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# ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, July 20, 2022 ♦ 6:00 p.m.

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## 1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, July 20, 2022, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

<b>PRESENT:</b>	Thomas J. Price	Mayor
	Dr. Michael Cadore	Councilmember, Seat #1
	Dr. R. Shaun Ferguson	Councilmember, Seat #2
	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	City Clerk & Public Relations Officer
<b>ABSENT:</b>	Sammie Brown Martin	Councilmember, Seat #3
	Frank T. Forester	Councilmember, Seat #4
<b>STAFF PRESENT:</b>	Matthew Trine	Assistant City Manager & Finance Director
	John Cooper	Planning Director
	Joseph P. LaSata	Public Safety Director/Chief of Police
	Victor "VJ" Karycki	Public Works Director
	James Elmore	Wastewater Treatment & Water Reclamation Director
	Donna Seyferth	Deputy Chief of Police

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

## 2. INVOCATION

- At the invitation of Councilman Ferguson, the invocation was given by Senior Pastor Alex Waycaster, Rockledge Christian Center.

### 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 June 15, 2022

***Councilman Daski moved to approve the minutes of the regular meeting on June 15, 2022; seconded by Councilman Cadore. The motion carried unanimously (5).***

### 5. PRESENTATIONS

#### A. Mayor Price

##### 1. Golf Tournament Check Presentation

###### a. Family Promise of Brevard

Mayor Price recognized representatives of Family Promise of Brevard, the beneficiary of the 2022 Charity Golf Tournament. Tara Pagliarini and Akili Phillips accepted the proceeds in the amount of \$15,150.00. Ms. Pagliarini shared a brief video illustrating the impact that the donation and organization makes in the community.

##### 2. Mayoral Proclamation

###### a. Florida Water Professionals Month

Mayor Price read aloud a Proclamation designating the month of August as Florida Water Professionals Month. Russ Carson accepted the Proclamation on behalf of the Florida Water & Pollution Control Operators Association.

### NOT AN AGENDA ITEM

Councilman Cadore recognized and introduced representatives from various youth sports organizations in the area and thanked them for their service to the community.

### 6. FINANCIAL / BUDGET REPORT

- June 2022

***Councilman Ferguson moved to be in receipt of the Financial/Budget Report for the month of June 2022; seconded by Councilman Cadore. The motion passed without objection (5).***

## 7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Resolution: Amending Resolution No. 98-414 by Deleting and Replacing Certain Provisions for The Rockledge Environmental Enhancement (T.R.E.E.) Board

***Councilman Ferguson offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION NO. 98-414 BY DELETING AND REPLACING CERTAIN PROVISIONS TO MORE EFFECTIVELY SUPPORT THE CITY'S CONSERVATION, BEAUTIFICATION, AND PRESERVATION EFFORTS; PROVIDING THAT PROVISIONS NOT EFFECTED BY THIS AMENDMENT SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR AN EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES" and moved to waive the reading and adopt the Resolution; seconded by Councilman Daski. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Daski, and Hartselle. The motion carried by unanimous vote (5).***

## 8. REPORTS FROM BOARDS AND COMMITTEES

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

- Code Enforcement Board, Minutes of Meeting on June 9, 2022
- Council Finance and Budget Committee, Minutes of Meeting on June 15, 2022
- Planning Commission, Minutes of Meeting on July 5, 2022

***and to consider independently any recommendation(s) contained therein; seconded by Councilman Hartselle. The motion carried unanimously (5).***

- A. Code Enforcement Board, Minutes of Meeting on June 9, 2022 (no recommendation)
- B. Council Finance and Budget Committee, Minutes of Meeting on June 15, 2022
1. Approval of Tentative Millage Rate

...recommend to the full Council a tentative millage rate of 5.82 mills...

City Manager Fettrow reported that the City has received its DR-420, and the budget is currently built on a millage rate of 5.82 mills, which will result in a tax increase of 4.11%.

***Councilman Daski moved to approve a tentative millage rate of 5.82 mills and to report said rate to the Brevard County Property Appraiser and the State of Florida; seconded by Councilman Cadore. The motion carried without objection (5).***

- a. Resolution: Advising the Brevard County Property Appraiser of the Rolled Back Millage Rate and the Proposed Millage Rate for the Taxable Year 2022, and the Time and Place of the First Public Hearing on the Proposed FY 2022-2023 Budget

**Mayor Price directed City Attorney Miniclier to read in its**

**entirety** "A RESOLUTION OF THE ROCKLEDGE CITY COUNCIL ADVISING THE BREVARD COUNTY PROPERTY APPRAISER OF THE ROLLED BACK MILLAGE RATE OF THE CITY OF ROCKLEDGE FOR THE TAXABLE YEAR 2022, THE PROPOSED MILLAGE RATE OF SAID CITY FOR THE TAXABLE YEAR 2022, AND THE TIME AND PLACE OF THE FIRST PUBLIC HEARING ON THE PROPOSED 2022-2023 FISCAL YEAR BUDGET FOR SAID CITY."

