, Seat #6
	Joseph E. Miniclier	City Attorney
	Dr. Brenda Fettrow	City Manager
	Jennifer M. LeVasseur	Acting City Clerk & Public Relations Officer

STAFF PRESENT:	Matthew Trine	Assistant City Manager & Finance Director
	Alexandra Bernard	Planning Director
	Joseph P. LaSata	Public Safety Director/Chief of Police
	C. Kenneth Poole	Public Works Director

With a quorum present, the meeting was called to order by Chairman Thomas J. Price.

2. INVOCATION

- At the invitation of Councilman Forester, the invocation was given by Pastor Sandy Lacey, Rockledge Presbyterian Church.

3. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE

- A salute was given to the flag and the Pledge of Allegiance was repeated in unison.

4. APPROVAL OF MINUTES

- Regular Meeting on February 19, 2020

Councilman Daski moved to approve the minutes of the regular meeting on February 19, 2020; seconded by Councilman Hartselle. The motion carried unanimously (7).

5. PRESENTATIONS

A. Mayor Price

1. Mayoral Proclamation

a. Government Finance Professionals Week

Mayor Price read aloud a Proclamation recognizing March 16-20, 2020 as Government Finance Professionals Week and congratulated all Government Finance Professionals on this achievement. The Proclamation was presented to Assistant City Manager & Finance Director Trine.

NOT AN AGENDA ITEM

Mayor Price presented a Proclamation recognizing Councilman Dr. Joe Lee Smith as Councilman Emeritus for the City of Rockledge. Councilman Smith was a recent distinguished guest at the Florida Black Caucus Gala on March 12 in Miramar, where he was recognized for his longtime service to his community. Councilman Smith shared his sentiments and gratitude with Council.

2. Special Recognition

a. 30 Years of Service

- Tina Ramos, Sanitation Coordinator, Public Works Department

Mayor Price recognized Tina Ramos, Sanitation Coordinator, Public Works Department, for 30 years of service and presented her with a Certificate of Commendation, congratulatory letter, gift card and longtime service pin. Council members expressed gratitude and well wishes to Ms. Ramos.

B. Carr, Riggs & Ingram, CPAs and Advisors

1. Auditors' Report on the Financial Status of the City

Christine Noll-Rhan from Carr, Riggs & Ingram, CPAs and Advisors, Melbourne, presented the results of the audit and provided a report on the positive financial status of the City of Rockledge.

6. FINANCIAL / BUDGET REPORT

- February 2020

Councilman Ferguson moved to be in receipt of the Financial/Budget Report for the month of February 2020; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Resolution: Supporting the Goals of the 2020 Census

Councilman Daski offered a Resolution entitled "RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, SUPPORTING THE GOALS OF THE 2020 CENSUS," and moved to read the Resolution by title only; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

City Attorney Miniclier read aloud the title of the Resolution.

Councilman Daski moved for adoption of the Resolution; seconded by Councilwoman Martin. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. The motion carried by unanimous vote (7).

- B. Resolution: Authorizing the Mayor to Declare a Local State of Public Health Emergency Relating to Coronavirus Disease 2019 (COVID-19); and Providing for an Effective Date

Councilman Ferguson offered a Resolution entitled "A RESOLUTION OF CITY COUNCIL OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO DECLARE A LOCAL STATE OF PUBLIC HEALTH EMERGENCY RELATING TO CORONAVIRUS DISEASE 2019 (COVID-19); AND PROVIDING FOR AN EFFECTIVE DATE," and moved to waive the reading and adopt the Resolution; seconded by Councilman Hartselle. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. The motion carried by unanimous vote (7).

8. REPORTS FROM BOARDS AND COMMITTEES

Councilman Daski moved to be in receipt of the minutes of the following meetings:

- Business Development Committee, Minutes of Meeting on February 25, 2020
- Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on February 26, 2020

- Code Enforcement Board, Minutes of Meeting on February 13, 2020
- The Rockledge Environmental Enhancement (TREE) Board, Minutes of Meeting on February 13, 2020
- Planning Commission, Minutes of Meeting on February 4, 2020
- Planning Commission, Minutes of Meeting on March 10, 2020
- Council Finance and Budget Committee, Minutes of Meeting on February 19, 2020

And to consider independently any recommendations contained therein; seconded by Councilwoman Martin. The motion passed unanimously (7).

- A. Business Development Committee, Minutes of Meeting on February 25, 2020 (no recommendation)
- B. Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on February 26, 2020 (no recommendation)
- C. Code Enforcement Board, Minutes of Meeting on February 13, 2020 (no recommendation)
- D. The Rockledge Environmental Enhancement (TREE) Board, Minutes of Meeting on February 13, 2020 (no recommendation)
- E. Planning Commission, Minutes of Meeting on February 4, 2020 (no recommendation)
- F. Planning Commission, Minutes of Meeting on March 10, 2020

1. Recommendation

- Approval of Rezoning of 804 Angela Avenue from R3 to RMU, ZDA-20-01

...recommend to Council the rezoning of 804 Angela Avenue from R3 (Multi-Family Dwelling [High-Density District]) to RMU (Redevelopment Mixed Use)...

