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# ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, OCTOBER 21, 2020 ♦ 6:00 P.M.

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## 1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, October 21, 2020, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

<b>PRESENT:</b>	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
<b>ABSENT:</b>	Thomas J. Price	Mayor
<b>STAFF PRESENT:</b>	Matthew Trine	Assistant City Manager & Finance Director
	Joseph P. LaSata	Public Safety Director/Chief of Police
	Michael Jarusiewicz	Assistant to the Public Works Director
	James Elmore	Wastewater Treatment & Water Reclamation Director
	John Cooper	Planning Director
	Trina Gilliam	Senior City Planner

With a quorum present, the meeting was called to order by Vice Chairman Forester.

## 2. INVOCATION

- At the invitation of Councilman Ferguson, the invocation was given by Bishop Michael J. Brown, lifelong Rockledge resident and pastor of Sharpes Church of God.

### 3. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE

- A salute to the flag was given and the Pledge of Allegiance was led by Kennedy Middle School students and members of the I Am Magnus Youth Leadership program, and the Pledge was repeated in unison.

### NOT AN AGENDA ITEM

Several Kennedy Middle School students and members of the I Am Magnus Youth Leadership program introduced themselves and shared their experiences while in the program. Deputy Mayor Forester gifted each student with a commemorative City pin.

### 4. APPROVAL OF MINUTES

- Regular Meeting on October 7, 2020

***Councilman Daski moved to approve the minutes of the regular meeting on October 7, 2020; seconded by Councilwoman Martin. The motion carried unanimously (6).***

### 5. PRESENTATIONS

#### A. Deputy Mayor Forester

##### 1. Special Recognition

##### a. 40 Years of Service

- Jeff Taylor, Fleet Maintenance Coordinator, Public Works Department

Deputy Mayor Forester read aloud a congratulatory letter recognizing Jeff Taylor, Fleet Maintenance Coordinator, Public Works Department, for 40 years of service. Mr. Taylor was unable to attend the meeting, so staff will forward to him a Certificate of Commendation, Letter of Congratulations, gift card and commemorative City pin.

Councilmembers requested that Mr. Taylor be invited to attend a subsequent meeting to be recognized.

##### b. 30 Years of Service

- Ed Williamson, Heavy Equipment Operator, Public Works Department

Deputy Mayor Forester read aloud a congratulatory letter recognizing Ed Williamson, Heavy Equipment Operator, Public Works Department, for 30 years of service. Mr. Williamson was unable to attend the meeting, so staff will forward to him a

Certificate of Commendation, Letter of Congratulations, gift card and commemorative City pin.

## 2. Mayoral Proclamations

### a. Red Ribbon Week 2020

Commander Brian Schneider and two members of the Space Coast Young Marines introduced themselves and shared the drug-free mission of the Space Coast Young Marines program.

Deputy Mayor Forester read aloud a Proclamation recognizing the week of October 23-31, 2020 as Red Ribbon Week. The Proclamation was presented to members of the Space Coast Young Marines.

### b. School Bus Safety Week 2020

Deputy Mayor Forester read aloud a Proclamation recognizing the week of October 19-23, 2020 as National School Bus Safety Week. The Proclamation will be mailed to Brevard Public Schools Transportation Services.

## 6. FINANCIAL / BUDGET REPORT

### o Month of September 2020

***Councilman Ferguson moved to be in receipt of the Financial/Budget Report for the month of September 2020; seconded by Councilwoman Martin. The motion passed by unanimous vote (6).***

## 7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Resolution: Adopting the 2020 Update of the Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan

***Councilman/woman Daski offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA ADOPTING THE 2020 UPDATE OF THE BREVARD PREPARES LOCAL HAZARD MITIGATION STRATEGY (LMS) PLAN" and moved to waive the reading and adopt the Resolution; seconded by Councilwoman Martin. Voting for the motion: Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. The motion carried by unanimous vote (6).***

- B. Resolution: Supporting the Brevard County Half-Cent Sales Surtax Extension for Critical School Facility, Security, and Technology Upgrades Referendum

***Councilwoman Martin offered a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, SUPPORTING THE BREVARD COUNTY HALF-***

CENT SALES SURTAX EXTENSION FOR CRITICAL SCHOOL FACILITY, SECURITY, AND TECHNOLOGY UPGRADES REFERENDUM ON THE NOVEMBER 3, 2020 GENERAL ELECTION BALLOT" **and moved to waive the reading and adopt the Resolution; seconded by Councilman Cadore. Voting for the motion: Councilmembers Cadore, Ferguson, Martin, Forester, 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:**

