
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, AUGUST 21, 2019 ♦ 6:00 P.M.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, August 21, 2019, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

PRESENT:	Thomas J. Price	Mayor
	Dr. Joe Lee Smith	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
	Lisa C. Nicholas	Public Relations Officer & City Clerk
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
	Ashley Golding	Community Advocate

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

2. INVOCATION

- The invocation was given by Councilman Hartselle.

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

- o Regular Meeting on July 17, 2019

Councilman Ferguson moved to approve the minutes of the regular meeting on July 17, 2019; seconded by Councilwoman Martin. The motion carried unanimously (7).

- o Council Budget Workshop on July 31, 2019

Councilman Ferguson moved to approve the minutes of the Council Budget Workshop on July 31, 2019; seconded by Councilman Hartselle. The motion carried unanimously (7).

5. PRESENTATIONS

A. Mayor Price

1. Mayoral Proclamation

- a. Proclaiming the Month of August 2019 as Florida Water Professionals Month, Florida Water & Pollution Control Operators Association

Mayor Price read aloud a proclamation designating the month of August as Florida Water Professionals Month. Accepting the proclamation on behalf of the Florida Water & Pollution Control Operators Association was Wastewater Treatment Department Pretreatment Coordinator Kevin Shropshire.

Not an Agenda Item

At this time, Mayor Price recognized representatives of Grandparents Raising Grandchildren of Brevard County, the beneficiary of the 2019 City Employee Charity Golf Tournament. Accepting the proceeds from the tournament in the amount of \$20,000.00 was Founder and Executive Director Mary Ann Sterling.

6. FINANCIAL / BUDGET REPORT

- o Month of July 2019

Councilman Daski moved to be in receipt of the Financial/Budget Report for the month of July 2019; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Ordinance: Second Reading and Public Hearing, Ordinance No. 1747-2019, ZDA-19-02, Rezoning Property on Barton Boulevard

Councilman Ferguson offered Ordinance No. 1747-2019 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE C2 (GENERAL COMMERCIAL) DISTRICT AND THE M1 (GENERAL INDUSTRIAL) DISTRICT TO THE RMU (REDEVELOPMENT MIXED USE) DISTRICT IN PLANNING DISTRICT 5 OF APPROXIMATELY 22.068 ACRES LOCATED AT 190 BARTON BOULEVARD, 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 AFFECTED 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 second reading of the Ordinance by title only and to open the matter for public hearing; seconded by Councilman Forester. 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.

Planning Director Bernard provided an overview of the project, which involves construction of multi-family residential units.

Aaron Breeden, Hutton Development Group, 3904 Murphy Road, Nashville, Tennessee, indicated that the project would provide for approximately 248 Class-A apartments, which would rent for \$1,400.00 per month, more or less. In addition, Mr. Breeden noted that numerous conversations have been held with Bealls Department Store, and an agreement could not be reached. The Hutton Group is assisting other tenants with relocation within the plaza.

Janet Monaco, 1123 Serengeti Way, expressed appreciation to the developers for their interest in the City of Rockledge and for executing this project.

Melanie Watson, 1810 Hudson Drive, expressed concerns with regard to a potential shortage of police and fire protection, as well as length of rentals. Public Safety Director LaSata indicated that the Public Safety Department is well aware of the possible increase in residents but that the minor rise in population is not enough to trigger the necessity for additional public safety personnel. Planning Director Bernard indicated

that short-term rentals are regulated by the state of Florida, and that the Redevelopment Mixed Use (RMU) zoning designation does not allow for short-term rentals.

There being no further 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 Smith, Ferguson, Martin, Forester, Daski and Hartselle. The motion carried by unanimous vote (7).

- B. Ordinance: First Reading, Amending Part III, Processes and Procedures, of the Rockledge Land Development Regulations

Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS, PART III-PROCEDURES AND PROCESSES, TO ADD A NEW SECTION 31.34, RECENTLY ANNEXED PROPERTY, ESTABLISHING PROCEDURES TO ENSURE THE PLANNING AND DEVELOPMENT OF SUCH PROPERTY IS ACCOMPLISHED IN AN ORDERLY FASHION TO DESIGNATE THE APPROPRIATE FUTURE USES FOR SUCH PROPERTY; AMENDING THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS TO ADD A DEFINITION FOR "RECENTLY ANNEXED PROPERTY" AT SECTION 1.95; 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 September 4, 2019; seconded by Councilman Smith. The motion carried by unanimous vote (7).

