
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, SEPTEMBER 9, 2020 ♦ 6:00 P.M.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, September 9, 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 A. 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
	Joseph P. LaSata	Public Safety Director/Chief of Police
	C. Kenneth Poole	Public Works Director
	James Elmore	Wastewater Treatment & Water Reclamation Director
	Trina Gilliam	City Planner

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

2. INVOCATION

- The invocation was given by Councilman Daski.

3. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF MINUTES

- Regular Meeting on August 19, 2020

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

5. PRESENTATIONS

- None

6. FINANCIAL / BUDGET REPORT

- None

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Public Hearing: Fiscal Year 2021 General Administrative Budget and Millage Rate

Chairman Price noted that the Fiscal Year 2021 General Administrative Budget was formulated using a millage rate of 6.05, which had not been modified since the City Council Budget Workshop on August 5, 2020.

At this time, Chairman Price declared the matter open to the public for comment. There being no public comment, Chairman Price declared the public hearing to be closed.

- B. Public Hearing

& Resolution: Resolution Establishing Recomputed Proposed Millage Rate

Councilman Forester offered a Resolution entitled "RESOLUTION ESTABLISHING RECOMPUTED PROPOSED MILLAGE RATE FOR 2020 AD VALOREM TAXES IN THE CITY OF ROCKLEDGE, AND PUBLICLY ANNOUNCING THE PERCENTAGE INCREASE IN PROPERTY TAXES TENTATIVELY ADOPTED BY THE ROCKLEDGE CITY COUNCIL" and moved to read the Resolution in its entirety and to open the matter for public hearing; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

City Attorney Miniclier read aloud the Resolution utilizing a millage rate of 6.05. Chairman Price then declared the matter to be open to the public for comment.

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

Councilman Ferguson 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).

- C. Resolution: Certifying the Holding of a Public Hearing on the Tentative General Administrative Budget for Fiscal Year 2021

Councilman Daski offered a Resolution entitled "RESOLUTION OF THE ROCKLEDGE CITY COUNCIL CERTIFYING THE HOLDING OF A PUBLIC HEARING ON THE TENTATIVE GENERAL ADMINISTRATIVE BUDGET OF SAID CITY FOR THE FISCAL YEAR 2020-2021 PURSUANT TO SECTION 200.065(2)(c), FLORIDA STATUTES AND ADOPTING SAID CITY'S TENTATIVE GENERAL ADMINISTRATIVE BUDGET FOR SAID FISCAL YEAR WITHOUT CHANGE OR AMENDMENT" and moved to read the Resolution in its entirety; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

City Attorney Miniclier read aloud the entire 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).

Councilman Forester explained to the audience that the budget process begins months in advance, and due diligence and care has been given to this budget.

- D. Ordinance: First Reading, Fiscal Year 2021 General Administrative Budget

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE ANTICIPATED REVENUES AND EXPENSES IN THE GENERAL ADMINISTRATIVE OPERATIONS OF SAID CITY FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR PAYMENT OF THE ANTICIPATED EXPENSES OF THE CITY OF ROCKLEDGE FOR SAID FISCAL YEAR AND ADOPTING THE GENERAL ADMINISTRATIVE BUDGET OF SAID CITY FOR SAID FISCAL YEAR; AUTHORIZING THE ROCKLEDGE CITY MANAGER TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS IN SAID BUDGET; 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.

Councilwoman Martin moved to authorize publication and a public hearing to be held on September 23, 2020; seconded by Councilman Forester. The motion carried by unanimous vote (7).

- E. Ordinance: First Reading, Fiscal Year 2021 Community Redevelopment Agency Management Fund Budget

Councilwoman Martin offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE ANTICIPATED REVENUE AND EXPENSES FOR OPERATION OF THE ROCKLEDGE COMMUNITY REDEVELOPMENT AGENCY MANAGEMENT FUND DURING THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR PAYMENT OF THE ANTICIPATED EXPENSES OF OPERATION, ADMINISTRATION AND MAINTENANCE OF THE ROCKLEDGE COMMUNITY REDEVELOPMENT AGENCY AND TO CARRY OUT ALL OTHER PURPOSES OF THE COMMUNITY REDEVELOPMENT AGENCY FOR SAID FISCAL YEAR AND ADOPTING THE BUDGET FOR THE OPERATION OF THE ROCKLEDGE COMMUNITY REDEVELOPMENT AGENCY FOR SAID FISCAL YEAR; AUTHORIZING THE ROCKLEDGE CITY MANAGER TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS IN SAID BUDGET; PROVIDING 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 Councilman Daski. The motion carried unanimously (7).

