

---

# ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, APRIL 1, 2020 ♦ 6:00 P.M.

---

## 1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, April 1, 2020, 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
	Michael 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	Acting City Clerk & Public Relations Officer

<b>STAFF PRESENT:</b>	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
	James Elmore	Wastewater Treatment & Water Reclamation 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 March 18, 2020

***Councilman Daski moved to approve the minutes of the regular meeting on March 18, 2020; seconded by Councilman Hartselle. The motion carried unanimously (7).***

Councilwoman Martin requested that the March 18, 2020 City Council minutes be amended to reflect that Mobile Avenue in Cocoa was recently renamed Chatman Way, in honor of Melvin Chatman, a longtime Rockledge resident. The minutes will be modified accordingly.

#### 5. PRESENTATIONS

##### A. Mayor Price

##### 1. Mayoral Proclamation

##### a. Water Conservation Month

Mayor Price read aloud a Proclamation recognizing the month of April 2020 as Water Conservation Month and commended the St. Johns River Water Management District for their continued efforts in encouraging the public to practice water saving measures. Staff members from the St. Johns River Water Management District were unable to attend the meeting due to travel restrictions relating to COVID-19; City staff will ensure that the proclamation is mailed to them.

#### 6. FINANCIAL / BUDGET REPORT

- None

#### 7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- ##### A. Resolution: Dissolving and Disbanding the Citizens Recreation Advisory Board

***Councilman Ferguson offered a Resolution entitled "RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DISSOLVING AND DISBANDING THE CITIZENS RECREATION ADVISORY BOARD" and moved to waive the reading and adopt the Resolution; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).***

#### 8. REPORTS FROM BOARDS AND COMMITTEES

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

- Code Enforcement Board, Minutes of Meeting on March 12, 2020

- The Rockledge Environmental Enhancement (TREE) Board, Minutes of Meeting on March 12, 2020
- Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on March 25, 2020

***Motion seconded by Councilman Hartselle. The motion passed unanimously (7).***

- A. Code Enforcement Board, Minutes of Meeting on March 12, 2020 (no recommendation)
- B. The Rockledge Environmental Enhancement (TREE) Board, Minutes of Meeting on March 12, 2020 (no recommendation)
- C. Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on March 25, 2020 (no recommendation)

**9. UNFINISHED BUSINESS**

- None

**10. CONSENT BUSINESS**

NOT AN AGENDA ITEM

Approval: Declaration of Surplus Property, Twelve Police Vehicles, and Authorization to Sell Said Property (Department of Public Safety)

City Manager Fettrow explained that this item was originally scheduled to come before City Council on April 15, 2020, but due to the COVID-19 pandemic and the possible cancellation of the next two (2) City Council meetings, it was prudent to address this item at this time.

***Councilman Daski moved to declare the vehicles as surplus property and dispose of the vehicles in the appropriate manner; seconded by Councilwoman Martin. The motion carried unanimously (7).***

**11. NEW BUSINESS**

- None

**12. PETITIONS, REMONSTRANCES AND COMMUNICATIONS**

Doug Baldwin, 820 Barnes Boulevard, expressed that he was under the impression that, after speaking at the March 18 City Council meeting, his permits pending with the Building Department would be issued to him. The permits have not been issued, as he was told he would have to increase lot sizes to meet the 70 foot R-2 zoning classification requirement. Mr. Baldwin requested that the City Council provide direction and make a decision regarding this issue, as he believed that this rule violates several City codes.

Mayor Price was under the impression that other lot development has been permitted in the Shepard Park subdivision using the 50 foot lot rule for the past several decades. City Attorney Miniclier explained that the Shepard Park Overlay District is zoned R-2. There have been a number of buildings from 1934 through present date that have been built in this area. Because of what the City has done in the past, the question remains as to whether what we've done previously as far as development is concerned has set a precedent. City Manager Fettrow explained that the R-2 zoning classification was implemented in 1964. Of the 20 homes that have been built in that area, only 5 have complied with the R-2 zoning regulations. Of the six lots that have been developed since 2006 when the Overlay District rules were put into place, five complied with the Shepard Park Overlay District requirements. Mayor Price believes that this is a nonconforming lot of record and should be treated as such.

Discussion ensued regarding the various nonconforming lots that are scattered throughout the City. Mr. Baldwin's plan submissions meet the other requirements set forth in the R-2 zoning classification, aside from the lot size. The standard makeup of this subdivision is 50 foot lots. Growth is necessary in this community, as well as affordable housing. Council agreed that whatever decision is made must be a blanket application to any future development in the Shepard Park subdivision to protect the City from future disputes, which should be established via Resolution as a policy decision. Council can authorize the Building Department to issue permits prior to the Resolution being passed. Mr. Baldwin explained that he does meet all of the requirements for a Substandard Lot of Record. A prior proposal to donate three properties to the City for Habitat for Humanity was offered to the City once the final road is built.

