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# ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, OCTOBER 20, 2021 ♦ 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 20, 2021, 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 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
	Tricia T. Olsson	Deputy City Clerk

<b>STAFF PRESENT:</b>	Matthew Trine	Assistant City Manager & Finance Director
	Joseph P. LaSata	Public Safety Director/Chief of Police
	John Cooper	Planning Director
	Scott Brown	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

- At the invitation of Councilman Cadore, the invocation was given by Kennedy Britt, an 8<sup>th</sup> grade student from Ronald McNair Middle School.

## 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

- o Regular Meeting on October 6, 2021

***Councilman Daski moved to approve the minutes of the regular meeting on October 6, 2021; seconded by Councilwoman Martin. The motion carried unanimously (7).***

#### 5. PRESENTATIONS

##### A. Mayor Price

##### 1. Special Recognition

##### a. 35 Years of Service

- o Pat Hartselle, Captain, Rockledge Department of Public Safety – Police Division

Mayor Price recognized Captain Pat Hartselle, Rockledge Department of Public Safety – Police Division, for 35 years of service and presented him with a Certificate of Commendation, Letter of Congratulations and a gift card. Captain Hartselle gave thanks for the recognition. Councilmembers expressed gratitude and well wishes to Captain Hartselle and his family.

##### 2. Mayoral Proclamation

##### a. Veteran Small Business Week

Mayor Price read aloud a Proclamation recognizing November 1-5, 2021 as Veteran Small Business Week. The Proclamation was presented to the Florida Association of Veteran Owned Businesses and received by Stuart Smith, who was joined by his secretary, Heidi Gabriella and business owner, Chris Drennon. Mr. Smith gave a brief overview and background of the Florida Association of Veteran Owned Businesses and thanked the audience and Councilmembers for the recognition.

#### 6. FINANCIAL / BUDGET REPORT

- o Month of September 2021

***Councilman Ferguson moved to be in receipt of the Financial/Budget Report for the month of September 2021; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).***

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

- o None

## 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 October 5, 2021

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

- A. Planning Commission, Minutes of Meeting on October 5, 2021

- 1. Recommendation: Development Agreement Amendment – Carolina Pines Apartments

...recommend approval of the Development Agreement Amendment for Carolina Pines Apartments and to forward the recommendation to City Council...

City Manager Fettrow reported that the Planning Division received a request to amend a Development Agreement for Carolina Pines Apartments, which would remove the requirement for window shutters, as the installation of functional shutters would be cost prohibitive. The Planning Commission previously heard this item and recommended approval of the amendment.

- a. Public Hearing

Chairman Price declared the matter open for public hearing.

Councilman Hartselle and Councilman Forester discussed the type of windows to be used on the building. Chairman Price informed council the building code required either shutters or impact windows.

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

***Councilman Daski moved to approve the Development Agreement Amendment for Carolina Pines Apartments; seconded by Councilwoman Martin. The motion carried without objection (7).***

- 2. Recommendation: Development Agreement – Ascend Rockledge Apartments

...recommend approval of the Development Agreement for Ascend Apartments and to forward the recommendation to City Council...

City Manager Fettrow explained that the Planning Division received a Development Agreement request for Ascend Apartments, which encompasses approximately 19.21 acres of property at the southeast

corner of Fiske Boulevard and Barnes Boulevard. The developer desires to construct a 240-unit luxury apartment complex and up to three (3) commercial outparcels. The Planning Commission previously heard this item and recommended approval of the agreement.

a. Public Hearing

Chairman Price declared the matter open for public hearing.

Attorney Scott Glass, Shutts and Bowen, 300 South Orange Avenue, Orlando, spoke in representation of the applicant. Mr. Glass voiced his thanks to the City of Rockledge and stated that he and his team are available to answer any questions.

Shirley Kennedy, 927 Ocaso Lane, President of Bella Vista Condo Association, gave positive feedback on the Ascend Rockledge Apartment project with only one concern in regards to the large size of the apartment complex causing more traffic in the area.

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

***Councilman Daski moved to approve the Development Agreement for Ascend Apartments; seconded by Councilwoman Martin. The motion passed unanimously (7).***

B. Reappointments and Appointments

1. Reappointments

- o None

2. Appointments

City Manager Fettrow informed the City Council that the City of Rockledge Code does not currently have a Rockledge residency requirement for the Board of Adjustment and the Planning Commission. City Manager Fettrow further explained that staff is working on a draft revision to the Code to bring back to Council for their consideration to make Rockledge residency a requirement to serve on these two boards. City Manager Fettrow also clarified the dual office holding guideline to assist in the appointment process.