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

Councilwoman Martin moved to authorize publication and a public hearing to be held on September 23, 2020; seconded by Councilman Daski. The motion carried by unanimous vote (7).

- F. Ordinance: First Reading, Fiscal Year 2021 Sewer System Budget

Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE ANTICIPATED REVENUE AND EXPENSES FOR OPERATION OF THE ROCKLEDGE SEWER SYSTEM DURING THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR PAYMENT OF THE ANTICIPATED EXPENSES OF THE ROCKLEDGE SEWER SYSTEM FOR SAID FISCAL YEAR AND ADOPTING THE BUDGET FOR THE OPERATION OF THE ROCKLEDGE SEWER SYSTEM FOR SAID

FISCAL YEAR; AUTHORIZING THE ROCKLEDGE CITY MANAGER TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS IN SAID BUDGET; PROVIDING 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 Councilman Hartselle. The motion carried unanimously (7).**

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

Councilwoman Martin moved to authorize publication and a public hearing to be held on September 23, 2020; seconded by Councilman Hartselle. The motion carried by unanimous vote (7).

- G. Ordinance: First Reading, Fiscal Year 2021 Sanitation Impact Fee Enterprise Fund Budget

Councilman Hartselle offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE ANTICIPATED REVENUE AND EXPENSES FOR OPERATION OF THE ROCKLEDGE SANITATION IMPACT FEE ENTERPRISE FUND DURING THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR PAYMENT OF THE ANTICIPATED EXPENSES OF THE ROCKLEDGE SANITATION IMPACT FEE ENTERPRISE FUND FOR SAID FISCAL YEAR; AUTHORIZING THE ROCKLEDGE CITY MANAGER TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS IN SAID BUDGET; PROVIDING 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.

Councilwoman Martin moved to authorize publication and a public hearing to be held on September 23, 2020; seconded by Councilman Hartselle. The motion carried by unanimous vote (7).

- H. Ordinance: First Reading, Fiscal Year 2021 Sanitation Services Budget

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE ANTICIPATED REVENUE AND EXPENSES FOR OPERATION OF THE ROCKLEDGE SANITATION SERVICES DURING THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING

SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR PAYMENT OF THE ANTICIPATED EXPENSES OF THE ROCKLEDGE SANITATION SERVICES FOR SAID FISCAL YEAR; AUTHORIZING THE ROCKLEDGE CITY MANAGER TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS IN SAID BUDGET; PROVIDING 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 23, 2020; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

- I. Ordinance: First Reading, Fiscal Year 2021 Stormwater Management Fund Budget

Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE ANTICIPATED REVENUE AND EXPENSES FOR OPERATION OF THE ROCKLEDGE STORMWATER MANAGEMENT FUND DURING THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR PAYMENT OF THE ANTICIPATED EXPENSES OF OPERATION, ADMINISTRATION AND MAINTENANCE OF THE STORMWATER DRAINAGE FACILITIES OF THE CITY OF ROCKLEDGE AND TO CARRY OUT ALL OTHER PURPOSES OF THE UTILITY FOR SAID FISCAL YEAR AND ADOPTING THE BUDGET FOR THE OPERATION OF THE ROCKLEDGE STORMWATER DRAINAGE FACILITIES FOR SAID FISCAL YEAR; AUTHORIZING THE ROCKLEDGE CITY MANAGER TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS IN SAID BUDGET; PROVIDING 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.

Councilwoman Martin moved to authorize publication and a public hearing to be held on September 23, 2020; seconded by Councilman Cadore. The motion carried by unanimous vote (7).

- J. Ordinance: First Reading, Fiscal Year 2021 Building Department Enterprise Fund Budget

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE ANTICIPATED REVENUE AND EXPENSES FOR OPERATION OF THE ROCKLEDGE BUILDING DEPARTMENT ENTERPRISE FUND DURING THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR PAYMENT OF THE ANTICIPATED EXPENSES OF THE ROCKLEDGE BUILDING DEPARTMENT ENTERPRISE FUND FOR SAID FISCAL YEAR; AUTHORIZING THE ROCKLEDGE CITY MANAGER TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS IN SAID BUDGET; PROVIDING 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 Councilman Hartselle. The motion carried unanimously (7).

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

Councilwoman Martin moved to authorize publication and a public hearing to be held on September 23, 2020; seconded by Councilman Hartselle. The motion carried by unanimous vote (7).

