
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, August 17, 2022 ♦ 6:00 p.m.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, August 17, 2022, 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
	Ted J. Hartselle	Councilmember, Seat #6
	Joseph E. Miniclier	City Attorney
	Dr. Brenda Fettrow	City Manager
	Jennifer M. LeVasseur	City Clerk & Public Relations Officer
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 Councilwoman Martin.

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 July 20, 2022

Councilman Daski moved to approve the minutes of the regular meeting on July 20, 2022; seconded by Councilman Cadore. The motion carried unanimously (7).

- B. Council Executive Session on August 3, 2022

Councilwoman Martin moved to approve the minutes of the Executive Session on August 3, 2022; seconded by Councilman Forester. The motion carried without objection (7).

- C. Council Budget Workshop on August 3, 2022

Councilwoman Martin moved to approve the minutes of the Council Budget Workshop on August 3, 2022; seconded by Councilman Cadore. The motion passed by unanimous vote (7).

5. PRESENTATIONS

- A. Mayor Price

1. Special Recognition

- a. Legislative Representative Jerry Sansom, JHS Legislative Consultants
Mayor Price recognized Jerry Sansom and thanked him for his years of dedicated service as lobbyist for the City of Rockledge. Mr. Sansom was presented with a certificate and a Key to the City. Mr. Sansom offered words of thanks and praised the City for its work over the years. Councilmembers offered congratulatory remarks and thanked Mr. Sansom for his partnership.

6. FINANCIAL / BUDGET REPORT

- A. Month of July 2022

Councilman Daski moved to be in receipt of the Financial/Budget Report for the month of July 2022; seconded by Councilwoman Martin. The motion passed without objection (7).

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Ordinance: First Reading, Changing the Zoning Classification from R3 (Multi-Family Dwelling [High Density]) District to RMU (Redevelopment Mixed Use) District on 0.23+/- Acres, Parcel ID 25-36-04-81-A-32 (ZDA-22-04)

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE R3 (MULTI-

FAMILY DWELLING [HIGH DENSITY]) DISTRICT TO THE RMU (REDEVELOPMENT MIXED USE) DISTRICT IN PLANNING DISTRICT 5 OF APPROXIMATELY +/-0.23 ACRES, LOCATED ON THE NORTH SIDE OF ANGELA AVENUE 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 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 September 7, 2022; seconded by Councilman Hartselle. The motion carried by unanimous vote (7).

- B. Resolution: Adopting the Goal of Vision Zero

Councilman Ferguson offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, ADOPTING THE GOAL OF VISION ZERO, ADVOCATING THAT NO LOSS OF LIFE IS ACCEPTABLE ON OUR CITY STREETS, PROVIDING FOR AN EFFECTIVE DATE, AND PROVIDING FOR ADOPTION" and moved to read the Resolution by title only; seconded by Councilwoman Martin. The motion passed by unanimous vote (7).

City Attorney Miniclier read aloud the title of the Resolution.

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

- C. Resolution: Naming a Street Within Ascend Rockledge as "DeQuattro Drive"

Councilman Daski offered a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, NAMING A STREET WITHIN THE ASCEND ROCKLEDGE PROJECT AS 'DEQUATTRO DRIVE' " and moved to waive

the reading and adopt the Resolution; seconded by Councilwoman Martin. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. The motion carried by unanimous vote (7).

- D. Resolution: Dissolving and Disbanding the Business Development Committee

Councilman Ferguson offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DISSOLVING AND DISBANDING THE BUSINESS DEVELOPMENT COMMITTEE" and moved to waive the reading and adopt the Resolution; seconded by Councilwoman Martin. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. The motion carried by unanimous vote (7).