- C. Resolution: Replacing Resolution No. 2012-708, Pertaining to Settlement Agreements

Councilman Ferguson offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, REPLACING RESOLUTION NO. 2012-708, VESTING WITH THE CITY MANAGER THE AUTHORITY TO SETTLE CLAIMS FOR OR AGAINST THE CITY UP TO THE AMOUNT OF HIS/HER SPENDING AUTHORITY ESTABLISHED BY CITY FINANCIAL PROCEDURES WITHOUT CITY COUNCIL APPROVAL, AND FOR OTHER PURPOSES" and moved to waive the reading and adopt the Resolution; seconded

by Councilman Forester. Voting for the motion: Mayor Price and Councilmembers Smith, Ferguson, Martin, Forester, Daski, and Hartselle. The motion carried by unanimous vote (7).

- D. Resolution: Support for Canaveral Port Authority Investment for Indian River Lagoon Restoration

Mayor Price indicated that he would suggest tabling this item until the Port Commission conducts its regularly scheduled meeting on August 28. Discussion ensued with regard to the efforts currently being undertaken by government agencies, taxpayers, and other organizations seeking to improve the health of the Indian River Lagoon.

Councilman Forester moved to table the resolution as presented; seconded by Councilman Daski. The motion passed unanimously (7).

Councilman Forester moved to direct the City Manager to forward the City's recommendations to the commissioners of the Canaveral Port Authority and to arrange a meeting with State Representative Tyler Sirois; seconded by Councilman Ferguson. The motion passed without objection (7).

8. REPORTS FROM BOARDS AND COMMITTEES

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

- o Community Redevelopment Agency Board of Commissioners, Minutes of Regular Meeting on July 24, 2019
- o Community Redevelopment Agency Board of Commissioners, Minutes of Special Meeting on August 7, 2019

and to consider independently any recommendations contained therein; seconded by Councilman Ferguson. The motion passed unanimously (7).

- A. Community Redevelopment Agency Board of Commissioners, Minutes of Regular Meeting on July 24, 2019 (no recommendation)
- B. Community Redevelopment Agency Board of Commissioners, Minutes of Special Meeting on August 7, 2019

1. Recommendation: Award of RFP for CRA Market Study, Business Flare

City Manager Fettrow explained that the primary consideration when evaluating the submittals for the Market Study was solid experience in dealing with community redevelopment agencies. As such, Business Flare has been recommended by staff to conduct the Market Study, as the firm has impressive qualifications and expertise in all pertinent subject areas.

Councilman Daski moved to accept the recommendation; seconded by Councilwoman Martin. The motion passed unanimously (7).

C. Reappointments and Appointments

1. Reappointments

- o None

2. Appointments

a. Code Enforcement Board

Currently, there are three vacancies on the Code Enforcement Board in the categories of Businessperson, Subcontractor, and Citizen. One application has been received from Mike Pryor, who, if appointed, would serve in the Citizen capacity.

Councilman Ferguson moved to appoint Mike Pryor by acclamation to the Code Enforcement Board to serve in the category of Citizen; seconded by Councilman Daski. The motion passed without objection.

b. Planning Commission

One vacancy exists on the Planning Commission. Two applications have been received from Devin Lamoureux and Susan Schleith. Public Relations Officer and City Clerk Nicholas indicated that Devin Lamoureux is not interested in serving on the Planning Commission at this time.

Councilman Hartselle moved to appoint Susan Schleith by acclamation to the Planning Commission; seconded by Councilwoman Martin. 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: Purchase of Vehicle Accessory Packages (Public Safety Department)
- B. Approval: Mechanical Aerator Shaft Replacements (Wastewater Treatment Department)
- C. Approval: Engagement Letter, Carr, Riggs & Ingram (CRI), LLC, Audit Services (Finance Division)

- D. Approval: Request for \$500.00 Donation from the Police Forfeiture Fund to the Rockledge Youth Football and Cheerleading League (Public Safety Department)
- E. Approval: Taylor Park Improvements (Planning Division)
- F. Approval: Purchase of Stormwater Pipe (Public Works Department)
- G. Approval: Lift Station 3/Bulkhead Wall Rehabilitation (Wastewater Treatment Department)
- H. Approval: Contract Amendments, Fraternal Order of Police (City Manager)

The motion was seconded by Councilwoman Martin and passed without objection (7).

