
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, October 17, 2018 ♦ 6:00 p.m.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, October 17, 2018, 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
	Duane A. Daski	Councilmember, Seat #5
	Ted J. Hartselle	Councilmember, Seat #6
	Joseph E. Miniclier	City Attorney
	Dr. Brenda Fettrow	City Manager
	Sherry Cazessus, CMC	Deputy City Clerk
ABSENT:	Frank T. Forester	Councilmember, Seat #4 (Excused)
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
	Brian Smith	Wastewater Treatment & Water Reclamation Assistant Director

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

4. APPROVAL OF MINUTES

- Regular Meeting on October 3, 2018

Councilman Daski moved to approve the minutes of the regular meeting on October 3, 2018; seconded by Councilwoman Martin. The motion carried unanimously (6).

5. PRESENTATIONS

- None

6. FINANCIAL / BUDGET REPORT

- Month of September 2018

Councilman Daski moved to be in receipt of the Financial/Budget Report for the month of September 2018; seconded by Councilman Smith. The motion passed by unanimous vote (6).

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Ordinance: Second Reading and Public Hearing, Ordinance No. 1740-2018
Amending Chapter III, Section 21-40(s), Rockledge Code of Ordinances, as Related to Parking Restrictions on Orange Avenue

Councilman Daski offered Ordinance No. 1740 entitled “AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER III, SECTION 21-40(s) OF THE ROCKLEDGE CODE OF ORDINANCES TO ADD A NEW SUBSECTION (3) THEREIN STATING THAT ENFORCEMENT OF SECTION 21-40(s), (1) AND (2) SHALL NOT APPLY FOR ANY HOLIDAY FALLING ON A WEEKDAY; 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 (6).

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 Smith, Ferguson, Martin, Daski and Hartselle. The motion carried by unanimous vote (6).

- B. Ordinance: Second Reading and Public Hearing, Ordinance No. 1741-2018
ZDA-18-02, Rezoning 7.96 Acres in the Vicinity of Brookview Lane from R2 to PUD

Councilman Ferguson offered Ordinance No. 1741 entitled “AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE R2 (SINGLE FAMILY DWELLING) DISTRICT TO THE PUD(PLANNED UNIT DEVELOPMENT) DISTRICT IN PLANNING DISTRICT 8 OF APPROXIMATELY 7.96 ACRES LOCATED AT THE END OF BROOKVIEW LANE, EAST OF BAYBERRY LANE AND AT THE END OF BROOKVIEW LANE AND WEST OF BERYL DRIVE IN THE CITY OF ROCKLEDGE, AS MORE PARTICULARLY DESCRIBED IN

"EXHIBIT A" 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 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 (6).*

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.

Julie Pearsall, 2916 Huntington Lane, expressed concern with regard to any new zoning that will increase the total number of single-family units in the City. The primary concern is that there will not be a sufficient future water supply. Mayor Price recommended that she meet with the City Planner and the City Manager to discuss her concerns.

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, Daski and Hartselle. The motion carried by unanimous vote (6).

- C. Ordinance: Second Reading and Public Hearing, Ordinance No. 1742-2018
ZDA-18-03, Rezoning 0.70 Acres of Undeveloped Property
Located at 150 Eyster Boulevard from M1 to RMU

Councilman Daski offered Ordinance No. 1742 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE M1 (GENERAL INDUSTRIAL) DISTRICT TO THE RMU (REDEVELOPMENT MIXED USE) DISTRICT IN PLANNING DISTRICT 5 OF APPROXIMATELY .70 ACRES LOCATED AT 150 EYSTER 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 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 (6).*

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 Smith, Ferguson, Martin, Daski and Hartselle. The motion carried by unanimous vote (6).

8. REPORTS FROM BOARDS AND COMMITTEES

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

- Business Development Committee, Minutes of Meeting on September 25, 2018
- Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on September 26, 2018
- Planning Commission, Minutes of Meeting on October 2, 2018

and to consider independently any recommendations contained therein; seconded by Councilman Smith. The motion passed unanimously (6).

