
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, DECEMBER 16, 2020 ♦ 6:00 P.M.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, December 16, 2020, at 6:01 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
	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
ABSENT:	Frank T. Forester	Councilmember, Seat #4
STAFF PRESENT:	Matthew Trine	Assistant City Manager & Finance Director
	John Cooper	Planning Director
	Joseph P. LaSata	Public Safety Director/Chief of Police
	C. Kenneth Poole	Public Works Director
	Scott Brown	Incoming Public Works Director
	James Elmore	Wastewater Treatment & Water Reclamation Director
	James Wilson	Deputy Fire Chief

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

2. INVOCATION

The invocation was given by Councilman Hartselle.

3. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF MINUTES

- o Regular Meeting on December 2, 2020

Councilman Daski moved to approve the minutes of the regular meeting on December 2, 2020; seconded by Councilman Cadore. The motion passed without objection (6).

5. PRESENTATIONS

A. Mayor Price

1. Quarterly Award, Fourth Quarter 2020

a. Lieutenant Greg Klayman, Rockledge Police Department

Mayor Price recognized Greg Klayman, Lieutenant, Rockledge Police Department, as recipient of the Employee of the Quarter Award for the fourth quarter of 2020. Lieutenant Klayman was presented with a gift certificate and a framed Certificate of Commendation, along with the congratulations of the Council.

2. Special Recognition

City Manager Fettrow announced that Public Works Director Poole will be retiring at the end of the month after over 26 years of service to the City. City Manager Fettrow recognized Mr. Poole's tenure and shared well wishes on his retirement.

Don Griffin, 6535 Pleasant Avenue, Port St. John; Pam Shoemaker, 1229 Golden Pond Lane; Pat O'Neill, 1232 Primrose Place; and Becky McAleenan, 8607 Villanova Drive, Cape Canaveral, all shared fond memories from working and spending time with Mr. Poole and shared congratulatory remarks on his upcoming retirement.

Mayor Price presented Mr. Poole with a City challenge coin and cuff links, and a commemorative City pin was presented to his wife, Carol. Mr. Poole recognized members of his family in the audience.

6. FINANCIAL / BUDGET REPORT

- o Month of November 2020

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

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Ordinance: First Reading, Granting an Economic Development Ad Valorem Tax Exemption, Roswell U.S. LLC

Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, TO GRANT AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION TO ROSWELL U.S. LLC, 2900 MURRELL ROAD, ROCKLEDGE, FLORIDA, FOR ITS EXPANSION OF ITS BUSINESS INCLUDING BUILDING EXPANSION, MACHINERY AND EQUIPMENT; SPECIFYING THE ITEMS EXEMPTED; PROVIDING THE EXPIRATION DATE OF THE EXEMPTION; FINDING THAT THE BUSINESS MEETS THE REQUIREMENTS OF F.S. 196.012(15); PROVIDING FOR PROOF OF ELIGIBILITY FOR EXEMPTION; PROVIDING FOR AN ANNUAL REPORT BY ROSWELL U.S. LLC, 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 (6).**

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 January 20, 2021; seconded by Councilwoman Martin. 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 meeting:

- o Planning Commission, Minutes of Meeting on December 1, 2020

and to consider independently any recommendations contained therein; seconded by Councilwoman Martin and passed unanimously (6).

- A. Planning Commission, Minutes of Meeting on December 1, 2020

1. Recommendation: Approval of Developer's Agreement, Carolina Pines Apartments

...recommend approval of the Developer's Agreement for the Carolina Pines Apartments and forward the recommendation to City Council...

City Manager Fettrow explained that the Planning Department received a Developer's Agreement in connection with the Carolina Pines Apartments. This agreement established certain project requirements that would need to be met by the developer, and the

site plan and building plans will include the required features. The Planning Commission previously heard this item and recommended approval of the Developer's Agreement.

a. Public Hearing

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

Councilwoman Martin moved to approve the Developer's Agreement for Carolina Pines Apartments; seconded by Councilman Cadore. The motion carried unanimously (6).

