
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, May 20, 2020 ♦ 6:00 p.m.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, May 20, 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
	James Elmore	Wastewater Treatment & Water Reclamation Director

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

2. INVOCATION

- At the invitation of Councilman Cadore, the invocation was given by Kahlil White with Faith Temple Christian Center. Several pastors from the area also introduced themselves and offered prayers and blessings to the Council and all citizens as we navigate through these trying times.

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 April 1, 2020

Councilwoman Martin requested that Item 12 of the April 1, 2020 City Council minutes be amended to specify that developer Doug Baldwin agreed to donate three (3) properties to the City of Rockledge for Habitat for Humanity once the final road is developed. The April 1, 2020 meeting minutes will be amended accordingly.

Councilwoman Martin moved to approve the minutes of the regular meeting on April 1, 2020; seconded by Councilman Hartselle. The motion carried unanimously (7).

5. PRESENTATIONS

A. Shawn Fleming, Senior Benefits Consultant, Gehring Group

- Report on Employee Health Clinic

Shawn Fleming, Senior Benefits Consultant, Gehring Group, provided the Mayor and Council with a status report on the Employee Health Clinic, which began operating in February 2017, and responded to questions.

Mr. Fleming clarified the return on investment and the benefit to employees and the City as a whole. The clinic is saving the City money and providing employees a great value; however, there is potential for greater savings in the future as the clinic is increasingly utilized by employees.

B. Mayor Price

1. Mayoral Proclamations

a. Juneteenth Celebration 2020

Mayor Price read aloud a Proclamation recognizing the weekend of June 20-21, 2020 as Juneteenth Celebration 2020. Accepting the Proclamation was Ms. Alberta Wilson, Regional Director of the NAACP.

b. Ehlers-Danlos Syndromes and Hypermobility Spectrum Disorder Awareness Month, May 2020

Mayor Price read aloud a Proclamation recognizing the month of May 2020 as Ehlers-Danlos Syndromes and Hypermobility

Spectrum Disorder Awareness Month. City staff will mail the Proclamation to the Rockledge resident requestor.

6. FINANCIAL / BUDGET REPORT

A. March 2020

Councilman Daski moved to be in receipt of the Financial/Budget Reports for the months of March and April 2020; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

B. April 2020

See item 6A

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Resolution: Determining and Establishing that the Unrecorded Plat Titled "Shepard's Park..." Created a Preexisting Non-conforming Use for Future Development of Such Property as it Relates to Lot Sizes Only

Councilman Ferguson offered a Resolution entitled "RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING AND ESTABLISHING THAT THE UNRECORDED PLAT TITLED "SHEPARD'S PARK ACRES A SUBDIVISION OF A PART OF THE SE 1/4 OF THE SE 1/4, SEC 32, T24 S., R36 E. BREVARD CO. FLORIDA" DATED 1950 CREATED A PRE-EXISTING NON-CONFORMING USE FOR FUTURE DEVELOPMENT OF SUCH PROPERTY AS IT RELATES TO LOT SIZES ONLY" and moved to waive the reading and adopt 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: Requesting the Florida Department of Transportation to Realign Martin Road with Roy Wall Boulevard for the Installation of a Signalized Intersection at Roy Wall Boulevard and Fiske Boulevard

Councilman Daski offered a Resolution entitled "RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO REALIGN MARTIN ROAD WITH ROY WALL BOULEVARD FOR THE INSTALLATION OF A SIGNALIZED INTERSECTION AT ROY WALL BOULEVARD AND FISKE BOULEVARD" and moved to read the Resolution by title only; seconded by Councilman Hartselle. 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 Councilman Forester. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. The motion carried by unanimous vote (7).

- C. Ordinance: First Reading, ZDA-20-01, Rezoning 804 Angela Avenue

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE R3 (MULTI-FAMILY DWELLING [HIGH DENSITY]) DISTRICT TO THE RMU (REDEVELOPMENT MIXED USE) DISTRICT IN PLANNING DISTRICT 5 OF APPROXIMATELY .25 ACRES LOCATED AT 804 ANGELA AVENUE, IN THE CITY OF ROCKLEDGE, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF ROCKLEDGE TO REFLECT THE CHANGE OF ZONING EFFECTED BY THIS ORDINANCE; DIRECTING THE CITY MANAGER TO FORTHWITH CAUSE THE APPROPRIATE DESIGNATION TO BE MADE ON THE FACE OF THE OFFICIAL CITY ZONING MAP INDICATING THE NEW ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED IN THIS ORDINANCE; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES" and moved for the first reading of the Ordinance by title only; seconded by Councilwoman Martin. The motion carried unanimously (7).

City Attorney Miniclier read aloud the title of the Ordinance for the first reading.

