

**Titusville Environmental Commission
Regular Meeting
February 5, 2003**

The Titusville Environmental Commission (TEC) of the City of Titusville, Florida, met in regular session in the Round Room of City Hall, 555 South Washington Avenue, on Wednesday, February 5, 2003.

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Vice Chairman Ramon Rivera called the meeting to order at 5:30 p.m. Present were, Members Robin Vieira, Anthony Koromilas, Alex Chamberlain, and Alfonso Gutierrez. Member Susan Gosselin arrived at 5:39 p.m. Also in attendance were Grants Coordinator Richard Stillwagon, Planning Administrator Keith Cunningham, and Recording Secretary Tammy Holton. It was determined that a quorum was present.

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The first item of business was the approval of the minutes from the January 22, 2003 regular meeting. Discussion began on the minutes. Member Chamberlain moved to approve the minutes as corrected. Member Gutierrez seconded the motion. There was a unanimous voice vote.

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Old Business:

Draft City of Titusville's Tree Preservation/Landscape Ordinance - TEC began a discussion on the comments that the group had previously recommended. Discussion then focused on staff comments. Member Chamberlain asked if Section 35.22 comments satisfied their requirements. Discussion followed. Keith Cunningham informed TEC that there would be more revisions to the draft by the City Manager Thomas A. Harmer and Executive Director of Community Development Roy Crawford.

Member Gutierrez stated he objected to the last part of Section 35.4 Mitigation Plan, he had concerns on Section 35.4. He reported to TEC of a court case in Jacksonville stating that an illegal tax is being imposed on property owners. Member Gutierrez then questioned what would happen if the court ruled against the similar ordinance in Jacksonville, if ruled unconstitutional should TEC recommend adoption with the similar language stated in this ordinance. Member Gutierrez also stated he objected to this section due to property right infringements. Discussion followed. TEC told Member Gutierrez if the courts rule that it is illegal then by law the City has to take it out of the ordinance. Member Gosselin stated that in Section 35.4 contribution is the last resort and so far developers are more than happy to replace the trees instead of paying the tax. Member Gosselin then asked Member Gutierrez how he classified the fee as a tax. Discussion followed. Member Gutierrez then voiced concerns on Section 35.6 that TEC should not impose burdens on someone that is trying to develop their property after they have already gone through the proper channels. Member Gutierrez then stated that this type of measure is equal to economic fascism and borders on dictatorship. Vice Chairman Rivera asked Mr. Cunningham what action did TEC have to take on this ordinance. Keith Cunningham told TEC that they did not need to make any decision at this time. This item was presented just for information purposes to show TEC changes, these would be coming back to TEC. Member

Koromilas asked for a date. Keith Cunningham told TEC that he could not tell them an exact date, best case scenario next meeting or first meeting in March.

New Business:

Parliamentary Procedures - Keith Cunningham informed TEC that due to the fact most members were not present Mr. Severs felt it would be best to speak to the whole group and would attend the next meeting. Vice Chairman Rivera explained that he had asked staff to invite Mr. Severs. Informed the group that procedures needed to be followed throughout the meeting in order to maintain a more productive meeting.

Grants Information – Richard Stillwagon told TEC that he would answer any question that they may have on the Wuesthoff trail. Richard Stillwagon gave an overview of the current trail location and identified some of the problem areas. Reported to TEC that Parrish Medical Center would be providing funds for new handicap restrooms and parking improvements. The 12-foot wide asphalt trail is a potential problem, the estimates of cost were from a year ago, prices now could drastically effect cost. Mr. Still wagon then informed TEC that the Water Resources Department had voiced concerns in relation to wellfields, after 9-11 the thought was not to have people close to the wells. Some areas are still privately owned. The Police Department also had some concerns, they want the trail to be completed straight and fenced in order not have any danger to pedestrian users. Mr. Stillwagon then told TEC that some areas below and above W.W. James Park have plans for development. There are also some Stormwater easement causing complications. Discussion followed. Member Gosselin stated that the wellfields are not protected now, and other trails in Orange County had some problems with safety but were cleared quickly because of heavy use.

Mr. Stillwagon then reported to TEC that All Terrain Vehicles (ATV) users are the problem in the area by causing damage and destruction to the wellfields. Discussion followed.

Member Vieira asked about crossing State Road 50 and Barna Avenue, has that area been cleared. Mr. Stillwagon informed TEC that it had, but was not the best crossing. It would probably be marked and have a blinking light. The discussion then lead to property owners in the areas mapped off for the trail. Member Gutierrez stated that as a commission we should cooperate with the Titusville Police Department on enforcement of ATVs. Discussion followed.

Vice Chairman Rivera asked why does the path start on the south end on the property the City does not even own. Mr. Stillwagon told TEC that the on opposite side of the city the City does not own any of that land. Where the plan for the trail is currently there is only a small section of land that the City does not own. Discussion followed.

Code enforcement on sign ordinance – Tabled to next regular meeting.

Dock Permit Review - Rotary Park, 4141 South Washington Avenue - Member Chamberlain questioned why the funds were being spent to replace a pier that is not used by the public. He then suggested that a representative from Brevard County Parks and Recreation be present at TEC's next regular meeting in order to discuss this issue.

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Reports:

Vice Chairman Rivera - Began a discussion on meetings being televised. Vice Chairman Rivera suggested working with City staff to establish a schedule where TEC could meet in the chambers and have meetings televised. Discussion followed. TEC decided to add this item to the next regular meeting agenda.

Member Koromilas -Reported that he had attended meetings with different agencies regarding the City Nursery and it would be a possible storage facility for seedlings. Discussed spending donated funds for the purchase of trees. TEC decided to place on the next agenda procedures for spending donated tree funds. Member Koromilas discussed submitted bike plans for incorporation into the comprehensive plan. A motion was made by Member Koromilas to include the bike map with the comprehensive plan. Motion was seconded by Member Vieira. There was a unanimous voice vote. Member Koromilas then told TEC that the Marine Resource Council is sponsoring a bus tour of the scenic highway, which leaves Indialantic at 9:30 a.m. on Wednesday, February 12, 2003.

Member Gutierrez – Presented TEC with some articles from a libertarian think tank known as the Cagle Institute.

Member Gosselin – Reported to TEC that there is a development in Port St. Lucie that would be of interest to the group. Member Gosselin will bring in pictures for the next meeting to show the group.

City Staff - Presented TEC with some preliminary site plans from a couple of different projects. Discussion followed.

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The Commission set the agenda for the February 19, 2003 regular meeting.

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Adjournment:

The meeting adjourned at 7:10 p.m.