2. Recommendation: Comprehensive Plan Amendment (CPA-20-01) and Zoning Designation (ZDA-20-04), Mainstream Engineering/Robert Scaringe

...recommend approval of the Future Land Use Map amendment and the [z]oning [d]esignation of the six parcels totaling 12.53 acres [s]outh of Barnes Boulevard, [w]est of Rockledge Boulevard and forward the recommendation to City Council...

Planning Director Cooper explained that the subject property was annexed into the City of Rockledge in December 2019. There are six parcels total, with four developed for industrial use and two remaining vacant. The property owner requested a change to the Future Land Use Map designation from Brevard County Industrial to City of Rockledge Industrial, along with a zoning designation from Brevard County Industrial Light to City of Rockledge Industrial Park. Planning Director Cooper noted that Council was provided a series of Proposed and Current Future Land Use Maps for reference and explained that maps would be transmitted to the Department of Economic Opportunity as part of the transmittal stage of the application. The Planning Commission previously heard this item and recommended approval of the requested amendment and zoning designation.

a. Public Hearing

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

Councilwoman Martin moved to approve CPA-20-01 and ZDA-20-04 and to authorize transmittal of the proposed Comprehensive Plan Amendment to the Florida Department of Economic Opportunity; seconded by Councilman Cadore. The motion carried unanimously (6).

3. Recommendation: Approval of Developer's Agreement and Site Plan, Harvest Landing Subdivision

...recommend approval of the Developer's Agreement and site plan for Harvest Landing Subdivision and forward the recommendation to City Council...

Planning Director Cooper explained that the Planning Department received a Developer's Agreement and site plan review request for the Harvest Landing Subdivision. The developer is seeking approval to construct a subdivision with 364 homes, along with an agreement addressing the construction of the Clearlake Road partial extension for the second subdivision entrance. Planning Director Cooper mentioned that the agreement that was included in the original agenda packet had a couple of wrong dates and footer errors; therefore, a revised agreement with corrected dates and footers was provided to Council. The Planning Commission previously heard this item and recommended approval of the Developer's Agreement and site plan.

- a. Public Hearing

Chairman Price declared the matter open for public hearing.

Jessica Marante, 1255 Sangria Circle, inquired as to whether there were any special considerations pertaining to protected species located in environmentally sensitive areas, including eagles and gopher tortoises.

David Bassford, MBV Engineering (Engineer of Record), 1250 W. Eau Gallie Boulevard, Melbourne, confirmed that an environmental analysis was completed, and considerations were made for protected species within the development area, including relocation of gopher tortoises. All environmental analysis requirements were met.

Pablo Perez, 1255 Sangria Circle, requested additional information regarding the location of the second entrance. Mayor Price confirmed that the additional entrance will be part of the Clearlake Road extension.

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

Councilman Daski moved to approve the Developer's Agreement and site plan for Harvest Landing Subdivision; seconded by Councilwoman Martin. The motion carried unanimously (6).

4. Recommendation: Rezoning of Property Located at 894 Pennsylvania Avenue and 1914 Elm Street from MH to RMU (ZDA-20-03)

...recommend approval of the rezoning of the two parcels at the corner of Elm Street and 894 Pennsylvania Avenue from MH to RMU and forward the recommendation to City Council...

City Manager Fettrow explained that the property owner of 894 Pennsylvania Avenue and 1914 Elm Street desired to rezone their property from Mobile Home to Mixed Use in order to build a single-family dwelling. The Planning Commission previously heard this item and recommended that the rezoning be approved by City Council.

Planning Director Cooper shared that, prior to 1965, properties in the subject area were designated as single-family. In 1965, the zoning designation was modified to Mobile Home (MH). The applicant has submitted a rezoning application in order to build a single-family dwelling.

Councilman Daski moved to accept the recommendation and to open the matter for public hearing; seconded by Councilwoman Martin. The motion passed without objection (6).

- a. Public Hearing

Chairman Price declared the matter open for public hearing.

Mark Smith, 897 Pennsylvania Avenue, explained that there is concern among residents for the proposed rezoning as Mixed Use, as this designation could open up the possibility for a store or other commercial entity to become part of the area. The desire would be for this area of Rockledge to remain residential without the possibility of a future commercial entity being considered. Mr. Smith also noted that there has been some confusion as to whether the street in question is an Avenue or Boulevard. He also requested an evaluation of Pennsylvania Avenue for the installation of stop signs.