Councilman Ferguson moved to authorize publication and a public hearing to be held on June 3, 2020; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

- D. Ordinance: First Reading, ZDA-20-02, Rezoning Approximately 0.23 Acres at 802 Angela Avenue

Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE R3 (MULTI-FAMILY DWELLING [HIGH DENSITY]) DISTRICT TO THE RMU (REDEVELOPMENT MIXED USE) DISTRICT IN PLANNING DISTRICT 5 OF APPROXIMATELY .23 ACRES LOCATED AT 802 ANGELA AVENUE, IN THE CITY OF ROCKLEDGE, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF ROCKLEDGE TO REFLECT THE CHANGE OF ZONING EFFECTED BY THIS ORDINANCE; DIRECTING THE CITY MANAGER TO FORTHWITH CAUSE THE APPROPRIATE DESIGNATION TO BE MADE ON THE FACE OF

THE OFFICIAL CITY ZONING MAP INDICATING THE NEW ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED IN THIS ORDINANCE; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES" **and moved for the first reading of the Ordinance by title only; seconded by Councilwoman Martin. The motion carried unanimously (7).**

City Attorney Miniclier read aloud the title of the Ordinance for the first reading.

Councilman Daski moved to authorize publication and a public hearing to be held on June 3, 2020; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

8. REPORTS FROM BOARDS AND COMMITTEES

Councilwoman Martin moved to be in receipt of the minutes of the following meetings:

- Fire Employees Retirement Board, Minutes of Meeting on February 21, 2020
- Police Employees Retirement Board, Minutes of Meeting on February 21, 2020
- General Employees Retirement Board, Minutes of Meeting on February 21, 2020

Motion seconded by Councilman Daski. The motion passed unanimously (7).

- A. Fire Employees Retirement Board, Minutes of Meeting on February 21, 2020 (no recommendation)
- B. Police Employees Retirement Board, Minutes of Meeting on February 21, 2020 (no recommendation)
- C. General Employees Retirement Board, Minutes of Meeting on February 21, 2020 (no recommendation)
- D. Reappointments and Appointments

1. Reappointments

- a. Community Redevelopment Agency Board of Commissioners

Councilwoman Martin moved to reappoint Steve Lum to the Community Redevelopment Agency Board of Commissioners; seconded by Councilman Ferguson. The motion passed unanimously (7).

- b. The Rockledge Environmental Enhancement (T.R.E.E.) Board

Councilman Ferguson moved to reappoint Frederick Sanders, Janet Monaco, Yvonne Miles, Martha "Marti" Rich, Amy Tidd, and Pamela Shoemaker to The Rockledge Environmental Enhancement (T.R.E.E.) Board; seconded by Councilwoman Martin. The motion passed unanimously (7).

- c. Ministerial Approval, Fire Employees Retirement Board

Councilman Daski moved for ministerial approval of the reappointment of Jeptha Sunday to the Fire Employees Retirement Board as the fifth member; seconded by Councilwoman Martin. The motion passed unanimously (7).

- d. Ministerial Approval, Police Employees Retirement Board

Councilman Ferguson moved for ministerial approval of the reappointment of Hal Burke to the Police Employees Retirement Board as the fifth member; seconded by Councilwoman Martin. The motion passed unanimously (7).

- e. Ministerial Approval, General Employees Retirement Board

Councilwoman Martin moved for ministerial approval of the reappointment of Tanya Molony to the General Employees Retirement Board as the fifth member; seconded by Councilman Ferguson. The motion passed unanimously (7).

2. Appointments

- a. Business Development Committee

Currently, there are two vacancies on the Business Development Committee. One application has been received from Desiree Babbs.

Councilman Daski moved to appoint Desiree Babbs to the Business Development Committee; seconded by Councilman Hartselle. The motion passed unanimously (7).

9. UNFINISHED BUSINESS

- o None

10. CONSENT BUSINESS

Councilman Daski moved for approval of these consent business items:

- A. Approval: Declaration of Surplus Property, 2004 Chevrolet Blazer, and Authorization to Scrap Said Property (Finance Division)

- B. Approval: Declaration of Surplus Property, 1999 Ford F-150, and Authorization to Scrap or Sell Said Property (Building Department)
- C. Approval: Request for Authorization for Two (2) Temporary Sales Trailers to be Present on Development Sites (Building Department)
- D. Approval: Declaration of Surplus Property and Authorization to Sell Said Property, Public Works Vehicle (Public Works Department)
- E. Approval: Payment of Invoice for Telemetry Monitoring from Mission Communications, LLC (Wastewater Treatment Department)
- F. Approval: FDOT Traffic Signal Lighting, Maintenance, and Compensation Agreement (Public Works Department)
- G. Approval: SCADA/Video Surveillance, Phase II Project Completion, Rocha Controls (Wastewater Treatment Department)
- H. Approval: Equalization Basin Preliminary Design, Tetra Tech (Wastewater Treatment Department)