- E. Resolution: Amending the Geographic Information System (GIS) Policy

Councilwoman Martin offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA AMENDING THE GEOGRAPHIC INFORMATION SYSTEM (GIS) POLICY OF THE CITY OF ROCKLEDGE" and moved to waive the reading and adopt the Resolution; seconded by Councilman Cadore. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. 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 meetings:

- Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on July 27, 2022
- Planning Commission, Minutes of Meeting on August 2, 2022

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

- A. Community Redevelopment Agency Board of Commissioners, Minutes of Meeting on July 27, 2022

1. Recommendation: Approval of Proposed Fiscal Year 2022-2023 Community Redevelopment Agency Budget

...approve the proposed Fiscal Year 2022-2023 Community Redevelopment Agency budget and to forward the recommendation to City Council...

City Manager Fettrow noted that the proposed budget is the same as the budget documents previously reviewed and approved by Council.

Councilman Daski moved to approve the recommendation; seconded by Councilwoman Martin. The motion passed without objection (7).

2. Recommendation: Approval of Engagement Letter with Carr, Riggs & Ingram, LLC for Fiscal Year 2022 Auditing Services

...approve the engagement letter with Carr, Riggs & Ingram, LLC for Fiscal Year 2022 auditing services and to forward the recommendation to City Council...

Councilman Ferguson moved to approve the recommendation; seconded by Councilwoman Martin. The motion carried by unanimous vote (7).

- B. Planning Commission, Minutes of Meeting on August 2, 2022

1. Recommendation: Comprehensive Plan Amendment (CPA-22-01) – Tucker Preserve Estates - FLUM

...recommend approval of the Comprehensive Plan Amendment (CPA-22-01) and to forward the recommendation to City Council...

Councilman Ferguson moved to be in receipt of the recommendation and to open the matter for public hearing; seconded by Councilwoman Martin. The motion passed unanimously (7).

Planning Director Cooper presented the application for a Large-Scale Comprehensive Plan Amendment, Zoning District Amendment, and Preliminary Development Plan for 660.67 +/- acres located west of Tucker Lane and south of Providence Road and noted that the applicant has requested a Future Land Use designation of LDR (Low Density Residential).

- a. Public Hearing

Chairman Price declared the matter open for public hearing.

Mike Selig, 4245 Bass Road, Cocoa, explained that limited access and increased traffic are significant concerns, as over 4,000 extra trips will be added to Tucker Lane each day. Further, there is not adequate ingress/egress, and the existing roadways and businesses frequently experience congestion, and adding the proposed subdivision will contribute to the problem. Mr. Selig cited safety concerns regarding hurricane evacuation and accessibility for emergency vehicles.

Margaret Wehner, 4135 Bass Road, Cocoa, echoed concerns regarding the increased traffic and the subsequent issues that will be generated as a result of the development. Ms. Wehner reiterated that the intersection at Tucker Lane is already a safety issue which will only be aggravated with the addition of the development.

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

Landon Scheer (Applicant Agent), 2651 W. Eau Gallie Boulevard, Melbourne, noted that traffic concerns would be addressed during the site plan approval process, and as part of the project, traffic studies would be conducted and the Florida Department of Transportation will be part of the approval process. Mr. Scheer addressed concerns regarding environmental issues and preservation of air boating activities.

Mayor Price reiterated that this project would be thoroughly reviewed, and residents are invited to be involved throughout the process.

Councilman Ferguson moved to approve CPA-22-01 and to authorize transmittal of the proposed Comprehensive Plan Amendment to the Florida Department of Economic Opportunity; seconded by Councilwoman Martin. The motion carried unanimously (7).

2. Recommendation: Zoning District Amendment (ZDA-22-05) – Preliminary Development Plan and Tentative PUD (Planned Unit Development) Zoning Designation, Tucker et al.

...recommend approval of the Preliminary Development Plan and Zoning Designation (ZDA-22-05) of PUD (Planned Unit Development) and to forward the recommendation to City Council...

Planning Director Cooper presented the application for approval of a Preliminary Development Plan and Zoning Designation of PUD (Planned Unit Development) in Planning District 4. He explained that the applicant plans to develop approximately 1,080 single-family dwelling units with land reserved for a public safety facility. Planning Director Cooper provided an overview of the Preliminary Development Plan and explained that a comprehensive traffic study will be conducted, and a traffic plan must be approved by the Florida Department of Transportation, the City, and Brevard County. Planning Director Cooper noted that the project is not being considered based

on the current state of the road, and the development could only move forward with improvements.

