
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, NOVEMBER 15, 2023 ♦ 6:00 P.M.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, November 15, 2023, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

PRESENT:	Thomas J. Price	Mayor
	Dr. 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
	Joseph E. Miniclier	City Attorney
	Dr. Brenda Fettrow	City Manager
	Jennifer M. LeVasseur	City Clerk & Public Relations Officer
ABSENT:	Ted J. Hartselle	Councilmember, Seat #6
STAFF PRESENT:	Matthew Trine	Assistant City Manager & Finance Director
	John Cooper	Planning Director
	Joseph P. LaSata	Public Safety Director/Chief of Police
	Victor "VJ" Karycki	Public Works Director
	James Elmore	Wastewater Treatment & Water Reclamation Director
	James H. 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 Cadore.

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

- A. Regular Meeting on November 1, 2023

Councilwoman Martin moved to accept the minutes of the regular meeting on November 1, 2023; seconded by Councilman Cadore. The motion carried unanimously (6).

5. PRESENTATIONS

None

6. FINANCIAL / BUDGET REPORT

- A. October 2023

Councilman Daski moved to be in receipt of the Financial/Budget Report for the month of October 2023; seconded by Councilwoman Martin. The motion passed by unanimous vote (6).

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Ordinance: Second Reading and Public Hearing, Ordinance No. 1895-2023, Amending Fiscal Year 2022-2023 General Fund Budget

Councilwoman Martin offered Ordinance No. 1895-2023 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 1857-2022 OF SAID CITY TO REVISE AND AMEND IN CERTAIN RESPECTS THE GENERAL FUND BUDGET OF THE CITY OF ROCKLEDGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, 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 Councilman Cadore. The motion carried by unanimous vote (6).

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.

Councilwoman Martin moved for the adoption of the Ordinance; seconded by Councilman Cadore. Voting for the motion: Mayor Price

**and Councilmembers Cadore, Ferguson, Martin, Forester, and Daski.
The motion carried by unanimous vote (6).**

- B. Ordinance: Second Reading and Public Hearing, Ordinance No. 1896-2023, Amending Fiscal Year 2022-2023 American Rescue Plan Act Fund Budget

Councilman Daski offered Ordinance No. 1896-2023 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 1859-2022 OF SAID CITY TO REVISE AND AMEND IN CERTAIN RESPECTS THE AMERICAN RESCUE PLAN ACT FUND BUDGET OF THE CITY OF ROCKLEDGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, 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 (6).

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 Cadore, Ferguson, Martin, Forester, and Daski. The motion carried by unanimous vote (6).

- C. Ordinance: Second Reading and Public Hearing, Ordinance No. 1897-2023, Amending Fiscal Year 2022-2023 Wastewater System Fund Budget

Councilman Ferguson offered Ordinance No. 1897-2023 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 1860-2022 OF SAID CITY TO REVISE AND AMEND IN CERTAIN RESPECTS THE WASTEWATER SYSTEM FUND BUDGET OF THE CITY OF ROCKLEDGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, 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 (6).**

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 Ferguson moved for the adoption of the Ordinance; seconded by Councilwoman Martin. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, and Daski. The motion carried by unanimous vote (6).

- D. Ordinance: Second Reading and Public Hearing, Ordinance No. 1898-2023, Amending Fiscal Year 2022-2023 Building Department Fund Budget

Councilman Daski offered Ordinance No. 1898-2023 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 1864-2022 OF SAID CITY TO REVISE AND AMEND IN CERTAIN RESPECTS THE BUILDING DEPARTMENT FUND BUDGET OF THE CITY OF ROCKLEDGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, 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 (6).

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 Cadore, Ferguson, Martin, Forester, and Daski. The motion carried by unanimous vote (6).