- K. Ordinance: First Reading, Fiscal Year 2021 Rental Facilities Budget

Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DETERMINING THE ANTICIPATED REVENUE AND EXPENSES FOR OPERATION OF THE ROCKLEDGE RENTAL FACILITIES DURING THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR PAYMENT OF THE ANTICIPATED EXPENSES OF THE ROCKLEDGE RENTAL FACILITIES FOR SAID FISCAL YEAR; AUTHORIZING THE ROCKLEDGE CITY MANAGER TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS IN SAID BUDGET; PROVIDING 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 23, 2020; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

- L. Ordinance: First Reading, Amending the Rockledge Land Development Regulations, Part VII, Section 70.41, Providing for Entrance and Emergency Vehicle Access Requirements for New Subdivisions

This item was removed from the agenda for further revision by Staff.

- M. Ordinance: Second Reading and Public Hearing, Ordinance No. 1779-2020, Deleting Section 56.20(d), Placement of Utility Poles, of the Rockledge Land Development Regulations

Councilman Daski offered Ordinance No. 1779-2020 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DELETING SECTION 56.20 (d) "PLACEMENT OF UTILITY POLES" FROM 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 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 Forester. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski and Hartselle. The motion carried by unanimous vote (7).

- N. Ordinance: Second Reading and Public Hearing, Ordinance No. 1780-2020, Amending Part VIII, Special Regulation/Uses in Zoning Districts, of the Rockledge Land Development Regulations by Adding Section 80.26, Dog Friendly Dining

Councilwoman Martin offered Ordinance No. 1780-2020 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING PART VIII OF THE LAND DEVELOPMENT REGULATIONS BY ADDING A NEW SECTION 80.26 - "DOG FRIENDLY DINING" TO THE LAND DEVELOPMENT REGULATIONS PERMITTED

UNDER §509.233, FLORIDA STATUTES, ESTABLISHING DEFINITIONS AND CREATING PROVISIONS FOR THE REGULATION OF SAID DOG FRIENDLY DINING; 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.

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).

- O. Ordinance: Second Reading and Public Hearing, Ordinance No. 1781-2020, Amending Part VIII, Special Regulation/Uses in Zoning Districts, of the Rockledge Land Development Regulations by Adding Section 80.08.1, Brewpub, Microbrewery, Micro-winery and Micro-distillery

Councilman Ferguson offered Ordinance No. 1781-2020 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING PART VIII OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS TO ESTABLISH THE REGULATIONS AND STANDARDS FOR BREWPUB, MICROBREWERY, MICRO-WINERY AND MICRO-DISTILLERY BY ADDING A SECTION 80.08.1 TO 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 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).

- P. Ordinance: Second Reading and Public Hearing, Ordinance No. 1782-2020, Deleting and Replacing Chapter 18 of the Rockledge Code of Ordinances, Titled "Chapter 18 Streets, Sidewalks, Rights-of-Way and Other Public Places"

Councilman Ferguson offered Ordinance No. 1782-2020 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DELETING CHAPTER 18 OF THE ROCKLEDGE CODE OF ORDINANCES AND REPLACING IT WITH A NEW CHAPTER 18 TO THE ROCKLEDGE CODE OF ORDINANCES TITLED "CHAPTER 18 STREETS, SIDEWALKS, RIGHTS-OF-WAY AND OTHER PUBLIC PLACES," WHICH INCLUDES SECTION 18-1 PURPOSE, SCOPE AND INTENT; 18-2 COMMERCIAL USE OF RIGHTS-OF-WAY; 18-3 EXCEPTIONS; 18-4 ENFORCEMENT; 18-5 NEWSRACKS AND NEWSPAPER VENDING MACHINE; 18-6 TRESPASS WARNINGS, AUTHORIZATION TO ISSUE TRESPASS WARNINGS FOR PUBLIC PROPERTY; 18-7 COMMUNICATIONS FACILITIES IN PUBLIC RIGHTS- OF-WAY; 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).