Planning Director Cooper clarified that the proposed designation is the only designation that would allow for both single-family dwellings as well as mobile homes. Additionally, a proposed commercial entity would need to be compatible with the area, and the Planning Division would thoroughly vet any proposed development of this nature through the application and required public hearing processes.

Kim Carman, 844 Pennsylvania Avenue, echoed the need for stop signs on Pennsylvania Avenue and mentioned that other streets in the area, such as Dove Avenue, already have a mixture of homes and mobile homes. Ms. Carman requested clarification as to the difference. Planning Director Cooper explained that a combination of zoning designations exist on Dove Avenue, but that does not equate to an area being zoned for Mixed Use.

Brian Smith, 1801 Cedar Street, reiterated the concern that an individual could purchase adjacent lots and introduce a commercial entity. Planning Director Cooper noted that the consideration for such a venture would depend on compatibility with the surrounding area, as well as whether the use would be permitted or allowed in that particular area. This particular area would not be compatible with, nor would it allow for a commercial entity to be established.

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

Planning Director Cooper confirmed that multi-family duplexes and apartments would not be permitted in this particular area due to lot sizes.

Councilwoman Martin moved to approve the zoning district amendment from MH to RMU and to authorize Staff to draft the requisite Ordinance; seconded by Councilman Cadore. The motion carried without objection (6).

5. Recommendation: Review of Rezoning from MH to RMU, Fiske Boulevard (East) to Cedar Street and Pennsylvania Avenue (North) to Barton Boulevard

...recommend review of the rezoning from MH to RMU at Fiske Boulevard (East) to Cedar Street and Pennsylvania Avenue (North) to Barton Boulevard and forward the recommendation to City Council...

Councilwoman Martin moved to approve the rezoning from MH to RMU for Fiske Boulevard (East) to Cedar Street and Pennsylvania Avenue (North) to Barton Boulevard; seconded by Councilman Cadore. The motion passed without objection (6).

B. Reappointments and Appointments

- None

9. UNFINISHED BUSINESS

- None

10. CONSENT BUSINESS

Councilman Daski moved for approval of this consent business item:

- A. Approval: Temporary Labor Service Agreements, Calendar Year 2021
(Public Works Department)

The motion was seconded by Councilwoman Martin and passed without objection (6).

11. NEW BUSINESS

- A. Action Item: Request for Exception from Rockledge Land Development Regulations to Construct an Eight-Foot Precast Concrete Wall/Fence, Alura Senior Living (Building Department)

City Manager Fettrow explained that the City's Land Development Regulations set forth that any request for fencing that exceeds six feet in height must be approved by City Council. Core Construction Services of Florida, LLC, the project developer for Alura Senior Living, has requested authorization to install an eight-foot precast concrete wall/fence, which will address existing grades on the adjacent mobile home/campground community.

Councilman Daski moved to approve the request for construction of an eight-foot precast concrete wall/fence; seconded by Councilwoman Martin. The motion carried unanimously (6).

- B. Action Item: Request Approval to Purchase Vacant Land and Authorization to Execute Vacant Land Contract, 2.54 Acres on Huntington Lane (City Manager)

City Manager Fettrow explained that the City has been presented with an opportunity to purchase the vacant land on Huntington Lane directly north of City Hall. An appraisal was completed by Zegel Valuation Group, Inc. on January 9, 2020, which valued the property at \$550,000.00. Under Council's direction, City Manager Fettrow has been in negotiations with the current property owner for almost the entire year. A sales contract has been presented to the City, which proposed a purchase price of \$575,000.00. The Community Redevelopment Agency Board of Commissioners held a special meeting on December 11, 2020, in order to hear this item and subsequently approved the purchase and made a recommendation to City Council.

Councilman Ferguson moved to approve the purchase of the 2.54-acre property and authorize the City Manager and City Attorney to execute the Vacant Land Contract at a purchase price of \$575,000.00; seconded by Councilwoman Martin. The motion passed without objection (6).

12. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

- Don Griffin, 6535 Pleasant Avenue, Port St. John, wished everyone a Merry Christmas and thanked Council and Staff for the gift card and wonderful meal at the employee dinner.
- Planning Director Cooper noted that a traffic study for stop signs was completed on Pennsylvania Avenue, and a copy of the report is available for the public.

13. REPORTS

A. City Manager Report

- City Manager Fettrow presented a Memorandum of Understanding from the Rockledge Police Department lieutenants indicating that, through negotiations, a three percent pay raise was accepted. City Manager Fettrow requested approval of the Memorandum of Understanding, and the approval would be brought back for ratification at the January 20, 2021 meeting.

Councilman Daski moved to approve the Memorandum of Understanding; seconded by Councilwoman Martin. The motion carried unanimously (6).

- City Manager Fettrow reported that a total of 19,000 pounds of food was collected for the Sharing Center of Central Brevard, and Rockledge was again victorious in the friendly competition with the City of Cocoa.
- City Manager Fettrow announced that the City of Rockledge was recently awarded the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for Fiscal Year 2019. She lauded the Finance Division for their hard work and noted that the City has never received this award before.
- City Manager Fettrow requested authorization to close administrative offices at 2:00 p.m. on December 24th and December 31st.

Councilman Daski moved to approve the closure of administrative offices at 2:00 p.m. on December 24th and December 31st; seconded by Councilman Cadore. The motion passed without objection (6).

- City Manager Fettrow wished everyone a happy Holiday and noted that she will be out of the office during the week of December 21st – 25th, but she would be available by phone.
- City Manager Fettrow mentioned that resurfacing of Fiske Boulevard would begin in early 2021 and clarified that this project does not include any roundabouts or traffic signals.

B. City Attorney Litigation Report

- Month of December 2020

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

City Attorney Miniclier provided a status update on the Watson Paving case and wished everyone a happy Holiday.

C. Reports from the Dias

- Councilmembers wished everyone a happy Holiday and shared congratulatory remarks to Public Works Director Ken Poole on his impending retirement as well as to the City's Finance Division for their award.
- City Clerk and Public Relations Officer LeVasseur offered holiday wishes and the hope for a wonderful new year.
- Councilman Ferguson:
 - Shared that he attended the Florida League of Cities Advocacy Committee Meeting on December 9th and announced that there will be follow-up meetings in January 2021.
 - Noted that there will not be an in-person Space Coast League of Cities meeting in January due to COVID-19, and oaths of office will be administered via Zoom.
 - Announced that Faith Temple Christian Center will be hosting another turkey giveaway on December 19th and thanked the various event partners.
 - Announced that a community meeting regarding the COVID-19 vaccine will be held with CEO Andy Romine, Rockledge Regional Medical Center, on December 21st at Faith Temple Christian Center.
 - Shared positive remarks about the recent Light Up Rockledge/Festival of Trees event at the Civic Hub and praised staff for their efforts.
 - Requested that Council "save the date" of January 2, 2021 for a virtual fundraiser, hosted by St. Francis Reflections Lifestage Care, in honor of Te-Kisha Ferguson's birthday.
- Councilman Cadore congratulated Lieutenant Klayman on his selection as Employee of the Quarter and noted that the Employee Dinner was a successful event despite COVID-19.

- Councilwoman Martin:
 - Complimented Director LaSata for his festive jacket.
 - Requested that another group photo be taken at a future meeting with the City Clerk included in the photo.
 - Shared that she recently wrote an article for *Ebony Magazine* which highlighted the recent street renaming in honor of activist Clarence Rowe.
 - Reminded Council of the Department of Public Safety dinner on Friday, December 18th from 3:30 p.m. – 5:30 p.m.
- Councilman Daski:
 - Thanked City Manager Fettrow for the potato chip Christmas gift.
 - Remarked that Deputy Fire Chief Wilson attended the recent Rockledge Rotary meeting and presented information regarding the COVID-19 vaccine, which was informative and well received.
 - Echoed positive remarks about the Employee Dinner and Light Up Rockledge/Festival of Trees event.
- Mayor Price echoed comments about the Employee Dinner and Light Up Rockledge/Festival of Trees event.

14. **ADJOURN**

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:31 p.m.

Council Chairman

ATTEST: _____

City Clerk