- E. Ordinance: First Reading and Public Hearing, Ordinance No. 1894-2023, ANX-23-01 through ANX-23-09, Voluntary Annexation of Approximately 22+/- Acres of Property, Multiple Owners via Agent Daniel Sorrow, Cotleur & Hearing

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF SAID CITY A PARCEL OF LAND APPROXIMATELY 22+/- ACRES IN SIZE LOCATED AT 3773 FLYPARK DRIVE UNIT TRLR, 3761 FLYPARK DRIVE UNIT U15-17, 3777 FLYPARK DRIVE UNIT U-8, 3787 FLYPARK DRIVE UNIT U-5, 3785 FLYPARK DRIVE UNIT U-6, PARCEL ID 25-36-22-00-289 (ADDRESS UNASSIGNED), 500 BARNES BOULEVARD, 3779 FLYPARK DRIVE UNIT U-7, AND 3775 FLYPARK DRIVE UNIT U-9; OWNED BY ALAS, LLC, GREEN 7, LLC, GREEN LIGHT INDUSTRIAL AIRPARK, LLC, JAMES H. HOLLOWAY, RODNEY AND TRAVIS H. GIER, WILLIAM E. AND NANCY A. SIMMONS, AND GREEN 9, LLC AND REPRESENTED BY DANIEL SORROW, COTLEUR & HEARING AS AGENT; ROCKLEDGE, FLORIDA, 32955, AND WHICH PROPERTY IS MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, SAID ANNEXATIONS BEING PURSUANT TO PETITIONS FOR VOLUNTARY ANNEXATION (ANX-23-01 THROUGH ANX-23-09) FILED BY SAID OWNERS VIA THEIR AGENT; REQUIRING FILING OF THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT OF BREVARD COUNTY, FLORIDA, THE CHIEF ADMINISTRATIVE OFFICER OF BREVARD COUNTY, FLORIDA, THE SECRETARY OF STATE OF THE STATE OF FLORIDA, AND THE EXECUTIVE OFFICE OF THE GOVERNOR OF THE STATE OF FLORIDA; AUTHORIZING AMENDMENT OF THE ROCKLEDGE COMPREHENSIVE PLAN TO INCLUDE THE LAND HEREBY ANNEXED, AND THE ZONING OF SAID LAND CONSISTENT WITH SAID COMPREHENSIVE PLAN AS SO AMENDED; 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 and to open the matter for public hearing; seconded by Councilwoman Martin. The motion carried by unanimous vote (6).**

City Attorney Miniclier read aloud the title of the Ordinance for the first 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 Ferguson moved to authorize additional publication and a second public hearing to be held on December 6, 2023; seconded by Councilwoman Martin. The motion carried by unanimous vote (6).

- F. Ordinance: First Reading, Comprehensive Plan Amendment to Future Land Use Map, MUPD7 – Mixed Use Planning District 7, Approximately 22+/- Acres North of Barnes Boulevard and East of Murrell Road (CPA-23-01 through CPA-23-09)

Councilman Daski offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING THE PROVISIONS OF THE ROCKLEDGE COMPREHENSIVE PLAN TO REVISE THE FUTURE LAND USE MAP (FLUM) TO ADD APPROXIMATELY 22+/- ACRES LOCATED NORTH OF BARNES BOULEVARD AND EAST OF MURRELL ROAD FROM BREVARD COUNTY IND – INDUSTRIAL TO THE CITY OF ROCKLEDGE MUPD7 – MIXED USE PLANNING DISTRICT 7 IN PLANNING DISTRICT 7; DECLARING THAT INVALIDITY OF ANY PORTIONS 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 Councilman Ferguson. 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 December 6, 2023; seconded by Councilman Cadore. The motion carried by unanimous vote (6).

- G. Ordinance: First Reading, Establishing a Zoning Designation of Approximately 22+/- Acres of Property as R3 – Multi-Family Dwelling (High-Density) District, North of Barnes Boulevard and East of Murrell Road (ZDA-23-01 through ZDA-23-10)

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM BREVARD COUNTY IU INDUSTRIAL LIGHT AND CITY OF ROCKLEDGE C2 – GENERAL COMMERCIAL TO THE CITY OF ROCKLEDGE R3 – MULTI-FAMILY DWELLING (HIGH-DENSITY) DISTRICT, IN PLANNING DISTRICT 7 OF APPROXIMATELY 22+/- ACRES LOCATED AT 3773 FLYPARK DRIVE UNIT TRLR, 3761 FLYPARK DRIVE UNIT U15-17, 3777 FLYPARK DRIVE UNIT U-8, 3787 FLYPARK DRIVE UNIT U-5, 3785 FLYPARK DRIVE UNIT U-6, PARCEL ID 25-36-22-00-289 (ADDRESS UNASSIGNED), 500 BARNES BOULEVARD, 3779 FLYPARK DRIVE UNIT U-7, AND 3775 FLYPARK DRIVE UNIT U-9 IN THE