- Fire Employees' Retirement Board, Minutes of Meeting on August 21, 2020
- General Employees' Retirement Board, Minutes of Meeting on August 21, 2020
- Police Employees' Retirement Board, Minutes of Meeting on August 21, 2020

**and to consider independently any recommendations contained therein; seconded by Councilman Hartselle and passed unanimously (6).**

### A. Fire Employees' Retirement Board, Minutes of Meeting on August 21, 2020

1. Recommendation: Approval of Ordinance Updating the Internal Revenue Code Compliance Section to Recognize Recent Changes to the Required Minimum Distribution Age (SECURE Act)

...approve the proposed [O]rdinance as presented...forward the [O]rdinance to [C]ity staff for consideration and adoption by the Rockledge City Council...

Deputy Mayor Forester explained that the recently adopted SECURE Act changed the mandatory age for required minimum distributions from 70 ½ to 72. The Fire Employees' Retirement Plan document needed to be amended to reflect this change.

**Councilman Daski moved to accept the recommendation; seconded by Councilwoman Martin. The motion passed without objection (6).**

- a. Ordinance: See item 8.C.1.a.

### B. General Employees' Retirement Board, Minutes of Meeting on August 21, 2020

1. Recommendation: Approval of Ordinance Updating the Internal Revenue Code Compliance Section to Recognize

Recent Changes to the Required Minimum  
Distribution Age (SECURE Act)

...approve the proposed [O]rdinance as presented...forward the [O]rdinance to [C]ity staff for consideration and adoption by the Rockledge City Council...

Deputy Mayor Forester explained that the recently adopted SECURE Act changed the mandatory age for required minimum distributions from 70 ½ to 72. The General Employees' Retirement Plan document needed to be amended to reflect this change.

***Councilman Daski moved to accept the recommendation; seconded by Councilwoman Martin. The motion passed without objection (6).***

a. Ordinance: See item 8.C.1.a.

C. Police Employees' Retirement Board, Minutes of Meeting on August 21, 2020

1. Recommendation: Approval of Ordinance Updating the Internal Revenue Code Compliance Section to Recognize Recent Changes to the Required Minimum Distribution Age (SECURE Act)

...approve the proposed [O]rdinance as presented...forward the [O]rdinance to [C]ity staff for consideration and adoption by the Rockledge City Council...

Deputy Mayor Forester explained that the recently adopted SECURE Act changed the mandatory age for required minimum distributions from 70 ½ to 72. The Police Employees' Retirement Plan document needed to be amended to reflect this change.

***Councilwoman Martin moved to accept the recommendation; seconded by Councilman Hartselle. The motion passed without objection (6).***

a. Ordinance: First Reading, Amending Section 3.7 (B) of the Fire Employees Retirement Plan; Amending Section 3.7 (B) of the General Employees Retirement Plan; Amending Section 3.7 (B) of the Police Employees Retirement Plan; Providing for Compliance with the Setting Every Community Up for Retirement Enhancement ("SECURE") Act

***Councilman Ferguson offered an Ordinance entitled***

***"ORDINANCE OF THE CITY OF ROCKLEDGE,***

FLORIDA, AMENDING SECTION 3.7(B) OF THE CITY OF ROCKLEDGE FIRE EMPLOYEES RETIREMENT PLAN; AMENDING SECTION 3.7(B) OF THE CITY OF ROCKLEDGE GENERAL EMPLOYEES RETIREMENT PLAN; AMENDING SECTION 3.7(B) OF THE CITY OF ROCKLEDGE POLICE EMPLOYEES RETIREMENT PLAN; PROVIDING FOR COMPLIANCE WITH THE SETTING EVERY COMMUNITY UP FOR RETIREMENT ENHANCEMENT ("SECURE") ACT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE," **and moved for the first reading of the Ordinance by title only; seconded by Councilwoman Martin. The motion carried unanimously (6).**

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 November 4, 2020; seconded by Councilman Ferguson. The motion carried by unanimous vote (6).**

D. Reappointments and Appointments

- None

**9. UNFINISHED BUSINESS**

- None

**10. CONSENT BUSINESS**

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

- A. Approval: Authorization to Accept Quote and Enter into Agreement for Online ADA Accessibility Remediation Software, CommonLook (City Clerk)
- B. Approval: Master Services Agreement with Cloud Software Subscription and Data Migration Order, LaserFiche Document Management Solution, MCCi (City Clerk)
- C. Approval: Authorization to Accept Quote and Enter into Agreement for Music Streaming, Cloud Cover Media, Inc. (City Manager)
- D. Approval: Annual Hardware and Software Maintenance Service Agreement for SCADA System, Rocha Controls (Wastewater Treatment Department)
- E. Approval: Replacement of Control Panel at Lift Station 8 (Wastewater Treatment Department)