City Attorney Miniclier read aloud the entire Resolution.

**Councilman Daski moved for adoption of the Resolution; seconded by Councilman Cadore. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Daski, and Hartselle. The motion carried by unanimous vote (5).**

2. Recommendation: Approval of the Fiscal Year 2022-2023 Proposed Budget as Presented at the June 15, 2022 Council Finance and Budget Committee Meeting

...recommend to the full Council the Fiscal Year 2023 proposed budget as presented...

City Manager Fettrow explained that the budget will change slightly due to the approval of the tentative millage rate. Exact numbers will be presented at the Council Budget Workshop on August 3<sup>rd</sup>.

**Councilman Daski moved to approve the Fiscal Year 2022-2023 proposed budget as presented at the June 15, 2022 Council Finance and Budget Committee meeting; seconded by Councilman Hartselle. The motion passed without objection (5).**

- C. Planning Commission, Minutes of Meeting on July 5, 2022

1. Recommendation: Approval of Rezoning of 0.23+/- Acres on Angela Avenue from R-3 (Multi-Family Dwelling [High Density]) to RMU (Redevelopment Mixed Use) (ZDA-22-04)

...recommend approval of the rezoning of Parcel ID 25-36-04-81-A-32 (ZDA-22-04) from R-3 to RMU with a density bonus and to forward the recommendation to City Council...

City Manager Fettrow reported that the proposed rezoning would be compatible with the surrounding area.

***Councilman Ferguson moved to be in receipt of the recommendation and to open the matter for public hearing; seconded by Councilman Daski. The motion passed unanimously (5).***

a. Public Hearing

Chairman Price declared the matter open for public hearing.

There being no public comment, Chairman Price declared the public hearing to be closed.

***Councilman Ferguson moved to approve the rezoning (ZDA-22-04) from R-3 to RMU and to direct the City Attorney to draft the requisite Ordinance; seconded by Councilman Daski. The motion passed without objection (5).***

2. Recommendation: Approval of Development Agreement to Construct a Stand-Alone Climate Controlled Mini Warehouse Storage Project, Southwest Corner of Barnes Boulevard/Playa Del Sol Drive (DA-22-01)

...recommend approval of the Development Agreement DA-22-01 and to forward the recommendation to City Council...

City Manager Fettrow explained that staff has determined that the proposed Agreement would allow staff to be able to establish parameters for the project that would ensure compatibility.

***Councilman Daski moved to be in receipt of the recommendation and to open the matter for public hearing; seconded by Councilman Cadore. The motion carried without objection (5).***

a. Public Hearing

Chairman Price declared the matter open for public hearing.

Shirley Kennedy, 927 Ocaso Lane #203, requested further information regarding drawings and details and explained that the Bella Vista Condominium Association has been maintaining the landscape along Barnes Boulevard.

Sue Meade, 3900 Playa Del Sol Drive #201, inquired about security and lighting, hours of operation, and access, and she noted that there are other storage facilities already established in the area. She also expressed concerns about businesses operating out of the units.

Planning Director Cooper responded to the various concerns relayed by residents and explained that the current commercial zoning designation affords the property owner certain uses by right. Additionally, tenants would not be permitted to operate businesses in the individual storage units. Planning Director Cooper confirmed that the Development Agreement would afford the City greater ability to establish parameters for the project to better protect the neighboring residential development.

There being no further public comment, Chairman Price closed the public hearing.

Mayor Price noted that a storage facility is a low impact, low traffic establishment, and renters cannot legally operate businesses out of storage units.

***Councilman Ferguson moved to approve the Development Agreement at the southwest corner of Barnes Boulevard/Playa Del Sol Drive (DA-22-01); seconded by Councilman Hartselle. The motion passed unanimously (5).***

D. Reappointments and Appointments

- None

**9. UNFINISHED BUSINESS**

- None

**10. CONSENT BUSINESS**

***Councilman Daski moved for approval of these consent business items:***

- A. Approval: Ratification of Laborers' International Union of North America (LIUNA) Contract Amendments (City Manager)
- B. Approval: Ratification of Coastal Florida Police Benevolent Association (P.B.A.) Contract Amendments – Officers, Sergeants, and Public Safety Telecommunicators (City Manager)
- C. Approval: Change Order for Northeast Force Main Reroute (Wastewater Treatment Department)
- D. Approval: Extension of Agreement for Parts Cleaner and Paint Waste, Safety-Kleen Systems, Inc. (Public Works Department)
- E. Approval: Request to Expend American Rescue Plan Act (ARPA) Funds to Purchase Stormwater Division Items (Public Works Department)

