
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, August 18, 2021 ♦ 6:00 p.m.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, August 18, 2021, 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	City Clerk & Public Relations Officer
STAFF PRESENT:	Matthew Trine	Assistant City Manager & Finance Director
	John Cooper	Planning Director
	Joseph P. LaSata	Public Safety Director/Chief of Police
	Scott Brown	Public Works Director
	James Elmore	Wastewater Treatment & Water Reclamation Director
	James H. Wilson	Deputy Fire Chief
	Donna Seyferth	Deputy Chief of Police
	Tricia Olsson	Deputy City Clerk

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 Councilman Ferguson.

3. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE

- A salute was given to the flag, and at the invitation of Councilwoman Martin, the Pledge of Allegiance was led by Antoine Simmons, 8th grader, and repeated in unison.

4. APPROVAL OF MINUTES

- A. Minutes of Regular Meeting on July 21, 2021

Councilman Daski moved to approve the minutes of the regular meeting on July 21, 2021; seconded by Councilman Cadore. The motion carried unanimously (7).

- B. Minutes of Council Budget Workshop on August 4, 2021

Councilwoman Martin moved to approve the minutes of the Council Budget Workshop on August 4, 2021; seconded by Councilman Forester. The motion passed by unanimous vote (7).

5. PRESENTATIONS

- A. Andy Romine, CEO, Rockledge Regional Medical Center

- 1. COVID-19 Update

Dr. Eric Deppert, Chief Medical Officer of Florida Market, Rockledge Regional Medical Center – A Steward Family Hospital, attended on behalf of Andy Romine, CEO, and offered an update of the area's current COVID-19 and hospital status. Dr. Deppert shared vaccination statistics for those individuals hospitalized due to COVID, reviewed COVID mitigation measures, encouraged mask wearing and social distancing, and responded to questions from Councilmembers.

- B. Tyler Grumbles, CFA, CIPM, CAIA, AndCo Consulting

- 1. Annual Investment Report

Tyler Grumbles with AndCo Consulting provided Councilmembers with an Investment Report and offered a high-level overview of the report for the City's retirement plans.

- C. Mayor Price

- 1. Mayoral Proclamation

- a. Florida Water Professionals Month

Mayor Price read aloud a Proclamation recognizing August 2021 as Florida Water Professionals Month. The Proclamation was presented to Florida water professionals and received by Kevin Shropshire, Pretreatment Coordinator, Wastewater Treatment & Water Reclamation Department.

2. 2020 Safety Award, Florida Water & Pollution Control Operators Association

Mayor Price read aloud a congratulatory letter from the Florida Water & Pollution Control Operators Association declaring that the Wastewater Treatment & Water Reclamation Department was selected to receive a safety award for 2020 in the distribution/collection category. The award plaque was provided for Councilmembers to view.

6. **FINANCIAL / BUDGET REPORT**

A. Month of July 2021

Councilman Daski moved to be in receipt of the Financial/Budget Report for the month of July 2021; seconded by Councilwoman Martin. The motion passed without objection (7).

7. **PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS**

- A. Ordinance: Second Reading and Public Hearing, Ordinance No. 1821-2021, ZDA-21-02, Rezoning Approximately 2.31 Acres West of the Intersection of Cogswell Street and Angela Avenue from C2 to RMU

Councilman Ferguson offered Ordinance No. 1821-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE C2 (GENERAL COMMERCIAL) DISTRICT TO THE RMU (REDEVELOPMENT MIXED USE) DISTRICT WITHIN PLANNING DISTRICT 5 OF APPROXIMATELY 2.31 ACRES LOCATED WEST OF THE INTERSECTION OF COGSWELL STREET AND 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 OR DESIGNEE 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 second reading of the Ordinance by title only and to open the matter for public hearing; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

City Attorney Miniclier read aloud the title of the Ordinance for the second reading. Chairman Price declared the matter open to the public for discussion.

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

Councilwoman Martin moved for the adoption of the Ordinance; 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).