Councilman Ferguson moved to be in receipt of the recommendation and to open the matter for public hearing; seconded by Councilman Hartselle. The motion carried without objection (7).

a. Public Hearing

Chairman Price declared the matter open for public hearing.

Mike Selig, 4245 Bass Road, Cocoa, reiterated concerns regarding the proposed density.

Margaret Wehner, 4135 Bass Road, Cocoa, explained that Planning Director Cooper addressed many of her traffic worries.

Douglas Sphar, 825 Cliftons Cove Court, Cocoa, provided information and documentation from FEMA regarding levee risk and mitigation and explained that the City is premature in approving a zoning designation and Preliminary Development Plan before a proper investigation has been completed. He expressed concerns regarding the existing berm/levee and noted that it cannot be accredited. Mr. Sphar noted that this project could bring about liability consequences for the City.

Mary Sphar, 825 Cliftons Cove Court, Cocoa, explained that the land in question is flood-prone, and the proposed development's stormwater runoff will be pumped out via an inadequate levee system. Ms. Sphar encouraged the Council to place conditions on the property limiting the number of homes and requiring more appropriate measures to counter flood issues. Ms. Sphar expressed her belief that 1,080 homes is too many.

Planning Director Cooper reiterated that the City has not received plans regarding pump systems, as those issues will be addressed in a later stage.

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

Mayor Price explained that PUD zoning allows for the City to have more leeway and supervision over a project and noted that the City of Rockledge has strict 100-year stormwater design requirements that developers must comply with, which is more stringent than most other areas.

Councilmembers discussed the potential for other zoning designations, such as RCE, R1, and R2. Planning Director Cooper explained that a zoning designation of RCE would not be feasible for the property due to the mitigation requirements and clarified that the developer will only be developing 23 percent of the land; the other areas will be preserved.

Councilman Ferguson moved to approve the Preliminary Development Plan and Zoning Designation (ZDA-22-05) of PUD and authorize the City Attorney to draft the requisite Ordinance; seconded by Councilman Cadore. The motion passed by unanimous vote (7).

Council thanked the residents who attended the Planning Commission and City Council meetings to voice their concerns and reiterated that the public will be invited to participate throughout the process.

C. Reappointments and Appointments

- None

9. UNFINISHED BUSINESS

- None

10. CONSENT BUSINESS

Councilman Daski moved for approval of these consent business items:

- A. Approval: Engagement Letter, Carr, Riggs & Ingram (CRI) LLC, Fiscal Year 2022 Audit Services (Finance Division)
- B. Approval: Ratification of Teamsters Contract Amendments (City Manager)
- C. Approval: Agreements for Signs, Outparcel Landscaping, Southern Drainage Ditch Easement, and Drainage Piping in Accordance with Approved Development Agreement, DHIC-Rockledge, LLC (Planning Division)
- D. Approval: Request to Expend American Rescue Plan Act (ARPA) Funds to Purchase Generator for Community Resource Center (Wastewater Treatment Department)
- E. Approval: e-PlanSoft Software Subscription Master Licensing Agreement, e-Plan, Inc. (Planning Division)
- F. Approval: Medical Services Director Agreement, 2022-2024, Regional Emergency Medicine Specialist – Dr. David Williams (Public Safety Department)

- G. Approval: Request to Expend American Rescue Plan Act (ARPA) Funds to Purchase Cybersecurity Items (Information Technology Division)
- H. Approval: Updated American Rescue Plan Act (ARPA) Expenditure List (Finance Division)
- I. Approval: Termination Letter, Memorandum of Understanding for the Intergovernmental Radio Communication Program 800MHz Advisory Committee (Public Safety Department)
- J. Approval: Purchase of Vehicle Accessory Packages, Dana Safety Supply (Public Safety Department)
- K. Approval: Revised Request to Expend American Rescue Plan Act (ARPA) Funds to Purchase Two (2) Trucks (Public Works Department)

