
ROCKLEDGE CITY COUNCIL REGULAR MEETING MINUTES

WEDNESDAY, DECEMBER 15, 2021 ♦ 6:00 P.M.

1. CALL TO ORDER / ROLL CALL

The Rockledge City Council met in regular session on Wednesday, December 15, 2021, at 6:00 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
	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
	Scott Brown	Public Works Director
	James Elmore	Wastewater Treatment & Water Reclamation Director
	James H. Wilson	Deputy Fire Chief
	Kevin Shropshire	Pretreatment Coordinator
	Tricia T. Olsson	Deputy City Clerk

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 December 1, 2021

Councilman Daski moved to approve the minutes of the regular meeting on December 1, 2021; seconded by Councilwoman Martin. The motion passed without objection (7).

5. PRESENTATIONS

A. Mayor Price

1. Quarterly Award, Fourth Quarter 2021

a. Dan Blaine, Foreman – Public Works Department

Dan Blaine, Foreman, Rockledge Public Works Department, was unable to attend the meeting to be recognized as Employee of the Quarter for the fourth quarter of 2021. Staff confirmed that a gift certificate and a Certificate of Commendation would be delivered to Mr. Blaine.

B. John Scott, Director, Brevard County Emergency Management

1. Brevard County COVID-19 Update

John Scott, Director, Brevard County Emergency Management, provided Council with a status update of COVID-19 cases and responses in Brevard. Additionally, Mr. Scott responded to questions from Council and announced that the monoclonal antibody treatment facility has been relocated from Merritt Island to Rockledge City Center.

Mr. Scott provided Council with an update on the new Emergency Operations Center and noted that the project is fully funded at this time.

6. FINANCIAL / BUDGET REPORT

- Month of November 2021

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

7. PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS

- A. Ordinance: Second Reading and Public Hearing, Ordinance No. 1845-2021, Comprehensive Plan Amendment to Create Objective 1.2 – Mixed Use Corridor 95 (CPA-21-02)

Councilman Daski offered Ordinance No. 1845-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING THE PROVISIONS OF THE ROCKLEDGE COMPREHENSIVE PLAN TO CREATE OBJECTIVE 1.2 – MIXED USE CORRIDOR 95 AS A NEW FUTURE LAND USE CLASSIFICATION IN THE ROCKLEDGE COMPREHENSIVE PLAN TO PROVIDE FOR DEVELOPMENT OPPORTUNITIES FOR A MIXTURE OF FUTURE USES; 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 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 (7).

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 Forester expressed his desire to implement a requirement for 8-foot sidewalks to be included in a future amendment to better accommodate bicycle and pedestrian traffic.

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, Daski and Hartselle. The motion carried by unanimous vote (7).

Councilman Forester moved to direct staff to draft amendments to Ordinances 1845-2021 and 1846-2021 so that a minimum 8-foot sidewalk standard be required under normal circumstances; seconded by Councilman Ferguson. A call for discussion was made.

Councilwoman Martin requested confirmation that both Ordinances could be addressed at the same time; the City Attorney confirmed that this was appropriate. Planning Director Cooper recommended that Council direct staff to review the Comprehensive Plan for inclusion of an 8-foot sidewalk requirement and then proceed with a Comprehensive Plan Amendment, if deemed appropriate.

The motion passed unanimously (7).

- B. Ordinance: Second Reading and Public Hearing, Ordinance No. 1846-2021, Comprehensive Plan Amendment to Appendix A – Planning District Guidelines – Planning District 5, Metal Exteriors and Metal Buildings (CPA-21-03)

Councilman Ferguson offered Ordinance No. 1846-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING THE PROVISIONS OF THE ROCKLEDGE COMPREHENSIVE PLAN BY AMENDING APPENDIX A - PLANNING DISTRICT GUIDELINES - PLANNING DISTRICT 5, TO CORRECT DEFICIENCIES RELATING TO BUILDING STYLE, REGULATION AND PLACEMENT WITHIN THE DISTRICT; 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 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 (7).

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, Daski and Hartselle. The motion carried by unanimous vote (7).

- C. Ordinance: Second Reading and Public Hearing, Ordinance No. 1847-2021, Comprehensive Plan Amendment to Create Chapter 14 – Property Rights Element (CPA-21-05)

Councilwoman Martin offered Ordinance No. 1847-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING THE PROVISIONS OF THE ROCKLEDGE COMPREHENSIVE PLAN BY CREATING A CHAPTER 14 - PROPERTY RIGHTS ELEMENT TO THE COMPREHENSIVE PLAN WITH THE STATEMENT OF RIGHTS REQUIRED BY SECTION 163.3177(6)(i), OF THE FLORIDA STATUTES; 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 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 (7).

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, Daski and Hartselle. The motion carried by unanimous vote (7).