- A. Business Development Committee, Minutes of Meeting on September 25, 2018 (no recommendation)

Councilwoman Martin stated that the last page of the minutes indicated “Darren Gibson had several questions on a variety of subjects and discussion followed.” Councilwoman Martin requested that, in the future, topics discussed be included in the minutes. City Manager Fettrow stated she was at the meeting, and the topics discussed included a card from a Rockledge business that was found at a rest-stop in north Florida and the Valencia Dock. The City Manager assured Councilwoman Martin that future minutes would include more information.

- B. Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on September 26, 2018 (no recommendation)

- C. Planning Commission, Minutes of Meeting on October 2, 2018

1. Recommendation: Approval of Conceptual Site Plan, Shell Harbor Older Adult Living Facility, 2855 Murrell Road

....recommend approval of the conceptual site plan for Shell Harbor Older Adult Living Facility, 2855 Murrell Road, with the incorporation of staff comments....

Planning Director Bernard, 1600 Huntington Lane, reported that the proposed site is on the corner of Sabal Grove Drive and Murrell Road. The project would consist of 130 independent-living units.

Rick Kern, 5963 Stillwater, Cocoa, stated that the project had been approved eight years ago, but the developer had postponed the project until now.

Bob Lewis, 7101 South 82nd Street, Lincoln, Nebraska, stated that he is the Cameron General Contractor. The company currently has 24 facilities in the United States, with three in Florida and five more currently under construction. Amenities include three meals a day, fitness center, theater, barber shop, beauty salon, transportation, housekeeping and maintenance, and live-in management.

Councilman Daski moved to approve the recommendation; seconded by Councilman Hartselle. The motion passed by unanimous vote (6).

2. Recommendation: Approval of ZDA-18-04, Rockledge Church of Christ, Rezoning from R2 to R2A

...recommend approval of the rezoning of an undeveloped, 10.5-acre parcel between Huntington Lane and Fiske Boulevard from R2 to R2A....

Planning Director Bernard informed Council that the developer, Rahal Development, is requesting rezoning of 10.5 acres between Huntington Lane and Fiske Boulevard from R2 to R2A, which is in accordance with the City's Comprehensive Plan, Land Development Regulations (LDRs), and drainage requirements. The developer is proposing the construction of 46 single-family homes. The proposed rezoning was presented to the Planning Commission on October 2, 2018, and approval to Council was recommended.

Nick Rahal, 1269 Rockledge Boulevard, explained that the reason for the small lots was to provide a larger retention area. He believes that this project provides a reasonable transition from multi-family housing. Mr. Rahal stated that a traffic study would be done, and the project would be built according to a binding site plan.

Councilman Smith moved to approve the recommendation; seconded by Councilwoman Martin. The motion passed without objection (6).

D. Reappointments and Appointments

1. Reappointments
 - None
2. Appointments
 - a) Community Redevelopment Agency Board of Commissioners

It was noted that there is currently one vacancy on the Community Redevelopment Agency Board of Commissioners. Two applications were received from William Ellis and Laura Corbin. Mayor Price stated that Laura Corbin had withdrawn her application because she may need to relocate for her employment.

Councilman Ferguson moved to appoint William Ellis by acclamation to the Community Redevelopment Agency Board of Commissioners; seconded by Councilman Daski. The motion passed without objection (6).

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

It was noted that there is currently one vacancy on The Rockledge Environmental Enhancement (T.R.E.E.) Board. One application was received from Adam Copenhaver.

Councilman Ferguson moved to appoint Adam Copenhaver by acclimation to The Rockledge Environmental Enhancement (T.R.E.E.) Board; seconded by Councilwoman Martin. The motion passed by unanimous vote (6).

9. UNFINISHED BUSINESS

A. Action Item: Authorization to Utilize Owner-Direct Purchasing Process (ODP) for Construction of Civic Hub (City Manager)

City Manager Fettrow indicated that the City is respectfully requesting authorization to utilize an Owner-Direct Purchasing process (ODP) for the Civic Hub, which means that the City will purchase various materials required for completion of the project. Because the City is tax-exempt, this will result in further savings on the project and would potentially reduce the cost of construction of the Civic Hub. The owner's representative (W & J Construction), through a bid process with its subcontractors, has obtained the lowest and best price; therefore, the City would not conduct its own bid/quote process for such materials.

Councilman Daski moved to approve the utilization of the Owner-Direct Purchasing process for construction of the Civic Hub; seconded by Councilman Ferguson. The motion passed unanimously (6).