- B. Ordinance: Second Reading and Public Hearing, Ordinance No. 1822-2021, ZDA-21-02, Rezoning Approximately 2.05 Acres West of the Intersection of Cogswell Street and Angela Avenue from C2 to RMU

Councilman Daski offered Ordinance No. 1822-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE C2 (GENERAL COMMERCIAL) DISTRICT TO THE RMU (REDEVELOPMENT MIXED USE) DISTRICT WITHIN PLANNING DISTRICT 5 OF APPROXIMATELY 2.05 ACRES LOCATED WEST OF THE INTERSECTION OF COGSWELL STREET AND 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 OR DESIGNEE 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 second reading of the Ordinance by title only and to open the matter for public hearing; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

City Attorney Miniclier read aloud the title of the Ordinance for the second reading. Chairman Price declared the matter open to the public for discussion.

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

Councilman Daski moved for the adoption of the Ordinance; 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).

- C. Ordinance: Second Reading and Public Hearing, Ordinance No. 1823-2021, Amending Rockledge Land Development Regulations Subsection 62.72(c) – Uses (Special Exceptions), Subsection 62.72(d) – Uses (Prohibited) and Section 62.73 – Lot Requirements

Councilman Ferguson offered Ordinance No. 1823-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING SECTION 62.70 - MH (MOBILE HOME) DISTRICT AT SUBSECTIONS 62.72(c) USES (SPECIAL EXCEPTIONS), 62.72(d) USES PROHIBITED, AND 62.73 (LOT REQUIREMENTS) OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS, TO AMEND THE FOREGOING SECTION TO EASE RE-ZONING FOR SINGLE FAMILY HOMES WITHIN THE MOBILE HOME (MH) DISTRICT; 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 second reading of the Ordinance by title only and to open the matter for public hearing; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

City Attorney Miniclier read aloud the title of the Ordinance for the second reading. Chairman Price declared the matter open to the public for discussion.

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

Councilman Ferguson moved for the adoption of the Ordinance; 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).

- D. Ordinance: Second Reading and Public Hearing, Ordinance No. 1824-2021, Amending Rockledge Land Development Regulations Section 59.70 – Property Maintenance Code and Section 55.15 – Parking Regulations in Residential Districts

Councilman Daski offered Ordinance No. 1824-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING SECTION 59.70 PROPERTY MAINTENANCE CODE AND 55.15- PARKING REGULATIONS IN RESIDENTIAL DISTRICTS, OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS TO CORRECT CERTAIN DEFICIENCIES WITHIN SAID PROVISIONS REGARDING PARKING IN RESIDENTIAL DISTRICTS; 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 second reading of the Ordinance by title only and to open the matter for public hearing; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).**

City Attorney Miniclier read aloud the title of the Ordinance for the second reading. Chairman Price declared the matter open to the public for discussion.

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

Councilwoman Martin moved for the adoption of the Ordinance; 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).

- E. Ordinance: Second Reading and Public Hearing, Ordinance No. 1825-2021, Amending Rockledge Land Development Regulations Subsection 62.52(c)(5) – Uses

Councilwoman Martin offered Ordinance No. 1825-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING SECTION 62.50 - R3 MULTI-FAMILY DWELLING DISTRICT OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS AT SUBSECTION 62.52 (c) (5) - USES TO CORRECT A DISCREPANCY IN THE REGULATIONS AS THEY RELATE TO THE CALCULATION OF DENSITY FOR CARE FACILITIES IN THE R3 - MULTI-FAMILY DWELLING (HIGH DENSITY) DISTRICT; 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 second reading of the Ordinance by title only and to open the matter for public hearing; seconded by Councilman Cadore. The motion carried by unanimous vote (7).

City Attorney Miniclier read aloud the title of the Ordinance for the second reading. Chairman Price declared the matter open to the public for discussion.

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

Councilwoman Martin moved for the adoption of the Ordinance; 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).