***Councilman Forester moved to direct the City Attorney to draft a Resolution referring to the changes in lot size authorized in the Shepard Park Overlay District as a nonconforming use, provided all other conditions are met, and to specify these conditions as applicable only to the Shepard Park subdivision; seconded by Councilwoman Martin. The motion carried unanimously (7).***

***Councilman Ferguson made a motion to authorize the Building Department to issue the two pending building permits to Mr. Baldwin; seconded by Councilwoman Martin. The motion carried unanimously (7).***

### 13. REPORTS

#### A. City Manager Report

- In response to COVID-19:
  - The Council Administrative, Personnel and Community Relations Committee reviewed two draft policies relating to COVID-19 emergency paid sick leave and emergency paid FMLA leave. A

federal law was passed last week, which was subsequently reviewed throughout the past several days with the City's insurance consultant, along with labor attorneys, and the Department of Labor. The draft documents provided to Council will ensure compliance with the new federal law for the City. Committee Chair Forester affirmed that these policies are thorough, and he believed that this is the best way to go. City Manager Fettrow noted that only a couple of employees so far are teleworking; essential personnel will do whatever is necessary to maintain services to citizens.

***Councilman Forester made a motion to approve the policies related to COVID-19 sick leave and the FMLA policy; seconded by Councilman Daski. The motion carried unanimously (7).***

- In regards to communication efforts, City Manager Fettrow reported that she participates in EOC calls every other day, along with City Manager calls 2-3 times per week. The City is taking similar actions in comparison to other municipalities in Brevard County. The Department of Public Safety holds daily briefings and adjusts protocol to protect staff and citizens. We are utilizing Facebook and the City website in an effort to encourage calmness and provide pertinent information.
- City Manager Fettrow provided some updated statistics regarding cases in Brevard County, along with other County actions specific to testing, public school closures, and waiver of fees for public transportation.
- City Manager Fettrow noted that lower minimum staffing level requirements were approved today in the event that it is needed.
- City Manager Fettrow explained that, at 3:00 p.m. today, Governor DeSantis released a statewide stay at home order, which will take effect on Friday morning at 12:01 a.m. Every department in the City is considered an essential service and will continue to operate unless directed otherwise. Councilmembers should expect calls from the public regarding the specifics of the Governor's order.
- Regarding cancellations, the City has cancelled all meetings and events through April and May. The annual golf tournament and July 4<sup>th</sup> Picnic are events held after May; however, these events rely on donations and require substantial planning. City Manager Fettrow requested that City Council consider postponing or cancelling those events. Further, City Manager Fettrow explained that the City's Charter requires at least one regular Council meeting each month, so the April 15 and May 6 City Council meetings could be cancelled

without violating the Charter. Discussion ensued regarding postponements and cancellations of events and City Council meetings.

***Councilwoman Martin motioned to reschedule the annual golf tournament and cancel the July 4<sup>th</sup> Picnic; seconded by Councilman Cadore. The motion carried unanimously (7).***

***Councilman Hartselle made a motion to cancel the City Council meetings scheduled for April 15 and May 6; seconded by Councilwoman Martin. The motion carried unanimously (7).***

B. City Attorney Litigation Report

- None

C. Reports from the Dias

- Acting City Clerk LeVasseur shared a thank you letter from new Community Redevelopment Agency Commissioner Darby Miller.
- City Attorney Miniclier explained that Governor DeSantis recently signed an emergency order suspending the application of the law requiring an in-person quorum for public meetings, allowing municipalities to hold meetings electronically. However, the public must be able to view and participate in the meeting.
- Councilman Cadore:
  - Shared safe wishes for everyone.
  - Thanked Acting City Clerk LeVasseur and City Attorney Miniclier for social media and Resolution efforts, respectively.
- Councilman Daski echoed wishes for safety.
- Councilwoman Martin:
  - Expressed the desire for the City to utilize the website more in our outreach efforts, rather than primarily using Facebook.
  - Noted that the Childrens' Hunger Project is in need of volunteers; interested parties can sign up online.
  - Agreed that a teleconference meeting would be acceptable if a City Council meeting becomes necessary before May 20.
- Councilman Hartselle:
  - Noted that the Kiwanis Golf Tournament, originally scheduled for March 28, has been tentatively rescheduled for June 20.
  - Hoped that the Mayor's live broadcast, scheduled for Friday, will be shared on other pages, such as the EOC webpage or social media

outlets. Councilman Hartselle encouraged City Manager Fettrow to be a part of our live broadcasts as well.

- Councilman Ferguson:
  - Expressed his gratitude for all that our first responders do, especially during this time.
  - Shared a letter from the Florida League of Cities and announced that he and City Manager Fettrow were chosen to receive the Home Rule Hero award.
  - Reminded everyone that God will get us through this pandemic, regardless of how ugly the situation may seem at this time.
- Councilman Forester encouraged Councilmembers to communicate the City's prior planning and preparation efforts with the community to lessen the fear factor and to reassure citizens that we will get through this time.

#### 14. **ADJOURN**

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:15 p.m.

---

**Council Chairman**

**ATTEST:**

---

**Acting City Clerk**