- D. Ordinance: Second Reading and Public Hearing, Ordinance No. 1848-2021, Comprehensive Plan Amendment to Future Land Use Map, Mixed Use Corridor 95 in Planning District 7, Approximately 246 Acres, West of Fiske Boulevard and I-95 (CPA-21-04)

Councilman Daski offered Ordinance No. 1848-2021 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 246 ACRES LYING ON THE WEST SIDE OF FISKE BOULEVARD, SOUTH OF I-95 FROM BREVARD COUNTY AU - AGRICULTURAL RESIDENTIAL AND RR1 - RURAL RESIDENTIAL TO MIXED-USE CORRIDOR 95 DISTRICT; 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 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 (7).

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.

Ronald Schule, 1245 Tuckaway Drive, voiced concerns regarding drainage easements granted to the Tuckaway Lakes subdivision. Mr. Schule wished to confirm that the drainage pump would not be affected now or in the future.

There being no further 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, Daski and Hartselle. The motion carried by unanimous vote (7).

- E. Ordinance: Second Reading and Public Hearing, Ordinance No. 1849-2021, Changing the Zoning Classification of Approximately 246 Acres of Property from Brevard County GU – General Use to Rockledge PUD (Planned Unit Development), West of Fiske Boulevard and I-95 (ZDA-21-03)

Councilman Ferguson offered Ordinance No. 1849-2021 entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM THE BREVARD COUNTY GU -GENERAL USE DISTRICT TO THE CITY OF ROCKLEDGE PUD (PLANNED UNIT DEVELOPMENT) DISTRICT IN PLANNING DISTRICT 7 OF APPROXIMATELY 246 ACRES LOCATED WEST OF I-95 AND FISKE BOULEVARD, 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 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 (7).

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, Daski and Hartselle. The motion carried by unanimous vote (7).

- F. Ordinance: First Reading, Amending the Rockledge Land Development Regulations by Deleting Section 57.79 and Replacing it with a New Section 57.79 to Include Dental Amalgam and Pharmaceutical Hazardous Waste Requirements

Councilman Ferguson offered an Ordinance entitled "AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, DELETING SECTION 57.79 OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS AND REPLACING IT WITH A NEW SECTION 57.79 "REQUIREMENTS AND STANDARDS FOR DIRECT AND INDIRECT DISCHARGE INTO THE WASTEWATER AND COLLECTION TREATMENT SYSTEM OF THE CITY OF ROCKLEDGE" TO INCLUDE DENTAL AMALGAM AND PHARMACEUTICAL HAZARDOUS WASTE REQUIREMENTS; 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 Hartselle. The motion carried unanimously (7).

City Attorney Miniclier read aloud the title of the Ordinance for the first reading.

Councilwoman Martin moved to authorize publication and a public hearing to be held on January 19, 2022; seconded by Councilman Hartselle. The motion carried by unanimous vote (7).

- G. Public Hearing
& Resolution: Adopting the Architectural and Site Guidelines Design Guidebook for the Redevelopment Mixed Use (RMU) Zoning District

Councilman Daski offered a Resolution entitled "A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, ADOPTING THE ARCHITECTURAL AND SITE GUIDELINES DESIGN GUIDEBOOK FOR THE REDEVELOPMENT MIXED-USE (RMU) ZONING DISTRICT" and moved to read the Resolution by title only and to open the matter for public hearing; seconded by Councilman Ferguson. The motion carried without objection (7).

City Attorney Miniclier read aloud the title of the Resolution. Chairman Price then declared the matter to be open to the public for comment.

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

Councilman Daski moved for adoption of the Resolution; seconded by Councilwoman Martin. Voting for the motion: Mayor Price and

Councilmembers Cadore, Ferguson, Martin, Forester, Daski, and Hartselle. The motion passed without objection (7).

8. REPORTS FROM BOARDS AND COMMITTEES

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

- Student Advisory Committee, Minutes of Meeting on December 7, 2021
- Planning Commission, Minutes of Meeting on December 7, 2021

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

- A. Student Advisory Committee, Minutes of Meeting on December 7, 2021 (no recommendation)
- B. Planning Commission, Minutes of Meeting on December 7, 2021
 - 1. Recommendation: Comprehensive Plan Amendment (CPA-21-06), Capital Improvement Plan

City Manager Fettrow noted that the Capital Improvement Plan is a statutory requirement and must first be established and then reviewed annually by Council.

Councilwoman Martin moved to open the matter for public hearing; seconded by Councilman Cadore. The motion passed unanimously (7).

- 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-21-06 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 (7).

- C. Reappointments and Appointments
 - 1. Reappointments
 - None

2. Appointments

a. Code Enforcement Board

Councilman Forester moved to appoint Ty Buterbaugh to the Code Enforcement Board in the General Contractor position; seconded by Councilwoman Martin. The motion passed without objection (7).

b. Community Redevelopment Agency Board of Commissioners

Councilman Ferguson moved to appoint April Fearon to the Community Redevelopment Agency Board of Commissioners; seconded by Councilman Cadore. The motion carried by unanimous vote (7).

