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# ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, NOVEMBER 20, 2019 ♦ 6:00 P.M.

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## 1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, November 20, 2019, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

<b>PRESENT:</b>	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

<b>STAFF PRESENT:</b>	Matthew Trine	Assistant City Manager & Finance Director
	Alexandra Bernard	Planning Director
	Joseph P. LaSata	Public Safety Director/Chief of Police
	Donna Seyferth	Deputy 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 Daski.

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

- o A salute was given to the flag and the Pledge of Allegiance was repeated in unison; LeRoy Darby, Holy Trinity Episcopal Academy, sang the National Anthem.

At this time, Mayor Price introduced a number of dignitaries in the audience.

### 4. APPROVAL OF MINUTES

- o Regular Meeting on November 6, 2019

***Councilman Ferguson moved to approve the minutes of the regular meeting on November 6, 2019; seconded by Councilman Smith. The motion carried unanimously (7).***

### 5. PRESENTATIONS

#### A. Mayor Price

##### 1. Business of the Quarter, Third Quarter 2019

##### a. Steve Phelps / Edward Jones, 1970 Rockledge Boulevard

Steve Phelps / Edward Jones, 1970 Rockledge Boulevard, was selected by the Rockledge Business Development Committee to receive the Business of the Quarter Award for the third quarter of 2019. Mr. Phelps and members of his staff were in attendance to accept the certificate of commendation from Mayor Price.

#### NOT AN AGENDA ITEM

Mayor Price recognized Councilman Joe Lee Smith, who is retiring after 36 years of distinguished service. Mayor Price read letters from Florida United States Senator Rick Scott and Florida Governor Ron DeSantis.

Patrick Gavin, Office of United States Congressman Bill Posey, noted Congressman's Posey's disappointment for not being able to attend in person and read a statement that Congressman Posey had previously read into the Congressional Record. The framed statement was presented to Councilman Smith.

Representatives of the Offices of State Senator Debbie Mayfield, State Senator Tom Wright, and State Representative Tyler Sirois offered laudatory remarks and presented framed proclamations.

Mayor Jake Williams and Deputy Mayor Alex Goins, City of Cocoa, expressed appreciation and gratitude for Councilman Smith's longtime service and read aloud a proclamation, which they then presented to him.

Clarence Whipple, President, Central Brevard Chapter of the NAACP, offered congratulations and best wishes.

Mayor Price presented Councilman Smith with a Key to the City and provided a brief history on the significance of the custom. The Mayor presented Councilman Smith's wife, Altamese Smith, with a distinguished City pin.

## 6. FINANCIAL / BUDGET REPORT

- o Month of October 2019

***Councilman Daski moved to be in receipt of the Financial/Budget Report for the month of October 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. 1761-2019, Amending Fiscal Year 2018-2019 General Administrative Budget

***Councilman Ferguson offered Ordinance No. 1761-2019 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 1732-2018 OF SAID CITY TO REVISE AND AMEND IN CERTAIN RESPECTS THE GENERAL ADMINISTRATIVE BUDGET OF THE CITY OF ROCKLEDGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019, IN LIGHT OF CHANGED CIRCUMSTANCES SINCE THE TIME OF THE ADOPTION OF 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 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 Miniplier read aloud the title of the Ordinance for the second reading. Chairman Price then declared the matter open to the public for discussion. There being no public comment, Chairman Price declared the public hearing to be closed.

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

- B. Ordinance: Second Reading and Public Hearing, Ordinance No. 1762-2019, Amending Fiscal Year 2018-2019 Community Redevelopment Agency Budget

**Councilman Daski offered Ordinance No. 1762-2019 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 1736-2018 OF SAID CITY TO REVISE, AND AMEND IN CERTAIN RESPECTS, THE ROCKLEDGE COMMUNITY REDEVELOPMENT AGENCY BUDGET OF THE CITY OF ROCKLEDGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019, IN LIGHT OF CHANGED CIRCUMSTANCES SINCE THE TIME OF THE ADOPTION OF 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 second reading of the Ordinance by title only and to open the matter for public hearing; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).**

City Attorney Miniclier read aloud the title of the Ordinance for the second reading. Chairman Price declared the matter open to the public for discussion. There being no public comment, Chairman Price declared the public hearing to be closed.

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

- C. Ordinance: First Reading, Fire Employees Retirement Plan Restatement

**Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, RESTATING THE CITY OF ROCKLEDGE FIRE EMPLOYEES RETIREMENT PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE," and moved for the first reading of the Ordinance by title only; seconded Councilwoman Martin. The motion carried unanimously (7).**

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

Councilman Forester posed a question with regard to annuities versus lump-sum payments to which Plan Attorney, Ken Harrison, 100 Miracle Mile, Coral Gables, responded.