- F. Approval: Payment of Invoice for Telemetry Monitoring from Mission Communications, LLC (Wastewater Treatment Department)
- G. Approval: Stormwater Pipe Installation, Pelican Lane, Granite Inliner (Public Works Department)

***The motion was seconded by Councilwoman Martin and passed by unanimous vote (6).***

## **11. NEW BUSINESS**

- A. Action Item: City Employee Group Health Insurance Recommendations (City Manager/Finance Division)

City Manager Fettrow noted that she and staff have met on a variety of occasions with representatives of the Gehring Group, the City's insurance brokers and consultants. The negotiated increase in medical insurance premiums is \$248,884.00. After a number of scenarios were explored, staff is recommending that City Council consider paying for \$188,691.00 of the increase from the City's Internal Service Insurance Fund, with offsetting charges to each fund on a per employee basis. Additionally, staff recommends that a maximum of \$31,704.00 be paid from reserves of the Internal Service Insurance Fund in the event of major claims. An increase of \$28,489.00 would be absorbed by employees with dependent and family coverage, consisting of an increase of \$11.28 per paycheck, per employee, for employee plus one dependent; and an increase of \$15.35 per paycheck, per employee, for employee plus family.

***Councilman Daski moved to approve staff's recommendation; seconded by Councilwoman Martin. The motion passed without objection (6).***

- B. Action Item: Request for Exception from Rockledge Land Development Regulations to Construct a Seven and Nine-Foot Fence, 915 Beryl Drive (Building Department)

Deputy Mayor Forester explained that there are Ordinances already in place regarding intrusive lighting, sheds and the length of the proposed fence, which may more appropriately address this issue. A recommendation to table was proposed for staff to investigate other methods for resolution.

***Councilman Hartselle moved to table the item; seconded by Councilwoman Martin. The motion passed without objection (6).***

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

- Quwanda Cannon Phillips (Smith), 983 Cardon Drive, expressed issues with Code Enforcement Officer McDonald and alleged harassment. Mrs.

Cannion Phillips (Smith) shared that she was cited for installation of a roof without a permit, as well as alleged violations of other work that was completed on her home without a permit. Mrs. Cannion Phillips (Smith) noted her belief that this was a longstanding racially-fueled issue with Code Enforcement Officer McDonald, and Building Official Pat Callahan has not been able to remedy the situation pertaining to alleged code violations.

City Attorney Miniclier explained that the Code Enforcement Officer's job is to ensure that all citizens comply with Building Code and Land Development Regulations, and the Code Enforcement Board is quasi-judicial in nature and makes determinations accordingly.

Mrs. Cannion Phillips (Smith) reiterated that the nature of her issue stems from racial discrimination and unfair enforcement practices by Code Enforcement Officer McDonald.

City Manager Fettrow explained that she would be scheduling a meeting with Mrs. Cannion Phillips (Smith) to discuss the personnel issue at hand once the formal grievance by Mrs. Cannion Phillips (Smith) is received by the City.

- Latardra Fuller, 1025 Porpoise Drive, shared that Golfview Elementary is currently experiencing discrimination, with a community lacking the decency to care about this school's teachers and students. Ms. Fuller expressed her desire to see the City be more active in the health and welfare of underprivileged students and schools, as well as develop a stronger relationship with the Brevard County School Board to ensure that Rockledge schools are treated fairly. Several health and safety issues were noted, including COVID-19, rats and mold at Golfview Elementary.

Deputy Mayor Forester explained that, during his tenure as Assistant Principal at Kennedy Middle School, the City Council bore little weight on the Brevard County School Board as it pertained to improvements and upgrades. Major capital improvements are funded in part by the half-cent surtax, which is overseen by a civilian committee.

Ms. Fuller requested that Council find ways to utilize their influence to improve the conditions of Golfview Elementary, which will, in turn, benefit the City as a whole. Attorney Miniclier clarified that the City has no direct power over the decisions of the Brevard County School Board, and the Council can adopt Resolutions in order to express their endorsements, beliefs and recommendations. Ms. Fuller expressed her belief that a Resolution by City Council would be influential in the community.



Councilwoman Martin shared that Councilmembers are connected in the community, and the Council is concerned with and in support of the youth in our City.