Councilman Ferguson moved to approve the recommended rezoning; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

- Approval of Rezoning of 802 Angela Avenue from R3 to RMU, ZDA-20-02

...recommend to Council the rezoning of 802 Angela Avenue from R3 (Multi-Family Dwelling [High-Density District]) to RMU (Redevelopment Mixed Use)...

Councilman Daski moved to approve the recommended rezoning; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

G. Council Finance and Budget Committee, Minutes of Meeting on February 19, 2020

1. Recommendation

- Approval of Proposed Budget Meeting Calendar for Fiscal Year 2020-2021

...recommend to Council approval of the proposed budget meeting calendar for Fiscal Year 2020-2021...

Councilwoman Martin moved to approve the recommendation; seconded by Councilman Hartselle. The motion passed without objection (7).

H. Reappointments and Appointments

1. Reappointments

- None

2. Appointments

a. Business Development Committee

Currently, there are three vacancies on the Business Development Committee. One application has been received from Josiah Gattle. Terms of service are for two years.

Councilman Daski moved to appoint Josiah Gattle to the Business Development Committee; seconded by Councilman Hartselle. The motion passed without objection (7).

b. Community Redevelopment Agency Board of Commissioners (CRA)

Currently, there is one vacancy on the Community Redevelopment Agency Board of Commissioners. Five applications have been received from Adam Copenhaver, John Pistoia, Darby Miller, Susan Schleith, and Frederick "Rick" Sanders. Terms of service are for four years.

Councilwoman Martin moved to appoint Darby Miller to the Community Redevelopment Agency Board of Commissioners; seconded by Councilman Forester. The motion passed without objection (7).

9. UNFINISHED BUSINESS

A. Action Item: City Manager Annual Performance Evaluation

Mayor Price thanked Council members for completing the City Manager performance evaluations and noted that Dr. Fettrow received an overall job performance of 4.98 out of a possible 5.0, which equates to a rating of "Superior."

B. Discussion: Construction of Phase 1 (21 Single-Family Homes) of the Shepard Park Overlay District

Developer Doug Baldwin came before City Council on February 19 to formally withdraw from voluntary participation in the Shepard Park Overlay District and instead build homes lot by lot, in accordance with R2. City Attorney Miniclier was directed to research the legalities of this method and deliver information at the March 10 Planning Commission meeting. This item was removed from the table at the March 10 Planning Commission meeting, and the Commission no longer needed to consider this item, as Mr. Baldwin is no longer participating in the Shepard Park Overlay District plan.

City Attorney Miniclier explained that he and Planning Director Bernard researched deeds for this area dating back to 1935. There are no restrictive covenants in any of the deeds. Historically, building permits in this area have been issued on a single lot basis. The plat overlay has been utilized throughout the years, although it has not been recorded. History has dictated that the City would need to refer to the unrecorded plat for direction, and this area can be developed on a lot by lot basis, as it has in the past. City Attorney Miniclier recommends that Mr. Baldwin be permitted to develop property on a lot by lot basis under the guidance of the unrecorded plat. This area is located in an R2 zoning district.

Don Griffin, 6535 Pleasant Avenue, Cocoa, explained that the drainage for this area has previously been considered and resolved through prior drainage projects. Lots will need to drain into the street and will travel to the appropriate place for retention.

Doug Baldwin, 820 Barnes Boulevard, requested that the City approve the permits currently pending in the Building Department. He also requested that an additional 19 houses be permitted at this time. His intention is to build in such a way that increases the tax base and provides housing for a lower income level. Mr. Baldwin has revised plans ready to submit to the Building Department, which satisfy the R2 setback requirements. Mr. Baldwin intends on employing a number of improvements, including speed

bumps, ample trees, TRUEGRID Permeable Pavers, and the implementation of safety measures such as fences to safeguard children from the road.

No formal action was taken by the City Council.

10. **CONSENT BUSINESS**

Councilman Daski moved for approval of these consent business items:

- A. Approval: Declaration of Surplus Property, 2003 Mercury Sable, and Authorization to Scrap Said Property (Finance Division)
- B. Approval: Declaration of Surplus Property, Wastewater Vehicle #5, and Authorization to Sell/Scrap Said Property (Wastewater Treatment Department)
- C. Approval: Extension of Debris Removal and Tree Trimming Services Agreements (Public Works Department)

The motion was seconded by Councilwoman Martin and passed by unanimous vote (7).