CITY OF ROCKLEDGE, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF ROCKLEDGE TO REFLECT THE CHANGE OF ZONING EFFECTED BY THIS ORDINANCE; DIRECTING THE CITY MANAGER OR DESIGNEE TO FORTHWITH CAUSE THE APPROPRIATE DESIGNATION TO BE MADE ON THE FACE OF THE OFFICIAL CITY ZONING MAP INDICATING THE NEW ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED IN THIS ORDINANCE; 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 Councilman Cadore. The motion carried with a vote of five (5) in favor and one (1) in opposition (Martin).**

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 6, 2023; seconded by Councilman Cadore. 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:

- Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on October 25, 2023

seconded by Councilwoman Martin. The motion passed unanimously (6).

A. Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on October 25, 2023 (no recommendation)

B. Reappointments and Appointments

1. Reappointments

a. Board of Adjustment

Councilwoman Martin moved to reappoint Kenrick Bisnath and Robert LaMarr to the Board of Adjustment for additional three-year terms; seconded by Councilman Cadore. The motion passed by unanimous vote (6).

2. Appointments

- a. Community Redevelopment Agency Board of Commissioners

Councilman Daski moved to appoint Gabrielle Busseni to the Community Redevelopment Agency Board of Commissioners; seconded by Councilwoman Martin. The motion passed without objection (6).

9. UNFINISHED BUSINESS

None

10. CONSENT BUSINESS

Councilman Daski moved for approval of these consent business items:

- A. Approval: Public Records Software Annual License and Service Agreement, NextRequest (City Clerk)
- B. Approval: Declaration of Surplus Property and Authorization to Sell or Scrap Said Property, One (1) Harris Mobile Radio (Public Safety Department)
- C. Approval: Replacement Variable Frequency Drives, Preferred Pump (Wastewater Treatment Department)

The motion was seconded by Councilwoman Martin and passed unanimously (6).

11. ITEMS REMOVED FROM CONSENT BUSINESS

None

12. NEW BUSINESS

None

13. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

None

14. REPORTS

- A. City Manager Report

- o City Manager Fettrow:
 - Congratulated Mayor Price, Councilman Forester, and Councilwoman Martin on being reelected to serve additional terms.
 - Reminded Councilmembers that the swearing-in ceremony will take place on December 6th, and an annual City Council photo will be taken.

- Announced that the Florida League of Cities Legislative Action Days will be held from January 29, 2024 through January 31, 2024. She noted that a formal agenda item to authorize travel will be brought back for consideration on December 6th.
- Wished everyone a happy Thanksgiving and announced that she plans to be out of the office the afternoon of Wednesday, November 22nd.

B. City Attorney Litigation Report

1. November 2023

Councilman Ferguson moved to be in receipt of the City Attorney Litigation Report dated November 5, 2023; seconded by Councilman Cadore. The motion passed unanimously (6).

City Attorney Miniclier provided a brief update on cases listed in the report.

C. Reports from the Dais

- Councilmembers congratulated Mayor Price, Councilman Forester, and Councilwoman Martin for being reelected.
- Mayor Price and Councilmembers shared fond memories of and well wishes to Public Safety Director LaSata in honor of his upcoming retirement.
- Councilman Daski reminded those in attendance of the Stuff-a-Cruiser event on Saturday, November 18th from 7:30 a.m. until 11:30 a.m. at Publix on Murrell Road.

**Councilman Cadore departed the meeting at 6:25 p.m. A quorum was still in attendance.

- Councilwoman Martin:
 - Attended the Night of Valor event on November 9th at Patrick Space Force Base.
 - Notified City Manager Fettrow of her desire to attend Legislative Action Days.
 - Recognized Rockledge resident Tara Connor in the audience.
 - Noted that she, along with several Councilmembers and the City Manager, attended the Space Coast League of Cities meeting in Titusville.
- Councilman Ferguson wished everyone a happy Thanksgiving.

- Councilman Forester attended the Trinity Lutheran School Veterans Day program.

15. ADJOURN

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 6:33 p.m.

Council Chairman

ATTEST: _____

City Clerk