- F. Approval: Request to Expend American Rescue Plan Act (ARPA) Funds to Purchase Sanitation Division Items (Public Works Department)
- G. Approval: Request to Expend American Rescue Plan Act (ARPA) Funds to Purchase Public Works, Fleet, Construction, and Grounds Maintenance Division Items (Public Works Department)
- H. Approval: Acceptance of Grant Funds, Firehouse Subs Public Safety Foundation (Public Safety Department)
- I. Approval: Renewal of Agreement for Direct Radio Communication and Dispatch Services; Brevard County School Board, Brevard County Sheriff, and First Responder Agencies (Public Safety Department)
- J. Approval: Ratification of Amendments to International Association of Firefighters (IAFF) Contract (City Manager)
- K. Approval: Ratification of Coastal Florida Police Benevolent Association (P.B.A.) Contract Amendments – Lieutenants (City Manager)
- L. Approval: Cost-Share Agreement with Brevard County, Save Our Indian River Lagoon (SOIRL) Project (Wastewater Treatment Department)
- M. Approval: Request to Expend American Rescue Plan Act (ARPA) Funds to Purchase Wastewater Treatment Department Items (Wastewater Treatment Department)

***The motion was seconded by Councilman Ferguson and passed by unanimous vote (5).***

#### **11. ITEMS REMOVED FROM CONSENT BUSINESS**

- None

#### **12. NEW BUSINESS**

- None

#### **13. PETITIONS, REMONSTRANCES AND COMMUNICATIONS**

- Thomas James Hewitt II, 1770 Cedar Street, explained that he is currently working on a new infrastructure and safety plan for the City and requested information on a property located in Rockledge. Mayor Price directed Mr. Hewitt to work with the City Manager.

## 14.REPORTS

### A. City Manager Report

- City Manager Fettrow:
  - Reported that Jerry Sansom will be retiring at the end of September and asked Council for permission to invite Jerry to a future meeting to be recognized.
  - Requested direction regarding the process for procuring a new lobbyist. Council directed City Manager Fettrow to work with Councilman Ferguson to begin the search.
  - Noted that Commissioner Rita Pritchett previously requested input from Council regarding the inclusion of a Parks and Recreation referendum on this year's ballot. Commissioner Pritchett has advised that the referendum will not be on the ballot in November.

### B. City Attorney Litigation Report

- Month of July 2022

***Councilman Ferguson moved to be in receipt of the City Attorney Litigation Report dated June 30, 2022; seconded by Councilman Daski. The motion passed unanimously (5).***

City Attorney Miniclier provided a brief update on cases listed in the report and requested Council authorization to serve as a personal representative for the City in order to pursue probate on the Luther Drive foreclosure case.

***Councilman Ferguson moved to authorize the City Attorney to file a petition as personal representative for the City; seconded by Councilman Daski. The motion passed without objection (5).***

City Attorney Miniclier reported that recent mediation in the Watson Paving case did not resolve the matter, and an Executive Session will be necessary. City Manager Fettrow relayed that the Executive Session will take place on August 3<sup>rd</sup> at 5:00 p.m.

### C. Reports from the Dais

- Councilman Cadore thanked several staff members for their hard work.
- Councilman Ferguson:
  - Complemented the Council Chamber renovations.
  - Enjoyed the Independence Day Picnic and thanked City employees for coordinating and staffing the event.



- Thanked Councilman Cadore for inviting representatives from local youth sports programs.
- Thanked Council for attending the Space Coast League of Cities meeting on July 11<sup>th</sup> to support the Home Rule Hero award recipients.
- Has been appointed to serve on the Florida League of Cities Resolutions Committee.
- Reminded Council that the next Space Coast League of Cities dinner will be held on August 8<sup>th</sup> in Cocoa Beach.
- Councilman Hartselle:
  - Thanked Councilmembers for attending his wedding.
  - Thanked Council and staff for a successful Independence Day Picnic.
- Councilman Daski:
  - Offered complementary remarks on the Council Chamber refurbishment and City Hall landscaping and thanked Public Works for their work.
  - Thanked Public Works for constructing an accessible walkway in the Civic Hub for the 9/11 monument that will be unveiled at the 9/11 Ceremony.
- Mayor Price:
  - Echoed complementary remarks on the renovations to the Council Chamber.
  - Thanked Council and staff for their diligent work in support of the city.

## 15. ADJOURN

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:05 p.m.

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**Council Chairman**

**ATTEST:** \_\_\_\_\_  
**City Clerk**