9. UNFINISHED BUSINESS

- None

10. CONSENT BUSINESS

Mayor Price reported that item 10.E. is being pulled from the agenda for staff to continue work with the City's engineering firm.

Councilman Daski moved for approval of these consent business items:

- A. Approval: Modification of Tenant Lease, LEAD Brevard, Rockledge Community Resource Center (City Manager)
- B. Approval: Contract for Participation in Brevard County Employee Training Program; Brevard County Board of County Commissioners (Public Works Department)
- C. Approval: Special Event, Space Coast Runners & Running Zone Foundation Marathon and Half-Marathon, November 27, 2022 (City Manager)
- D. Approval: Temporary Labor Service Agreements, Calendar Year 2022 (Public Works Department)
- ~~E. Approval: Effluent Surface Water Discharge Elimination and Secondary Deep Injection Well Design and Permitting Phase, Tetra Tech (Wastewater Treatment Department)~~

The motion was seconded by Councilwoman Martin and passed without objection (7).

11. ITEMS REMOVED FROM CONSENT BUSINESS

- 10.E. Approval: Effluent Surface Water Discharge Elimination and Secondary Deep Injection Well Design and Permitting Phase, Tetra Tech (Wastewater Treatment Department)
(removed from agenda – see Item 10)

12. NEW BUSINESS

- A. Action Item: Award of Bid for Equalization Basin/Bio-Solids Project (Wastewater Treatment Department)

City Manager Fettrow explained that bids were solicited for the Equalization Basin/Bio-Solids project, and L7 Construction, Inc. was the only contractor to submit a bid. The City's engineering consultant, Tetra Tech, has recommended that the City proceed with the submitted bid.

Councilwoman Martin moved to award the bid for the Equalization Basin/Bio-Solids project to L7 Construction, Inc. and to authorize the City Manager to execute a contract with L7 Construction, Inc.; seconded by Councilman Cadore. The motion carried by unanimous vote (7).

13. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

- Latasha Walker, 1830 Bridgeport Circle, thanked Council for its support in the renaming of the Rockledge Youth Football field after James Goins.

14. REPORTS

- A. City Manager Report

- City Manager Fettrow:
 - Recognized Assistant City Manager/Finance Director Trine and the Finance Division for receiving the Government Finance Officers' Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the second year in a row.
 - Reminded Council of the Department of Public Safety Holiday Extravaganza on December 17th at 3:00 p.m.
 - Wished all a happy and safe holiday season.

- B. City Attorney Litigation Report

- Month of December 2021

Councilman Ferguson moved to be in receipt of the City Attorney Litigation Report dated December 7, 2021; 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 shared well-wishes for the holidays and congratulated the Finance Division on their recent award.
- Councilman Daski attended the Cocoa/Rockledge Holiday Parade and the Employee Dinner and noted that the dinner was well attended.
- Councilman Ferguson:
 - Attended the Light Up Rockledge event at the Civic Hub.
 - Reminded Council of the Space Coast League of Cities Dinner on January 10th, 2022 in Palm Bay, where he will be sworn in as League President.
 - Attended the Space Coast League of Cities dinner on December 13th in Cocoa.
 - Announced the St. Francis Reflections Life Stage Care “Wrapped in Pink” event, which will be held on January 22, 2022 in honor of the Te-Kisha Fund.
 - Explained that Faith Temple Christian Center is providing Christmas gifts to 110 children in the community.
- Councilman Cadore:
 - Announced the Infinite Scholars event on January 18, 2022 at Rockledge High School.
 - Shared complementary remarks regarding the holiday events that the City has hosted.
- Councilman Hartselle attended several recent City events, including Light Up Rockledge, the Public Works Appreciation Lunch, the Parade, and the Employee Dinner.
- Councilwoman Martin:
 - Requested that Councilmember reports begin on the other end of the dais.
 - Attended several City holiday events and recommended that the City place signage along Barton Boulevard in front of City Hall to attract more spectators. Additionally, she suggested that staff engage with Brevard Public Schools to advertise events in a newsletter or other publication that is provided to students and parents.

- Shared that the City’s antique fire engine, named “Grandma,” is in need of refurbishment, including a paint job and new upholstery on the seats.
- Thanked Latasha and Hanson Walker for attending the meeting.
- Councilman Forester:
 - Requested that the 8-foot sidewalk requirement be adopted citywide, wherever possible. Planning Director Cooper noted that the Planning Division is considering the implementation of streetscape/landscape standards for new development; however, available space must be considered.

15. ADJOURN

There being no further business to come before the Council, Chairman Price declared the meeting to be adjourned at 7:10 p.m.

Council Chairman

ATTEST: _____

City Clerk