

**Titusville Environmental Commission
Regular Meeting
March 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, March 5, 2003.

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Chairman Pettit called the meeting to order at 5:30 p.m. Present were Vice Chairman Ramon Rivera, Members Robin Vieira, Anthony Koromilas, George Mosakowski, Alex Chamberlain, and Alternate Members Chris Ryba, and Alfonso Gutierrez. Also in attendance were 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 February 19, 2003 regular meeting. Member Koromilas moved to approve the minutes as submitted. Member Gutierrez seconded the motion. Discussion followed. There was a unanimous voice vote.

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Old Business:

Discussion on TEC's meeting time, date and place – TEC began discussing alternate dates and time for their regular meetings. A calendar was presented to TEC from staff referencing the dates and times the council chambers was available. Discussion followed. Vice Chairman Rivera stated that TEC should be televised in order to be more visible to the public and Member Gutierrez agreed. Discussion continued. Member Rivera made a motion to move the meetings to 5:00 p.m., with same scheduled dates in the council chambers with meetings to be concluded at 6:30 p.m., and any business not discussed be carried over to the next meeting. Member Gutierrez made a friendly amendment to change meeting time to 5:15. Member Mosakowski seconded the motion. Vice Chairman Rivera accepted the friendly amendment. Discussion followed. There was a roll call vote on the friendly amendment.

Member Koromilas – no

Member Chamberlain – no

Vice Chairman Rivera – yes

Alternate Member Gutierrez – yes

Member Vieira – no

Chairman Pettit – yes

Alternate Member Ryba – no

Member Mosakowski – yes

Friendly amendment motion did not carry. Discussion followed. Motion was made by Member Mosakowski to hold meetings in the council chambers on the same Wednesday schedule with meetings beginning at 5:00 p.m., and limiting meetings to one and half hour with meetings concluded by 6:30 p.m. Motion was seconded by Vice Chairman Rivera. Discussion followed. There was a roll call vote.

Member Chamberlain – no

Alternate Member Ryba – no
Alternate Member Gutierrez – no
Member Vieira – no
Chairman Pettit – no
Member Mosakowski – yes
Member Koromilas – no
Vice Chairman Rivera – yes

Motion did not carry. Discussion followed. Member Ryba made a motion to keep the meeting and the same time and day and just move it to the council chambers to be more accessible to the public for a one hour meeting 5:30 until 6:30 p.m. Member Gutierrez seconded the motion. Discussion followed. Vice Chairman Pettit asked Member Ryba if she would agreed to amend the motion to state this would be a three month trial period. Member Ryba agree to add the trial period. Member Gutierrez accepted the amendment. Discussion followed. Member Gutierrez made a friendly amendment to state the meeting is televised. Member Mosakowski seconded the motion. There was a roll call vote for the friendly amendment.

Member Mosakowski – yes
Alternate Member Ryba - no
Member Chamberlain - no
Vice Chairman Rivera - yes
Alternate Member Gutierrez - yes
Member Vieira – yes
Chairman Pettit – yes
Member Koromilas – no

There was a roll call for the original motion.

Alternate Member Ryba – yes
Vice Chairman Rivera – yes
Alternate Member Gutierrez – yes
Member Vieira – yes
Chairman Pettit – yes
Member Mosakowski – yes
Member Chamberlain – no
Member Koromilas - no

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New Business:

Semi-Annual Report to Council – TEC began a discussion of items to be included in their semi-annual report on March 25, 2003. TEC agreed to include the following items: New initiatives will be presented again to Council since meeting and reviewing them with City Manager Thomas A. Harmer; \$2,000 grant from Transformation Titusville for the planting of trees for the Tree City requirement; reviewed landscape ordinance, made recommendation and awaiting staff to finalize; provided bike plan and map to be incorporated into the comprehensive plan; moving meeting place; setting up a proposed awards program for “Seeking Neighbors for Community Environmental Service Awards”; making recommendation for more environmentally friendly development to potential developers; and TEC’s web site. TEC recommended that Chairman Pettit make the presentation to City Council on March 25th. Discussion followed.