- Q. Ordinance: Second Reading and Public Hearing, Ordinance No. 1783-2020, Amending Article III of the Rockledge Code of Ordinances to Add Section 2-81, Establishing that City Council Members are Eligible to Serve as Ex-Officio

Members on Any Advisory Committees, Board or Other
City Body

Councilman Ferguson offered Ordinance No. 1783-2020 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING ARTICLE III OF THE ROCKLEDGE CODE OF ORDINANCES TO ADD A NEW SECTION 2-81 THERETO, ESTABLISHING THAT CITY COUNCIL MEMBERS ARE ELIGIBLE TO SERVE AS EX-OFFICIO MEMBERS ON ANY ADVISORY COMMITTEES, BOARD OR OTHER CITY BODY; DETERMINING THAT COUNCIL PERSONS SITTING ON SUCH ADVISORY CITY BODIES IN AN EX-OFFICIO CAPACITY WOULD NOT VIOLATE ARTICLE II, SECTION 5(a) OF THE FLORIDA CONSTITUTION PROHIBITION AGAINST HOLDING DUAL OFFICES; ESTABLISHING PROCEDURES TO APPOINT COUNCIL MEMBERS TO ADVISORY BODIES; 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 Cadore. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski and Hartselle. The motion carried by unanimous vote (7).

- R. Resolution: Approving and Adopting the 2020 Edition of the Personnel Policies and Procedure Manual, Effective October 1, 2020

Councilman Daski offered a Resolution entitled "RESOLUTION APPROVING AND ADOPTING THE 2020 EDITION OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL OF THE CITY OF ROCKLEDGE EFFECTIVE OCTOBER 1, 2020" and moved to waive the reading and adopt 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).

- S. Resolution: Amending the 2011 Edition of the City of Rockledge Social Media Policy

Councilman Daski offered a Resolution entitled "RESOLUTION AMENDING THE 2011 EDITION OF THE CITY OF ROCKLEDGE SOCIAL MEDIA POLICY" 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 Daski moved to be in receipt of the minutes of the following meeting:

- Planning Commission, Minutes of Meeting on September 1, 2020

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

A. Planning Commission, Minutes of Meeting on September 1, 2020

1. Recommendation: JB Hotel, Approval of Conceptual Plan, 86-Unit Hotel and Height Requirement Extension

...recommend approval for 86 units and extend the height requirement to 59 feet and forward [the recommendation] to City Council.

City Planner Gilliam explained that a 5.79 acre partially developed area located north of Fiske Boulevard and Barnes Boulevard has an approved site plan from 2010 that included four phases. A previous conceptual plan for this hotel was approved in 2016 with a greater number of units. JB Hotels, the developer for this site, received approval from the Planning Commission on September 1, 2020, for a conceptual plan that includes an 86-unit hotel with a height requirement extension to 59 feet from the required 45 feet. City Planner Gilliam explained that a traffic study would be required.

Rick Sanders, 1600 Woodland Drive #4104, a former landscape architect, explained that he fully supports the project, but he has several recommendations that would better reflect the residential and commercial character of that part of the community. He provided Council with a handout illustrating several suggestions and areas of clarification for this project as it enters the beginning stages of development.

Jack D. Brown, 514 L.M. Davey Lane, Titusville, owner of JB Hotels, was present to answer any questions from Council.

Bill Hickman, 872 Kings Post Road, inquired as to whether the appropriate traffic and feasibility studies will be completed, to which Mr. Brown affirmed.

Councilman Ferguson moved to accept the recommendation; seconded by Councilwoman Martin. The motion carried without objection (7).

9. UNFINISHED BUSINESS

- A. Action Item: Sale of 513 Barton Boulevard, Beach Brewer, LLC (City Manager)

City Manager Fettrow explained that, as discussed at the August 19, 2020 City Council meeting, Beach Brewer, LLC previously submitted a letter of intent to purchase 513 Barton Boulevard and Council authorized City Manager Fettrow and City Attorney Miniclier to finalize the sale of this property. A sales contract has been drafted, and Council is requested to approve the sale of 513 Barton Boulevard to Beach Brewer, LLC for a purchase price of \$230,000.00. Attorney Miniclier confirmed that the contract is in its proper form.

Councilwoman Martin made a motion to approve the sale of 513 Barton Boulevard to Beach Brewer, LLC at a purchase price of \$230,000.00; seconded by Councilman Cadore. The motion carried unanimously (7).

- B. Action Item: Long Term Commercial Lease Agreement for Barton Boulevard Properties, Beach Brewer, LLC (City Manager)

City Manager Fettrow explained that, as discussed at the August 19, 2020 City Council meeting, Beach Brewer, LLC previously submitted a letter of intent to lease four parcels of land on Barton Boulevard (515 Barton Boulevard, 517 Barton Boulevard, 527 Barton Boulevard, and vacant Parcel ID 25-36-09-00-270). Council authorized City Manager Fettrow and City Attorney Miniclier to finalize the long term lease agreement of the aforementioned properties. Attorney Miniclier clarified that Beach Brewer, LLC retains the right of first refusal to purchase the property at the end of the lease term.