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

11. ITEMS REMOVED FROM CONSENT BUSINESS

- o None

12. NEW BUSINESS

- A. Action Item: Renewal of Memorandum of Agreement for Vegetative Maintenance of US Highway 1 and Fiske Boulevard, Florida Department of Transportation (FDOT), Contract ASE67 (Public Works Department)

City Manager Fettrow explained that the Florida Department of Transportation (FDOT) Memorandum of Agreement for the vegetative maintenance of US Highway 1 and Fiske Boulevard is up for renewal. In addition to the renewal documentation, a Resolution is also required.

Councilwoman Martin moved to approve the agreement renewal and authorize the City Manager to sign, execute, and transmit the renewal document to the Florida Department of Transportation (FDOT); seconded by Councilman Cadore. The motion passed without objection (7).

- 1. Resolution: Authorizing the Renewal of a Vegetative Maintenance Agreement with the Florida Department of Transportation (FDOT)

Councilman Ferguson offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AUTHORIZING THE RENEWAL OF AN AGREEMENT FOR VEGETATIVE MAINTENANCE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE ROADWAYS US1 (SR5) AND

FISKE BOULEVARD (SR519) " **and moved to waive the reading and adopt the Resolution; seconded by Councilman Cadore. Voting for the motion: Mayor Price and Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. The motion carried by unanimous vote (7).**

13. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

- Thomas James Hewitt II, 1770 Cedar Street, shared his eagerness to assist the City with making various improvements.
- Mary Sphar, 825 Cliftons Cove Court, Cocoa, asked if Council would allow her to send documentation from St. Johns River Water Management District concerning stormwater and pump/levee reports and records, which would further illustrate her concerns.

14. REPORTS

A. City Manager Report

- City Manager Fettrow:
 - Attended the Florida League of Cities Annual Conference and thanked Council for authorizing her to attend.
 - Reminded Council of Food Truck Friday, which will be held on August 26th from 4:30 – 7:30 p.m.
 - Reminded Council of the 9/11 Remembrance Ceremony on Saturday, September 10th at 10:00 a.m. in the Civic Hub.

B. City Attorney Litigation Report

- August 2022

Councilman Ferguson moved to be in receipt of the City Attorney Litigation Report dated August 2, 2022; seconded by Councilwoman Martin. The motion passed unanimously (7).

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

C. Reports from the Dais

- Councilmembers thanked Planning Director Cooper for his thorough presentation and congratulated Jerry Sansom on his retirement.
- Councilwoman Martin:
 - Thanked Council for authorizing her to attend the Florida League of Cities Annual Conference.
 - Attended the Space Coast League of Cities dinner on August 8th.

- Attended the City of Cocoa PAL Youth Employment Leadership Graduation Program on August 6th, in which two Rockledge students participated.
- Councilman Cadore:
 - Attended the Florida League of Cities Annual Conference.
 - Recognized Kim Smith with the Space Coast Transportation Planning Organization in the audience.
- Councilman Ferguson:
 - Attended the Florida League of Cities Annual Conference.
 - Congratulated City of Cocoa Mayor Mike Blake on his recent installation as Second Vice President of the Florida League of Cities.
 - Announced that Faith Temple Christian Center will be hosting a public safety recognition on Sunday, September 11th at 11:00 a.m.
- Councilman Hartselle:
 - Announced that his mother, Virginia, passed away on August 2nd.
 - Recently attended the Kiwanis District Convention in Naples and was indoctrinated as Lieutenant Governor.
- Councilman Daski:
 - Shared kind words about Virginia Hartselle.
 - Reminded Council of the 9/11 Remembrance Ceremony on September 10th.
- Mayor Price noted that he has received e-mails recently regarding Thrifty Specialty Produce & Meats and firearm laws.

15.ADJOURN

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:32 p.m.

Council Chairman

ATTEST: _____
City Clerk