NOT AN AGENDA ITEM

- Approval: Declaration of Surplus Property, Apollo Video Systems, and Authorization to Dispose of Property (Public Safety Department)

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

11. NEW BUSINESS

- A. Action Item: Approval of Engagement Contract for Community Redevelopment Agency (CRA) Attorney

On March 25, 2020, the Community Redevelopment Agency Board of Commissioners accepted the contract renewal for Agency Attorney Miniclier and forwarded the recommendation to City Council for approval. Attorney Miniclier has submitted his Engagement Contract for the period from July 1, 2020, through June 30, 2023 with the option of one (1) year extensions for three additional years. There are nominal increases in compensation. The CRA is scheduled to sunset on September 30, 2026, which shall be the final date of the agreement if all three one (1) year extensions are fulfilled.

Councilman Ferguson moved to approve the Community Redevelopment Agency Attorney Engagement Contract; seconded by Councilwoman Martin. The motion passed without objection (7).

B. Action Item: Approval of Final Plat, Huntington Cove Subdivision

Planning Director Bernard informed Council that Huntington Cove, which is being developed by Holiday Builders, consists of 10.5 acres and will provide for 46 single-family homes. The subdivision entrance is on Huntington Lane. All of the Land Development Regulation requirements for platting have been met, and the preliminary plat was approved with the rezoning in October 2018.

Councilman Daski moved to approve the final plat for the Huntington Cove Subdivision; seconded by Councilwoman Martin. The motion passed without objection (7).

12. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Doug Williams, 107 Valencia Road, explained that the new owner of 111 Valencia Road intends to construct two (2), two-story properties on the lot in question. A petition was signed by 42 families from the neighborhood objecting to this development. Mr. Williams explained that City staff has provided information regarding the lots and how they are platted. Mr. Williams asserted that it is inappropriate for the lot to be split into two and for apartments to be constructed on this lot. He noted that this is a historical neighborhood and cited several codes that would allude to the fact that this lot is not suitable for the plans that have been shared with neighboring homeowners by the property owner of 111 Valencia Road. City Attorney Miniclier explained that this issue is being presented prematurely, as nothing has been submitted to the City at this time. A determination cannot be made as to conformance with Land Development Regulations or City codes until further information is provided to the City.

Margaret Funsch, 14 Valencia Road, shared that she has lived at this residence since 1928. She echoed the opinion that she does not agree with the plans that have been shared with homeowners.

Cyril A. Morrow, 42 Orange Avenue, explained that residents are attempting to get ahead of the potential issue at hand, citing Barton Avenue as an example of the issues that accompany rental properties. Mr. Morrow shared his hope that the City does not permit rental properties at this location.

Mr. Williams explained that, although the City has not been provided any formal plans for this property, the owner of the property in question shared with neighbors that he was provided information from the City regarding a "loophole" that would allow this property to be developed as such.

Alaric Hernandez, 106 Valencia Road, objected to the approval of the property to be subdivided and turned into rental properties.

Sharon Paine, 106 Valencia Road, noted that she originally purchased her home due to the historic nature and beauty of the neighborhood. She is concerned about degrading property values and quality of life issues due to rentals, along with parking problems.

Dicksy Chrostowski, 114 Valencia Road, explained that she loves her home and street, but the 50 foot lot that she lives on is tight for a single family; thus, an apartment home on a similar sized lot would not work.

Nick Wynne, 20 Valencia Road, requested that the property in question be historically preserved. He noted that the neighborhood itself is remarkable and unique, drawing attention from the community. In the past, neighbors have accepted another lot development in the neighborhood that was in a style that conformed to the neighborhood. Mr. Wynne has requested that the Mayor and City Council strengthen the historic preservation within the City to give more authority for the neighborhood to enforce historic preservation.

Philip Cusmano, 115 Valencia Road, explained his understanding of the plans for the property in question, which is adjacent to his home. He also objects to the possibility of building rental apartments in the neighborhood.

Cynthia J. Hayden, 115 Valencia Road, expressed her love of Valencia Road. She echoed concerns regarding the development of 111 Valencia Road.

Jacqueline Gonzalez, 22 N. Fernwood Drive, indicated that she loves her neighborhood as well as Rockledge. She explained that she has a planning background, and any development that would add intensity and density to the area should not be permitted. Ms. Gonzalez also requested transparency from the City Council and City staff, to include a community meeting to address this issue in the event that plans are brought forward to the City.