11. **NEW BUSINESS**

- None

12. **PETITIONS, REMONSTRANCES AND COMMUNICATIONS**

- None

13. **REPORTS**

A. City Manager Report

- City Manager Fettrow has conducted research pertaining to the agreement from 2002 regarding taking over Barnes Boulevard after Brevard County completed the planned roadwork. The City will inherit the Barnes Boulevard corridor from Murrell Road to Fiske Boulevard on September 14, 2020.
- Regarding COVID-19:
 - Calls amongst the City Managers, Emergency Operations Center, and Department of Health are being conducted daily.
 - The Florida Department of Health is recommending that citizens avoid mass gatherings of 10 people or greater.
 - In Brevard County, as of 4:00 pm on March 18, there has only been one (1) presumptive positive case, which is pending confirmation from the Centers for Disease Control.

- Brevard County schools are closed until April 15.
- The City continuously undergoes massive cleaning and sanitization efforts. Parks and rental facilities have been closed at this time. City events will be postponed through May. Social media messages have been posted daily regarding closures and postponements, along with general guidance regarding the COVID-19 virus.
- City Manager Fettrow requested that she be permitted to send a letter to the Florida League of Cities lobby staff for their diligent work on several bills that would have directly affected local municipalities; Council agreed that a letter was a great idea.
- City Manager Fettrow announced that the City Hall roof replacement is scheduled to commence on Monday, March 23.
- City Manager Fettrow noted that the Citizens Recreation Advisory Board (CRAB) has been in place with the City for many years. The Board's role was to review park and recreational sites and projects. Although this board is scheduled to meet quarterly, there have been no agenda items for the last couple of years, and due to other boards that are currently in place amongst the City and Brevard County, there is not as much activity for this board to review. The CRAB Chair and City Manager Fettrow recommend sunseting the board, which can be performed via Ordinance.

Councilman Ferguson moved to give the City Attorney permission to draft the required Ordinance to sunset the Citizens Recreation Advisory Board (CRAB); seconded by Councilwoman Martin. The motion passed unanimously (7).

- City Manager Fettrow thanked Council for her positive performance evaluations.

B. City Attorney Litigation Report

- Month of March 2020

Councilman Daski moved to be in receipt of the City Attorney Litigation Report dated March 1, 2020; seconded by Councilman Hartselle. The motion passed unanimously (7).

- City Attorney Miniclier will be formally proceeding with the filing of a lawsuit against UPS.
- City Attorney Miniclier apologized for his lack of information pertaining to the overlay district discussion.

- City Attorney Miniclier noted that, regarding the Resolution passed earlier pertaining to COVID-19, Florida Statute states that emergency declarations must renew every 7 days; however, his legal opinion is that home rule dictates that our local State of Emergency can apply through the duration of the emergency without having to renew.

C. Reports from the Dias

- Councilman Hartselle
 - Noted that the Rockledge Little League opening day event was great.
 - Would like to see the City coordinate some sort of activity that encourages social distancing but allows the community to still come together.
- Councilwoman Martin
 - Attended the recent Wednesday/Friendsday event at the Rockledge Civic Hub and remarked on the great weather and participation.
 - Attended a tour of the Community Credit Union remodel on March 5.
 - Recognized Janet Monaco and Pet Pros for the successful “Paws in the Park” event, held at the Rockledge Civic Hub.
 - Mobile Avenue in Cocoa was recently renamed Chatman Way, in honor of Melvin Chatman, a longtime Rockledge resident.
- Councilman Cadore
 - Thanked Acting City Clerk LeVasseur for her social media efforts relating to COVID-19.
 - Commended City Attorney Miniclier for his research efforts pertaining to the Shepard Park Overlay District.
 - Lauded Frederick Sanders for attending the City Council meeting and proactively participating in City boards and issues.
 - Lauded the Department of Public Safety for helping to preserve the beauty and condition of the Civic Hub.
 - Encouraged citizens to stay calm during the virus outbreak.
- Councilman Ferguson
 - Expressed gratitude to Public Safety Director LaSata and Rockledge’s first responders, and encouraged everyone to keep them in prayer during the COVID-19 outbreak.
 - Congratulated City Manager Fettrow and the Finance team on the positive audit results.

- Thanked Frederick Sanders for being proactive in the community.
- Recommended that, when considering future board appointments, a more stringent vetting process could be implemented. Council members expressed a desire for additional background information, which could include prior board service and attendance record, past history, and a possible rating system in order to make a more informed decision.
- Councilman Daski noted that Rockledge's recent Wednesday/Friday event at the Civic Hub was a wonderful event.
- Councilman Forester echoed positive sentiments regarding the Rockledge Little League opening day ceremonies.

14. **ADJOURN**

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:27 p.m.

Council Chairman

ATTEST:

Acting City Clerk