10. CONSENT BUSINESS

At this time, Mayor Price announced that he was removing item 10 B from consent business.

Councilman Daski moved for approval of these consent business items:

- A. Approval: Replenishment of Funds for SCU Confidential Investigations (Public Safety Department)
- ~~B. Approval: Evaluation of Biosolids Treatment Process (Wastewater Treatment Department)~~
- C. Approval: Addition of Devar Level Transducers for Nine Lift Stations (Wastewater Treatment Department)
- D. Approval: Acceptance of Grant Award, FDEP, for Gus Hipp Canal Denitrification (Planning Division)

The motion was seconded by Councilman Ferguson and passed without objection (6).

Item No. 10 B, Evaluation of Biosolids Treatment Process, was discussed at this time. Mayor Price reported that an email had been received from a citizen addressing concerns with regard to approval of the item. Prior to this evening's Council meeting, Mayor Price and City Manager Fettrow met with the citizen and discussed the

concerns. As a result of the discussion, the City requests approval to move forward with an evaluation of the biosolids treatment process, which will take several months to complete.

Councilman Ferguson moved to approve the evaluation of the Biosolids Treatment Process; seconded by Councilman Smith. The motion passed unanimously (6).

11. NEW BUSINESS

A. Action Item: Group Health Insurance Recommendation (City Manager/Finance Division)

City Manager Fettrow stated that, for the health insurance plan renewal, an increase of only 4 percent has been negotiated, which, if approved, would result in an increase of \$6.63 per paycheck for single-dependent coverage and an increase of \$9.02 per paycheck for family coverage. In addition, staff recommends that the employer payment of an administrative fee of \$4.60 per month be continued for those employees participating in the flexible spending account (FSA).

Councilman Smith moved to approve the renewals of health, dental and life insurance plan benefits for City employees; and, to continue employer payment of the monthly administrative fee for those employees participating in the flexible spending account (FSA); seconded by Councilwoman Martin. The motion passed without objection (6).

12. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Stuart and Susan Trushkowsky, 1801 Live Oak Drive North, addressed Council regarding a collapsing culvert pipe in front of their home, which makes it impossible for them to drive cars into their driveway and creates a safety hazard for anyone walking near or on to their property. Mrs. Trushkowsky reported that she originally reported the problem to the Stormwater Maintenance Division, which verified that the pipe needed to be replaced. As a temporary measure, soil was added to correct the problem, and Stormwater Maintenance staff advised them that it was the homeowners' responsibility to make the repair. City Manager Fettrow was contacted and personally viewed the area of concern on August 31 and informed the homeowners that, in her opinion, the repair was not the responsibility of the City. Mrs. Trushkowsky stated that she obtained a copy of the original survey for the house and asked a private attorney for his opinion, which was that the City should be responsible for the repair. Mrs. Trushkowsky requested that Council direct the Stormwater Maintenance Division to correct the problem as soon as possible. City Attorney Miniclier indicated the he had met with the City Manager, the Public Works Director and the Planning Director to discuss this issue and that the culverts in Timbers West have always been the responsibility of the property owners; the City has never replaced culverts underneath private driveways. City Manager Fettrow stated that she respectfully stands by her original decision and that the repair of the culvert is not the responsibility of the City. Mr. Trushkowsky thanked Council for their consideration.

13. REPORTS

A. City Manager Reports

- City Manager Fettrow:
 - Asked Council members to contact her this week if they are interested in riding with the Public Safety Department, Fire Division, on October 31 to distribute candy for Halloween.
 - Reported that she will be out of town beginning Thursday, October 25, and would return to the office on Monday, October 29.

B. City Attorney Litigation Report

- Month of October 2018

Councilman Ferguson moved to be in receipt of the City Attorney Litigation report for October 2018; seconded by Councilwoman Martin. The motion carried unanimously (6).

C. Reports from the Dais

- Councilwoman Martin thanked Council for the opportunity to attend the Institute for Elected Municipal Officials (IEMO) in Tampa; she found the class to be very informative.
- Mayor Price announced the end of the summer dress code for Council; business attire should now be worn.

14. ADJOURN

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:04 p.m.

Council Chairman

ATTEST: _____
City Clerk