11. NEW BUSINESS

- o None

12. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

John Badore, 1299 Robbinswood Drive (Barton Park Manor), indicated that he had experienced issues with inadequate stormwater drainage during Hurricane Irma. Since that time, the streets have continued to flood, even with marginal rainfall. Mr. Badore requested that the City explore methods to resolve this matter. Public Works Director Poole provided a historical perspective with regard to the City's drainage systems and noted that the City has spent millions of dollars on drainage in this area and that it is much better than before. Furthermore, the Public Works Department is currently working with Jacobs Engineering and the St. Johns River Water Management District on an analysis of this area.

Anthony Blunt, 1122 Howard Street, stated that he was representing the Rockledge Youth Football and Cheerleading League. Mr. Blunt expressed gratitude to the City and the Public Safety Department for continued support of the League and presented a thank-you card.

Pat O'Neill, 1232 Primrose Place, introduced several Boy Scouts and Girl Scouts from Troop 321 and Troop 4321, who are working toward obtaining their "Citizenship in the Community" merit badges.

13. REPORTS

- A. City Manager Report
 - o City Manager Fettrow reported that:

- The recent Florida League of Cities annual conference was extremely informative.
- In the near future, she and Councilman Ferguson will be meeting with State Senator Tom Wright and subsequently State Representative Tyler Sirois to discuss legislative priorities.
- Negotiations with all five unions have been completed. If all unions approve the amendments, they will be presented to Council for ratification.

B. City Attorney Litigation Report

Councilman Ferguson moved to be in receipt of the City Attorney Litigation Report dated August 1, 2019; seconded by Councilwoman Martin. The motion passed unanimously (7).

City Attorney Miniclier noted that the issue involving UPS is ongoing.

C. Reports from the Dias

- Councilman Hartselle attended the Space Coast League of Cities dinner; initiatives are being set forth that will be very positive for the area.
- Councilwoman Martin attended the Space Coast League of Cities dinner and the Florida League of Cities annual conference; both were very beneficial. Of particular interest at the conference was a workshop on the 2020 Census. She would like the City to consider establishing a "volunteer count committee."
- Councilman Smith noted that he very much enjoyed his final Florida League of Cities conference and noted that, during the conference, Councilmembers Ferguson and Martin were interviewed by WKMG.
- Councilman Ferguson:
 - Indicated that he attended the Space Coast League of Cities dinner, where it was reported that there will be a new advocacy initiative, Brevard County Days, in Tallahassee on January 20 and 21, 2020, and would like the City to be represented.
 - Noted that the Florida League of Cities conference was very educational this year and expressed gratitude to Council for selecting him as the voting delegate.
 - Stated that the legislative priorities of the Florida League include the Bert Harris Act (private property rights), sales tax fairness, short-term rentals, transportation funding, and supporting Florida's water supply and water quality. Priorities of the Space Coast League include upholding Home Rule, local control for short-term rentals,

and Indian River Lagoon restoration. So as not to violate the Sunshine Law, the Space Coast League will be sending representatives to Tallahassee from October 21 through 24. The League will be paying for Councilman Ferguson to attend.

Councilman Forester moved to authorize travel to Tallahassee for FLC’s Legislative Action Days for Councilman Ferguson and City Manager Fettrow, October 21 through 24, 2019; seconded by Councilwoman Martin. The motion passed unanimously (7).

- Councilman Daski reminded members of the September 11 Remembrance Ceremony slated for September 11, 6:00 p.m., at the Civic Hub.
- Councilman Forester thanked those that attended the Florida League of Cities conference and remarked that he attended the funeral for former longtime Rockledge City Councilman Bob Anderson.

14. ADJOURN

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:13 p.m.

Council Chairman

ATTEST: _____
City Clerk