**Councilman Ferguson moved to authorize publication and a public hearing to be held on December 4, 2019; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).**

- D. Ordinance: First Reading, General Employees Retirement Plan Restatement

**Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, RESTATING THE CITY OF ROCKLEDGE GENERAL EMPLOYEES RETIREMENT PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE," 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 December 4, 2019; seconded by Councilman Ferguson. The motion carried by unanimous vote (7).**

- E. Ordinance: First Reading, Police Employees Retirement Plan Restatement

**Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, RESTATING THE CITY OF ROCKLEDGE POLICE EMPLOYEES RETIREMENT PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE," 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 December 4, 2019; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).**

- F. Ordinance: First Reading, Providing Clarification for the Appointment of Trustees, General Employees Retirement Board

**Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING SECTION 6.2(A) OF THE CITY OF ROCKLEDGE GENERAL EMPLOYEES RETIREMENT PLAN; PROVIDING FOR THE CLARIFICATION OF APPOINTMENT OF TRUSTEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE," 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 December 4, 2019; seconded by Councilman Smith. 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:***

- o Planning Commission, Minutes of Meeting on November 5, 2019

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

- A. Planning Commission, Minutes of Meeting on November 5, 2019

1. Recommendation: Adoption of Comprehensive Plan Amendment, CP-19-01

....recommend to Council approval of the adoption of the Comprehensive Plan Amendment CPA-19-01....

***Councilman Daski moved to approve the recommendation and to authorize the City Attorney to draft the required Ordinance; seconded by Councilwoman Martin. The motion passed unanimously (7).***

2. Recommendation: Amending the Rockledge Land Development Regulations by Establishing In-Home Child Care as a Special Exception and Removing the Reference of Child Care Centers in Residential Zoning Districts

....recommend to Council amending the Rockledge Land Development Regulations, Parts I, VI, and VII, pertaining to In-Home Child Care....

***Councilman Ferguson moved to approve the recommendation and to authorize the City Attorney to draft the associated Ordinance; seconded by Councilwoman Martin. The motion passed without objection (7).***

3. Recommendation: Amending the Rockledge Land Development Regulations by Establishing Required Entrances in a Subdivision Based on the Number of Dwelling Units

....recommend to Council amending the Rockledge Land Development Regulations, Part VII, Section 70.41, pertaining to required entrances in subdivisions....

***Councilman Daski moved to approve the recommendation and to authorize the City Attorney to draft the associated Ordinance; seconded by Councilwoman Martin. The motion passed unanimously (7).***

B. Reappointments and Appointments

1. Reappointments

- o None

2. Appointments

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

Currently, there is one vacancy on The Rockledge Environmental Enhancement (T.R.E.E.) Board; one application has been received from Yvonne Miles. Terms of service are for three years.

***Councilwoman Martin moved to appoint Yvonne Miles by acclamation to The Rockledge Environmental Enhancement (T.R.E.E.) Board; seconded by Councilman Forester. The motion passed by unanimous vote (7).***

9. UNFINISHED BUSINESS

- o None

10. ELECTION RESULTS

Public Relations Officer and City Clerk Nicholas reported the following with regard to the November 5, 2019, Municipal and Special District Election. City Council Seats No. 1 and No. 2 were the subject of said election.

- o Rockledge City Council Seat No. 1: The retirement of Councilman Joe Lee Smith resulted in an open seat for Council Seat No. 1. Two candidates, Michael A. Cadore and Thomas Patrick "Pat" O'Neill qualified to run for the open seat. According to the official results received from the Brevard County Supervisor of Elections, a total of 4,408 votes were cast for Council Seat 1.
  - Michael A. Cadore received 2,731 votes.
  - Thomas Patrick "Pat" O'Neill received 1,677 votes.
- o Rockledge City Council Seat No. 2: The incumbent, R. Shaun Ferguson, was challenged by candidate Joshua Shane Norcross. According to the official results received from the Brevard County Supervisor of Elections, a total of 4,393 votes were cast for Council Seat 2.
  - Incumbent R. Shaun Ferguson received 3,100 votes.
  - Challenger Joshua Shane Norcross received 1,293 votes.

***Councilman Smith moved to accept the official election results; seconded by Councilman Forester. The motion passed without objection (7).***

#### 11. **ADJOURN**

At 7:10 p.m., Chairman Price declared the meeting to be adjourned. Councilman Smith departed from the dais.

#### 12. **CALL TO ORDER**

On November 20, 2019, the Rockledge City Council convened in regular Session at 7:25 p.m. City Clerk Nicholas called the roll. Those present at the meeting were:

Thomas J. Price	Mayor
Sammie Brown Martin	Council Member, Seat #3
Frank T. Forester	Council Member, Seat #4
Duane A. Daski	Council Member, Seat #5
Ted J. Hartselle	Council Member, Seat #6
Joseph E. Miniclier	City Attorney
Dr. Brenda Fettrow	City Manager
Lisa C. Nicholas	Public Relations Officer & City Clerk

#### 13. **OATH OF OFFICE ADMINISTERED TO COUNCIL MEMBERS, SEAT NO. 1 AND SEAT NO. 2**

At this time, City Attorney Miniclier administered the Oath of Office to Michael A. Cadore, Sr., and Dr. R. Shaun Ferguson. City Clerk Nicholas then called the roll. Those present at the meeting were:

Thomas J. Price	Mayor
Michael A. Cadore	Council Member, Seat #1
Dr. R. Shaun Ferguson	Council Member, Seat #2
Sammie Brown Martin	Council Member, Seat #3
Frank T. Forester	Council Member, Seat #4
Duane A. Daski	Council Member, Seat #5
Ted J. Hartselle	Council Member, Seat #6
Joseph E. Miniclier	City Attorney
Dr. Brenda Fettrow	City Manager
Lisa C. Nicholas	Public Relations Officer & City Clerk

#### 14. **ELECTION OF COUNCIL OFFICES**

##### A. Nominations

##### 1. Election of Chairperson to Council

The floor was opened for nominations for the position of Chairperson to the Rockledge City Council for the upcoming year.



***Councilman Forester nominated Mayor Price to serve as Chair of the Rockledge City Council for the upcoming year.***

***There being no further nominations, Councilman Forester moved to elect Mayor Tom Price, by acclamation, as Chair of the Rockledge City Council for the upcoming year; seconded by Councilman Daski. The motion carried unanimously (7)***

B. Nominations

1. Election of Vice Chairperson to Council

The floor was opened for nominations for the position of Vice Chairperson to the Rockledge City Council for the upcoming year.

***Councilman Daski nominated Councilman Forester to serve as Vice Chair of the Rockledge City Council for the upcoming year.***

***There being no further nominations, Councilman Daski moved to elect Councilman Frank Forester, by acclamation, as Vice Chair of the Rockledge City Council for the upcoming year; seconded by Councilwoman Martin. The motion passed by unanimous vote (7)***

15. **APPOINTMENT OF CITY MANAGER AND CITY CLERK; OATHS OF OFFICE**

***Councilwoman Martin moved for the reappointment of Dr. Brenda Fettrow to the position of City Manager and for the reappointment of Lisa Nicholas to the position of City Clerk; seconded by Councilman Hartselle. The motion passed unanimously (7).***

City Attorney Miniclier administered the Oath of Office to City Manager Fettrow and to City Clerk Nicholas.

16. **CONSENT BUSINESS**

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

A. Approval: Authorizing the Purchase of and Use of "LEADSONLINE.COM" (Public Safety Department)

B. Approval: Authorizing the Purchase of Two (2) Half-Ton Pickup Trucks and One (1) Ford Transit Connect Cargo Van (Wastewater Treatment Department)

***The motion was seconded by Councilwoman Martin and passed unanimously (7).***

17. **NEW BUSINESS**

- o None

## 18. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

- None

## 19. REPORTS

### A. City Manager Report

- City Manager Fettrow:
  - Congratulated Councilman Cadore and Councilman Ferguson.
  - Requested that Council members retain their retirement plan restatement ordinances for the second readings on December 4.
  - Informed Council that there would be a barbeque fundraiser to benefit the United Way on Friday, November 23, at City Hall beginning at 11:30 a.m.
  - Reminded Council of the Light Up Rockledge event on Saturday, December 7, at City Hall/Civic Hub.
  - Remarked that she will be out of the office Monday and Wednesday of Thanksgiving week.
  - Thanked Council for reappointing her.

### B. City Attorney Litigation Report

- Month of November 2019

***Councilman Daski moved to be in receipt of the City Attorney Litigation Report dated November 1, 2019; seconded by Councilman Hartselle. The motion passed unanimously (7).***

### C. Reports from the Dias

- City Clerk Nicholas congratulated Councilman Cadore on his election and Councilman Ferguson on his reelection and expressed gratitude to Council for her reappointment.
- City Attorney Miniclier congratulated Councilman Cadore and Councilman Ferguson.
- Councilman Hartselle noted that he attended the Space Coast League of Cities dinner meeting in Titusville on November 11.
- Councilwoman Martin:
  - Remarked that she also attended the Space Coast League of Cities dinner meeting in Titusville on November 11 and that attendance was better this month.
  - Congratulated Dr. Ferguson and Mr. Cadore.

- Presented Councilman Cadore with the book, *100 Years of Rockledge*, and noted that providing a synopsis of the book is his first official Council assignment.
- Councilman Daski congratulated the councilmen and noted that he is looking forward to working with them.
- Councilman Forester offered congratulations to the newly elected and reelected councilmen.
- Councilman Ferguson indicated that it is an honor to continue representing the citizens of Rockledge and acknowledged family members, individuals from Faith Temple Christian Center, and other volunteers that offered their time and effort to his campaign.
- Councilman Cadore stated that he is grateful to be a part of the Rockledge City Council and will strive to continue Dr. Smith's legacy. He also expressed appreciation to his volunteers, campaign manager, campaign treasurer, members of his family, and others that assisted him throughout the election process.
- Mayor Price welcomed Councilman Cadore to the Council and congratulated Councilman Ferguson on his reelection.

## 20. **ADJOURN**

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 8:00 p.m.

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**Council Chairman**

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