***Councilman Forester moved to table Appointments 2 b. Board of Adjustment and 2 d. Planning Commission; seconded by Councilman Ferguson. The motioned carried without objection (7).***

a. Fire Employees' Retirement Board

***Councilwoman Martin moved to appoint Desiree Babbs to the legal resident member position on the Fire Employees'***

***Retirement Board; seconded by Councilman Cadore. The motion carried without objection (7).***

- b. Board of Adjustment (***Tabled***)
- c. Board of Adjustment & Appeals

***Councilwoman Martin moved to appoint Eric Jespersen to the Board of Adjustment & Appeals in the construction industry position; seconded by Councilman Cadore. The motion passed by unanimous vote (7).***

- d. Planning Commission (***Tabled***)

## **9. UNFINISHED BUSINESS**

- o None

## **10. CONSENT BUSINESS**

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

- A. Approval: Purchase of Stryker LifePak 15 Monitor, Fire Division (Department of Public Safety)
- B. Approval: Purchase of New 2022 Freightliner Rear Loading Sanitation Truck (Public Works Department)
- C. Approval: Purchase of New 2023 Freightliner Claw Truck (Public Works Department)
- D. Approval: Purchase of New 2023 Freightliner Dump Truck, Declaration of Surplus Property and Authorization to Dispose of Said Property, 1994 F900 Dump Truck (Public Works Department)
- E. Approval: Ratification of Council Action on October 6, 2021; Fireworks Display Contract, Imperial Pyro and Special Effects (City Manager)

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

## **11. ITEMS REMOVED FROM CONSENT BUSINESS**

- o None

## **12. NEW BUSINESS**

- o None

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

- o None

## 14. REPORTS

### A. City Manager Report

- City Manager Fettrow:
  - Reported that termites have been discovered in the old Municipal Building, and it will be tented December 13, 2021.
  - Noted that she will be out of town next week on vacation, but will be available by telephone.

### B. City Attorney Litigation Report

- Month of October 2021

***Councilman Ferguson moved to be in receipt of the City Attorney Litigation Report dated October 7, 2021; seconded by Councilwoman Martin. The motion passed without objection (7).***

City Attorney Miniclier gave an update on the cases in the Litigation Report.

### C. Reports from the Dais

- Councilman Daski attended the Troop 321 Scout meeting last night with Scout Leader Pat O'Neill and met with some of the other Scouts in attendance.
- Councilman Ferguson:
  - Attended the Space Coast League of Cities meeting on October 11<sup>th</sup> and noted that Sheriff Wayne Ivey was the guest speaker.
  - Announced that he will be sworn in as the new President of the Space Coast League of Cities in January 2022 due to Vice President Danny White's resignation.
  - Traveled to Tallahassee October 12<sup>th</sup> and 13<sup>th</sup> with City Manager Fettrow and Dominic Montanaro to do advocacy work for the Space Coast League of Cities. Councilman Ferguson gave high praise to City Manager Fettrow for her work she does for the City of Rockledge, and for her mentorship. Councilman Ferguson continued about the trip and informed the Council that they met with numerous Florida legislators. They spoke on topics including vacation rentals, worker's compensation, and House Bill 117. Discussion also included municipal elections. Councilman Ferguson also stated they attended a committee meeting held by the Agricultural and National Resource Appropriations Subcommittee in relation to House Bill 280.

- Announced that a dedication ceremony for Michael Dillon will be held on November 4<sup>th</sup> at 4:00 p.m. at Rockledge Regional Hospital.
- Noted that November 1<sup>st</sup> is the Reflections of Love Ceremony at 6:00 p.m. at Rockledge Civic Hub.
- Recognized the passing of General Colin Powell and his contributions to the Country.
- Mentioned the passing of his own family member and gave thanks for all who gave condolences.
- Councilman Cadore thanked Councilman Ferguson and City Manager Fettrow for representing the City of Rockledge through the Space Coast League of Cities.
- Councilman Hartselle:
  - Attended the Kiwanis Club Golf Tournament.
  - Noted that Entenmanns Bakery Outlet Store is closing Friday, October 22, 2021.
  - Met with Student Government President Ted Sunday of Eastern Florida State College and advocated for new leadership and mentoring.
- Councilwoman Martin:
  - Attended the Cocoa Fall Arts and Crafts Festival in Cocoa and suggested Rockledge get in contact with those vendors for future art festivals in Rockledge.
  - Congratulated Councilman Ferguson on his upcoming presidency to the Space Coast League of Cities.
  - Offered condolences to Councilman Ferguson for the passing of his family member and recognized the passing of General Colin Powell.
  - Announced Operation Shred on November 13<sup>th</sup>.
  - Announced Zion Orthodox Primitive Church in Cocoa, FL will be providing COVID testing on October 24<sup>th</sup> at 11:00 a.m. – 1:30 p.m.
  - Inquired about the status of the Cocoa/Rockledge Christmas Parade. City Manager Fettrow reported that the parade will be held on December 11th at 2:00 p.m., and the Light Up Rockledge event will be held on December 4<sup>th</sup> at the Civic Hub.
- Councilman Forester expressed his concern over a new bill going through the Florida legislature requiring cities to provide a business impact statement for every ordinance and allowing cities to potentially

be sued each time an ordinance is passed. He offered his time to go to Tallahassee if needed to discuss any legislation.

- o Mayor Price congratulated Councilman Ferguson on his upcoming Presidency with the Space Coast League of Cities.

**15.ADJOURN**

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 6:51 p.m.

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**Council Chairman**

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