13. REPORTS

A. City Manager Report

- In response to COVID-19:
 - City Manager Fettrow reported that City staff is still working, and the City Hall lobby has remained open by appointment only. Employee temperatures are being taken daily upon arrival to work.
 - City Manager Fettrow invited the Council's direction pertaining to a phased reopening beginning June 1. She requested that Councilmembers consider continuing face to face City Council meetings with social distancing measures in place, along with Finance & Budget Committee meetings. Additionally, the Planning

Commission, Code Enforcement Board, and Community Redevelopment Agency Board of Commissioners (CRA) could resume in June with proper social distancing measures in place.

Councilman Cadore moved to authorize the City Manager to adjust board meeting schedules at her discretion; seconded by Councilman Daski. The motion passed without objection (7).

- Rental facilities and other operational matters will be carefully opened and resumed with proper social distancing guidelines and recommendations in place.
- City Manager Fettrow shared that Councilman Emeritus Dr. Joe Lee Smith recently contacted her and expressed his support and well wishes to the Council.
- The Florida City and County Managers Association (FCCMA) invited City Manager Fettrow to serve on the Statewide Ethics Committee. City Manager Fettrow requested approval from Council to serve on the committee.

Councilman Forester moved to authorize the City Manager to serve on the Statewide Ethics Committee with FCCMA; seconded by Councilwoman Martin. The motion passed without objection (7).

- City Manager Fettrow reported that three of our City parks do not allow animals. Since Brevard County's Ordinance governs the presence of animals at our parks, permission is requested to work with Brevard County to institute changes that allow pets on leashes to be able to utilize the walking trail only at Dick Blake Park. Currently, two City parks allow pets on leashes.

Councilman Cadore motioned to authorize the City Manager to work with Brevard County regarding possible adjustments to allow animals on the trail at Dick Blake Park; seconded by Councilman Forester. The motion passed without objection (7).

B. City Attorney Litigation Report

1. Month of April 2020

Councilman Ferguson moved to be in receipt of the City Attorney Litigation Reports dated April 1, 2020 and May 1, 2020; seconded by Councilwoman Martin. The motion passed unanimously (7).

2. Month of May 2020

See Item 13B.1.

City Attorney Miniclier provided a brief update of pending and completed cases and reminded Council that the City's permitting process is public record and available for the residents of Valencia Road to access.

C. Reports from the Dias

- Councilman Ferguson reminded Councilmembers that the Space Coast League of Cities dinners are cancelled until further notice; however, board meetings are hosted via teleconference.
- Councilman Hartselle:
 - Inquired as to whether the annual Volunteer Breakfast, previously cancelled due to COVID-19, would be rescheduled. City Manager Fettrow explained that the breakfast could potentially be rescheduled for later in the year, or a thank-you letter could be sent to volunteers on behalf of the Mayor and Council. Council agreed that a letter would suffice, as social distancing guidelines will likely be in place for the foreseeable future.
 - Announced that the Rockledge High School Key Club graduates were recognized and featured in the Florida Today newspaper.
 - Shared that he has been named Program Manager for the Aerospace Technology Program at Eastern Florida State College.
- Councilman Cadore:
 - Thanked the pastors that attended the City Council meeting.
 - Took part in a City prayer with Pastor Ferguson a few weeks ago.
 - Expressed gratitude to the Mayor and City Manager for the COVID-19 weekly update videos.
 - Shared continued wishes for safety to Councilmembers.
- Councilman Daski:
 - Noted his gratefulness for the opportunity to continue to work during the COVID-19 pandemic.
 - Shared that George Taylor, Sr., a community leader and advocate for Veterans, recently passed away.
- Councilwoman Martin:
 - Thanked City Manager Fettrow for the Juneteenth Proclamation and the Rockledge High School graduate letter from City Council and requested that the graduate letter become an annual correspondence.

- Shared that she has received an overwhelmingly positive response to the constant updates from the City regarding COVID-19.
- Commended City Manager Fettrow for her quick response to citizen concerns.
- Noted that the lighting at Levitt Parkway and Larry Schultz Park is poor and crowds increase around 7:30 p.m. There is little parking available, and there are traffic concerns at the park. Councilwoman Martin requested that the City look into lighting solutions.
- Councilman Forester:
 - Echoed Councilman Cadore’s sentiments regarding pastors present for the invocation.
 - Shared his agreement with the City of Cocoa’s decision to cancel July 4th fireworks for 2020.
 - Thanked all City employees who have continued their dedicated service to residents during the COVID-19 pandemic, regardless of the present circumstances.
- Mayor Price:
 - Thanked pastors for attending the meeting and participating in the invocation.
 - Reminded Councilmembers that Summer attire begins at the June 3 City Council meeting.
 - Reminded Councilmembers that the City Attorney Evaluation is due in preparation for his report at the June 17 meeting.
 - Reiterated the importance of historic preservation and encouraged neighborhood participation going forward.

14. **ADJOURN**

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:46 p.m.

Council Chairman

ATTEST:

Acting City Clerk