Reports:

Chairman Pettit – Member Chamberlain and Vice Chairman Pettit attended the February 24th Brevard County MPO Bicycle Pedestrian Advisory Committee (BPAC) meeting and reported to TEC topics discussed.

Vice Chairman Rivera – TEC was noticed for Earth Day, encouraged members to participate in next Earth Day activities. Discussion followed. Include Brevard Parks and Recreation agenda items in TEC packets. Asked Member Gutierrez about his discussion before City Council on the tree ordinance, was he representing TEC. Vice Chairman Rivera reported he had received several comments from citizens stating that they believed Member Gutierrez was speaking on behalf of TEC. Vice Chairman stated he was concerned that a member would address the council on a draft ordinance. Member Gutierrez responded to his question and told TEC that he was speaking as an individual citizen and did not say he was a representative of TEC and stated the ordinance was a proposed draft. Member Gutierrez stated that all of this was on record. Member Gutierrez stated that as his first amendment right he can express an opinion based on something he may think is wrong.

Member Mosakowski – Participating in an environmental activity in two weeks Senior Bike Ride and asked for sponsor from TEC for the event. Told TEC that even though Member Gutierrez spoke as a private citizen, the perception to the public was that he was speaking as a member of TEC. Member Mosakowski stated that any member that takes a stance such as Member Gutierrez's does not belong on the commission. Member Gutierrez told TEC that he again represented himself as a private citizen and was not a member of TEC and if it was perceived that way then his comments were not being listened too.

Member Chamberlain – Questioned the status of the trail committee. Chairman Pettit informed TEC that the committee would probably not be reconvened at this time. Discussion followed. Asked Mr. Cunningham if he had any updated information on snipe signs. Mr. Cunningham told Member Chamberlain that he should be receiving something in writing from Code Enforcement Supervisor Dominic Lombardi regarding snipe signs.

Alternate Member Ryba – Reported to TEC that she attended the Indian River Estuary In Transition Seminar and that it was very informative. Member Ryba informed TEC of some of the highlights from the meeting she attended. Discussion followed. TEC agreed to have Member Ryba inform TEC of more information from the seminar at the next TEC meeting.

Member Vieira – Told TEC that during his meeting with the City Manager he discussed the parking situation along Garden Street. Reported that it did not appear the City was taking any action on this item. Asked staff to have previous TEC minutes on this issue sent to all members. TEC recommended that this item be included in their semi-annual update on March 25th. Discussion followed. Informed TEC that he was in Tallahassee regarding the Governor's agenda to disassemble the Department of Community Affairs. Discussion continued.

Member Koromilas – Stated that no member on the commission should use any information given before the commission such as an ordinance and reference it at the City Council. If an opinion is stated, do not use things that have been before the commission and criticize or recommend a vote against that particular item. Member Koromilas stated that he did not want to infer on freedom of speech, but using the item as a vehicle to make a presentation was wrong. The next item Member Koromilas wanted to speak about was Earth Day. He suggested maybe

coming up with some type of give-away such as token trees. Member Koromilas will research this item. Also stated the commission should be represented at the Indian River Festival.

Member Gutierrez - Addressed the comments made on his presentation to City Council. Stated that we live in a democracy where there is a right to freedom of speech and at the same time also the right of the people to know what goes on at public functions. Member Gutierrez told TEC that he came from a communist country Cuba, where a dictator name Castro liked to limit everything across the board, i.e. freedom of speech. Stated that when he took an oath to become an American citizen to protect and defend the Constitution of the United States, meaning the public has a right to know what goes on in city government regardless of a proposed ordinance or draft thereof. Felt he had a right to express his opinion under freedom of speech. Felt that the commission was attacking him by stating that he was unethical. Discussion followed. Chairman Pettit responded to Mr. Gutierrez's letter to the editor on the same issue and addressed some inconsistency stated regarding land development regulation on tree removal. Discussion followed. Member Gutierrez stated he quoted specific sections from the proposed draft. Discussion continued. Vice Chairman Pettit stated that as a commission he would like to debate issues as a whole group instead of in the newspaper. Did not want to oppose any bodies right to express an opinion or limit their freedom of speech, but would prefer to discuss the issues within the commission.

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

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Adjournment:

The meeting adjourned at 7:05 p.m.