Attorney Kendall Moore, 895 Barton Boulevard, Suite B, expressed his gratitude to Council for considering the purchase and lease with Beach Brewer, LLC and noted that the company's owners were in attendance and are excited about their business relocation to Rockledge.

Councilman Daski moved to approve the long term lease agreement for 515 Barton Boulevard, 517 Barton Boulevard, 527 Barton Boulevard and vacant parcel ID 25-36-09-00-270 with Beach Brewer,

LLC; seconded by Councilwoman Martin. The motion passed without objection (7).

10. CONSENT BUSINESS

Councilman Daski moved for approval of these consent business items:

- A. Approval: Preliminary Population Estimate as of April 1, 2020, University of Florida Bureau of Economic and Business Research (City Manager/Planning Division)
- B. Approval: Request to Designate Rockledge Police Department K-9 Zeus as Retired and Relinquish Ownership (Department of Public Safety)
- C. Approval: Declaration of Surplus Property and Authorization to Sell or Dispose of Said Property (Public Works Department)
- D. Approval: Proposal for Landscape Maintenance of Barnes Boulevard Rights-of-Way, U.S. Lawns of Brevard (Public Works Department)
- E. Approval: Engagement Letter, Carr, Riggs & Ingram (CRI), LLC, Audit Services (Finance Division)

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

11. NEW BUSINESS

- A. Action Item: Proposed City Council Meeting Schedule for Calendar Year 2021 (City Clerk)

The City Clerk indicated that Ordinance No. 1608-2012 requires that, by December 31 of each year, City Council must adopt a schedule of regular meetings for the following calendar year. Typically, City Council meets on the first and third (or only the third in some instances) Wednesdays of the month. Because of required budget and TRIM-related advertising deadlines, the meetings for September had to be shifted to the second and fourth Wednesdays (September 8 and September 22). If the proposed schedule is approved, a Resolution will be drafted for adoption by City Council at a subsequent meeting.

Councilman Daski moved to approve the proposed City Council meeting schedule for calendar year 2021 and to authorize staff to draft the requisite Resolution; seconded by Councilwoman Martin. The motion passed unanimously (7).

- B. Action Item: Request by Property Owner for Authorization to Paint Mural on Private Retaining Wall, 41 Barton Avenue (City Manager)

City Manager Fettrow explained that a request was received from William Shoaff, homeowner of 41 Barton Avenue, to allow a mural to be painted on a private retaining wall at the front of his property. A local artist has been commissioned for the mural, and mural examples were provided to Council. Rockledge Land Development Regulations, Section 86.03(c)(7) requires a special permit from City Council in order to install a mural.

Mark Paxton, 40 Barton Avenue, explained that he resides across the street from the petitioner and voiced his concern that permitting a mural on the street would open the door to additional murals. Mr. Paxton shared that he doesn't believe that the mural would be appropriate for the historical nature of the area.

Bill Shoaff, 41 Barton Avenue, petitioner, noted that a decision had not been made as to the final design of the mural, but he shared his hope that it would be something the neighborhood would be proud of.

Linda Paxton, 40 Barton Avenue, expressed her concern that the mural would negatively affect the area, and the mural would not blend in with the current appearance of the neighborhood. Mrs. Paxton shared that neighbors would appreciate a sketch of the proposed mural. She also inquired as to whether the area in question where the wall is located is private property or right-of-way.

Carmen Roza, 5 Barton Avenue, echoed the desire that any additions to the street keep in character with the historical nature of the street, and a mural may not be appropriate.

Rick Edwards, 43 Barton Avenue, shared that his home is part of a historic registry, which has requirements for membership. Mr. Edwards shared his concerns about maintaining the historical significance of the street and retaining property values.

Christina Brainard, 36 Barton Avenue, echoed the opinion that a mural would not be appropriate for the historical nature of the street.

Councilman Forester shared his confliction regarding the proposed mural. Council agreed that a sketch of the proposed mural should be submitted for evaluation, along with color samples, before Council takes official action.

Mr. Shoaff subsequently withdrew his request for consideration at that time.

12. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Sean Farrell, 864 Kings Post Road, explained that a face mask mandate is necessary due to the perils of the COVID-19 pandemic, as an order strongly recommending the use of face coverings is not adequate. Mr. Farrell noted that City Council needs to implement a mandate for the good of the community and the safety of residents, businesses and employees.