### 13. REPORTS

#### A. City Manager Report

- City Manager Fettrow thanked Senior City Planner Gilliam for fulfilling the duties in the Planning Department throughout the past few months and introduced the City's new Planning Director, John Cooper.
- City Manager Fettrow explained that, during the Fiscal Year 2021 budget process, she promised Council that she would bring back final numbers as Fiscal Year 2020 closed out so that Council may readdress raises. City Manager Fettrow noted that Fiscal Year 2020 is almost entirely closed out, and the remaining outstanding liabilities were not of a significant nature. She expressed her gratitude to City departments for being fiscally conservative and cautious in light of spending freezes brought about by the COVID-19 pandemic back in March. City Manager Fettrow shared that, due to the efforts of each department, all funds ended Fiscal Year 2020 in the black, specifically citing the General Fund, Sewer Fund and Sanitation Fund. City Manager Fettrow noted that the City is expecting an additional \$573,000.00 in trailing revenue over the next couple of months for Fiscal Year 2020. Additionally, the City is projected to receive just under \$300,000.00 in additional revenue in the General Fund during Fiscal Year 2021.

City Manager Fettrow referenced a wage increase table reflecting an additional 1 percent wage increase for employees. She expressed pride for all employees and requested that City Council consider an additional 2 percent raise, resulting in a 3 percent raise in total for Fiscal Year 2021. A budget amendment would be presented at a later meeting for adoption.

Councilmembers echoed their pleasure with City staff and all employees for the work they've done. Discussion ensued regarding compensation rates in comparison to other cities, along with employee retention efforts. Council expressed unanimous support for an additional raise in compensation.

***Councilwoman Martin moved to approve the recommendation for an additional 2 percent wage increase for employees; seconded by Councilman Daski. The motion carried without objection (6).***

## B. City Attorney Litigation Report

- Month of October 2020

***Councilman Ferguson moved to be in receipt of the City Attorney Litigation Report dated October 1, 2020; seconded by Councilwoman Martin. The motion passed unanimously (6).***

Attorney Miniclier reviewed the status of ongoing cases and refreshed Councilmembers on the Watson Paving/REDI case. He sought Council's direction regarding the preparation of a Resolution accepting the subject property in its present condition, which would fulfill the City's obligations in anticipation of successful litigation.

Council directed Attorney Miniclier to draft the requisite Resolution.

## C. Reports from the Dias

- Councilmembers collectively welcomed Planning Director John Cooper and thanked Senior City Planner Gilliam for her efforts in the absence of a Planning Director.
- Councilman Ferguson:
  - Announced that he was officially voted in as Treasurer for the Space Coast League of Cities Executive Board.
  - Thanked City Manager Fettrow, City leadership and all departments for their efforts and noted how well the City has fared in light of the COVID-19 pandemic.
  - Expressed appreciation for Farm Share, Representative Tyler Sirois, and the Council volunteers for their support of a recent food distribution held at Faith Temple Christian Center and thanked the various departments for providing support in preparation of and during the event. A total of 528 families were served in two (2) hours, and over 45 volunteers were in attendance.
  - Announced that another food distribution will be hosted in November and requested that the City become a partner for the event.
- Councilman Hartselle commended Rockledge High School Key Club students who volunteered at the recent Kiwanis Children's Charities Golf Tournament and noted that the tournament was successful, hosting over 80 golfers.
- Councilman Cadore:
  - Praised Deputy Mayor Forester for his leadership in Mayor Price's absence.

- Commended the student basketball players who volunteered at the recent food distribution.
- Announced that he attended the dedication of the Dr. Joe Lee Smith Community Center and requested that Council keep Councilman Emeritus Dr. Joe Lee Smith and Chairman Emeritus Dick Blake in their thoughts and prayers.
- Councilwoman Martin:
  - Noted that she also attended the Dr. Joe Lee Smith Community Center dedication and encouraged Council to tour the new facility.
  - Reminded Council of the upcoming shred day on Saturday, November 7<sup>th</sup>.
  - Suggested that the City budget for the hiring of an additional Code Enforcement Officer.
  - Expressed her pleasure with the 2 percent pay increase for employees.
- Councilman Daski noted that he also volunteered at the recent food distribution.
- Deputy Mayor Forester thanked Councilmembers for their assistance during the meeting, as he hadn't chaired a meeting in some time.

#### **14. ADJOURN**

There being no further business to come before the Council, Vice Chairman Forester declared the meeting to be adjourned at 8:02 p.m.

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**Council Chairman**

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