- F. Ordinance: Second Reading and Public Hearing, Ordinance No. 1826-2021, Determining the Salary for the City Council Members and the Mayor Pursuant to Rockledge City Charter, Section 2.04

Councilwoman Martin offered Ordinance No. 1826-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE SALARY FOR THE CITY COUNCIL MEMBERS AND THE MAYOR PURSUANT TO ROCKLEDGE CITY CHARTER, SECTION 2.04; ESTABLISHING EFFECTIVE DATE FOR NEW COUNCIL SALARIES; 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 second reading of the Ordinance by title only and to open the matter for public hearing; seconded by Councilman Ferguson. The motion carried by unanimous vote (7).

City Attorney Miniclier read aloud the title of the Ordinance for the second reading. Chairman Price declared the matter open to the public for discussion.

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

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

- G. Ordinance: First Reading, Amending Rockledge Land Development Regulations Section 62.184, Concerning Metal Exterior and Metal Buildings in the Redevelopment Mixed Use District

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING SECTION 62.184 (c) BY CHANGING SUBSECTION (4) AND ADDING A NEW SUBSECTION (5), AND 62.184 (j) BY DELETING SUBSECTION (8) AND REPLACING IT WITH SUBSECTION (9) OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS; 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 September 8, 2021; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

- H. Resolution: Establishing the Desired Traffic Pattern for the Development of 246 Acres of Property West of Interstate 95

Councilman Daski offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, ESTABLISHING THE DESIRED TRAFFIC PATTERN FOR THE DEVELOPMENT OF 246 ACRES OF PROPERTY WEST OF INTERSTATE 95" 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).

8. REPORTS FROM BOARDS AND COMMITTEES

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

- Rockledge Fire Employees, General Employees and Police Employees Retirement Boards, Minutes of Quarterly Joint Meeting on May 21, 2021
- Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on July 28, 2021
- Planning Commission, Minutes of Meeting on August 3, 2021

and to consider independently any recommendation(s) contained therein; seconded by Councilwoman Martin. The motion carried unanimously (7).

- A. Rockledge Fire Employees, General Employees and Police Employees Retirement Boards, Minutes of Quarterly Joint Meeting on May 21, 2021 (no recommendation)
- B. Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on July 28, 2021
1. Recommendation: Approval of Proposed Fiscal Year 2021-2022 Community Redevelopment Agency Budget

...approve the proposed Fiscal Year 2021-2022 Community Redevelopment Agency budget and to forward the recommendation to City Council...

City Manager Fettrow noted that the proposed budget is the same as the budget documents previously reviewed and approved by Council.

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

2. Recommendation: Approval of Engagement Letter with Carr, Riggs & Ingram, LLC for Fiscal Year 2021 Auditing Services
...approve the engagement letter with Carr, Riggs & Ingram, LLC for Fiscal Year 2021 auditing services and to forward the recommendation to City Council...

City Manager Fettrow reported that recent legislation requires Community Redevelopment Agencies to undergo an audit independent from the municipal audit.

Councilwoman Martin moved to approve the recommendation; seconded by Councilman Ferguson. The motion carried by unanimous vote (7).

C. Planning Commission, Minutes of Meeting on August 3, 2021

1. Recommendation: Comprehensive Plan Amendment (CPA-21-05) – Creation of Property Rights Element
...recommend approval of the Comprehensive Plan Amendment (CPA-21-05) and to forward the recommendation to City Council...

City Manager Fettrow provided a brief background of the proposed Comprehensive Plan Amendment that is now required per recently enacted legislation.

Councilman Daski moved to be in receipt of the recommendation and to open the matter for public comment; seconded by Councilman Hartselle. The motion passed unanimously (7).

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 Daski moved to approve CPA-21-05 and to authorize transmittal of the proposed Comprehensive Plan Amendment to the Florida Department of Economic Opportunity; seconded by Councilwoman Martin. The motion carried unanimously (7).

D. Reappointments and Appointments

1. Reappointments

- None

2. Appointments

a. Planning Commission

Chairman Price opened the floor for nominations.

Councilman Hartselle nominated Barbara Cooler. No other nominations were heard.