Liz Lark-Riley, 1403 Martin Road, Managing Director of Rockledge Gardens, illustrated the fear experienced by Rockledge Gardens staff due to the COVID-19 pandemic. Mrs. Lark-Riley noted that the business' staff faces daily pushback from some patrons regarding their implemented mask policies. She requested that City Council implement a mask mandate in support of local businesses who must enforce individual mask policies.

Bill Hickman, 872 Kings Post Road, addressed the Council as a resident as well as a healthcare worker. Mr. Hickman shared that a mask mandate is a public health and safety issue, and placing the responsibility for individual mask policy enforcement with local businesses is not appropriate. Additionally, with the addition of the schools reopening, more cases are being identified and schools are closing.

Councilman Forester explained that local businesses can implement individual mask policies and trespass violators if necessary, which would be a similar procedure to what a mask mandate would implement. He expressed the difficulty in adopting an Ordinance that would effectively execute and enforce a mask mandate without causing further conflict in the community.

Councilwoman Martin expressed her distress with the topic of a mask mandate, as she recently lost a close friend from COVID-19; however, adopting an Ordinance that cannot effectively be enforced is difficult. She noted that self-governance may be the most effective policy.

13. REPORTS

A. City Manager Report

- City Manager Fettrow requested direction from Council regarding the 2021 Art/Craft Show, which requires extensive planning. Further, vendors usually start registering in September of the preceding year, which is the current month. Councilmembers discussed the potential rebound of COVID-19 cases due to upcoming holidays and ultimately decided to defer their final decision to the September 23, 2020 City Council meeting.
- City Manager Fettrow explained that she has been in discussions with the owners of the vacant land north of City Hall, as Council previously authorized her to negotiate with the owner. A real estate analysis was

recently completed by the property owner's real estate broker, and a sale price of \$895,000 has been presented; however, the City got an appraisal in December 2019 which valued the property at \$550,000. Councilmembers discussed the price discrepancy and directed City Manager Fettrow to continue discussions with the property owner in an effort to encourage negotiations.

B. City Attorney Litigation Report

- None

C. Reports from the Dias

- City Clerk and Public Relations Officer LeVasseur:
 - Reminded Council that the Virtual Car Show kicked off this week and encouraged participation.
 - Noted that Councilmember bios on the City website are in need of updating, which she will facilitate.
 - Reminded Council and the audience that the 2020 Census is nearing completion.
- Councilman Ferguson:
 - Expressed gratitude to the citizens present in the audience and noted that their input is heard by Councilmembers.
 - Shared that he was recently elected as Treasurer of the Executive Board of the Space Coast League of Cities.
- Councilman Hartselle:
 - Announced that there is a new pastor at St. Mary's Catholic Church.
 - Announced that the Rockledge Kiwanis Childrens' Charities Golf Tournament has been rescheduled for October 17.
 - Noted that the Department of Public Safety sign should also denote that it's the Police Department to reduce confusion.
- Councilman Cadore thanked staff, Council and citizens for their presentations and input regarding various topics addressed during the Council meeting.
- Councilman Daski echoed the sentiments shared by the other Councilmembers and encouraged everyone to keep the families impacted by the 9/11 tragedy in their thoughts and prayers.
- Councilwoman Martin:
 - Congratulated Councilman Ferguson on his election as Treasurer for the Executive Board of the Space Coast League of Cities.

- Echoed appreciation to the residents who attended the Council meeting.
- Announced that there is a weekly food distribution at Faith Life Outreach Christian Cathedral, 217 Dixie Lane, which is always in need of volunteers.
- Noted that there has been much discussion on the NextDoor app regarding vehicle burglaries and suggested an additional reminder to lock vehicles be shared with residents on the City's website and social media channels.
- Recognized Dorothy Worthy, a 44 year Rockledge resident who attended her first Rockledge City Council meeting this evening.
- Councilman Forester shared that he recently helped with the food drive distribution at Faith Life Outreach Christian Cathedral, where hundreds of people waited several hours to receive food. He expressed that the need in the community is still great and encouraged all to help in the community when they can.
- Mayor Price:
 - Announced that the next Mayor/City Manager video update will be Friday, September 11, featuring Councilman Daski as the special guest. He remarked that the last video, which featured Councilman Hartselle, received over 1,400 views.
 - Reminded everyone to lock their vehicles and remove keys, valuables and firearms.

14. **ADJOURN**

There being no further business to come before the Council, Mayor Price declared the meeting to be adjourned at 8:04 p.m.

Council Chairman

ATTEST: _____

City Clerk