Councilman Forester moved to appoint Barbara Cooler to the Planning Commission by acclamation; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

9. UNFINISHED BUSINESS

- None

10. CONSENT BUSINESS

Councilman Daski moved for approval of these consent business items:

- A. Approval: Engagement Letter, Carr, Riggs & Ingram (CRI) LLC, Audit Services (Finance Division)
- B. Approval: Ratification of Laborers' International Union of North America (LUINA) Contract Amendments (City Manager)
- C. Approval: Ratification of International Association of Firefighters (IAFF) Contract Amendments (City Manager)
- D. Approval: Ratification of Coastal Florida Police Benevolent Association (PBA) Contract Amendments - Lieutenants (City Manager)

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

11. ITEMS REMOVED FROM CONSENT BUSINESS

- None

12. NEW BUSINESS

- None

13. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

- Nick Boardman, 26 Park Avenue, recently applied for and was denied a Special Exception for 9 Orange Avenue and voiced concerns with the resident involvement and requested feedback on how to move forward. City Attorney Miniclier provided a history of the application and noted that

the Board of Adjustment is quasi-judicial; therefore, the applicant was advised to pursue legal remedy through the Brevard County Circuit Court, if desired.

14. REPORTS

A. City Manager Report

o City Manager Fettrow:

- Reported that the Wastewater Treatment Department vac-truck is in need of significant repair, and the cost of \$30,192.57 is over her spending authority. She requested authorization from Council to expend funds for the repair with the caveat that the action will be brought back for ratification at the next Council meeting.

Councilman Forester moved to approve the expenditure of funds for repair of the vac-truck; seconded by Councilwoman Martin. The motion passed without objection (7).

- Reminded Council that the City is currently pursuing a safety accreditation status through the Florida League of Cities and Florida Municipal Insurance Trust and announced that the Department of Public Safety has already received its safety awards for the Police and Fire Divisions.
- Congratulated Councilman Hartselle and Councilman Daski for remaining unopposed at the conclusion of the City's election qualifying period.

B. City Attorney Litigation Report

o August 2021

Councilman Ferguson moved to be in receipt of the City Attorney Litigation Report dated August 6, 2021; seconded by Councilwoman Martin. The motion passed unanimously (7).

City Attorney Miniclier provided an update on cases noted on the Litigation Report. He announced for the record that he is not involved with the pending litigation involving Ralph McCoig, and his only action will be to report the case status to Council.

C. Reports from the Dais

- o Councilmembers expressed congratulatory remarks to Councilman Hartselle and Councilman Daski for retaining their seats for an additional term.
- o Councilman Daski announced that the 9/11 Remembrance Ceremony has been cancelled due to COVID.

- Councilman Ferguson:
 - Noted that the recent COVID vaccine and testing clinic held at his church was successful and announced an additional clinic on August 28th.
 - Visited Rockledge Regional Medical Center earlier in the day to pray for and offer encouragement to hospital staff.
 - Enjoyed attending the Florida League of Cities Annual Conference and serving as the City's Voting Delegate.
- Councilman Cadore:
 - Attended the Florida League of Cities Annual Conference.
 - Announced that a prayer vigil was being held at 7:00 p.m. for Mikey Dillon, Rockledge Police Department dispatcher, at Rockledge Regional Medical Center.
 - Also visited Rockledge Regional Medical Center to pray for staff and noted that he and Councilman Ferguson were asked to return to pray with other shifts.
- Councilman Hartselle encouraged everyone to protect themselves and the City from COVID and thanked everyone for their support as he serves an additional term.
- Councilwoman Martin:
 - Attended the Florida League of Cities Annual Conference and noted that the conference was informative.
 - Thanked Antoine Simmons for attending the Council meeting and leading the Pledge of Allegiance.
 - Inquired as to whether the City has a Board of Adjustment & Appeals which would hear appeals of decisions made by the Board of Adjustment. City Attorney Miniclier explained that the Board of Adjustment is quasi-judicial, and the Brevard County Circuit Court would be the venue to pursue any sort of appeal. He noted that the City does have a Board of Adjustment & Appeals, but its purpose is not to hear appeals stemming from decisions rendered by the Board of Adjustment.
- Councilman Forester encouraged everyone to receive the COVID vaccine.

15. ADJOURN

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:23 p.m.

Council Chairman

ATTEST: _____
City Clerk