

MARINE COMMISSION MINUTES
Wednesday, January 17, 2024 – 9:30 a.m.
Council Chambers, City Hall, Vero Beach, Florida

PRESENT: Chairman, Keith Drewett; Vice Chairman, Clinton Lanier Members: Brian Cunningham, Bill Johnson, John Chianis, and Alternate Member, Justin Beard **Also Present:** Marina Director, Sean Collins; City Attorney, John Turner and Senior Administrative Assistant, Rita Chartier

1. CALL TO ORDER

The Chairman called today's meeting to order at 9:30 a.m.

2. ELECTION OF OFFICERS

Mr. John Turner, City Attorney, explained that he will conduct the election of Chairman and then he will turn the meeting back over to the elected Chairman to conduct the election of Vice-Chairman.

A) Chairman

Mr. Turner opened the floor for nominations for Chairman of the Marine Commission.

Mr. Johnson nominated Mr. Keith Drewett for Chairman of the Marine Commission. Mr. Lanier seconded the nomination.

Mr. Turner asked if there were any other nominations.

With no other nominations, Mr. Keith Drewett was unanimously elected as Chairman of the Marine Commission.

B) Vice Chairman

Mr. Drewett asked for nominations for the position of Vice-Chairman.

Mr. Johnson nominated Mr. Brian Cunningham for Vice-Chairman of the Marine Commission. Mr. Drewett seconded the nomination.

With no other nominations, Mr. Brian Cunningham was unanimously elected as Vice-Chairman of the Marine Commission.

3. Approval of Minutes

A) August 23, 2023 – Regular Meeting

Mr. Cunningham made a motion to approve the August 23, 2023, Marine Commission minutes. Mr. Johnson seconded the motion and it passed unanimously.

B) September 25, 2023 – Special Call Meeting

Mr. Cunningham made a motion to approve the minutes of the September 25, 2023, Special Call Marine Commission meeting. Mr. Johnson seconded the motion and it passed unanimously.

4. PUBLIC COMMENT

Mr. Drewett opened and closed public comment with no one wishing to be heard.

5. NEW BUSINESS

A) Member Introduction and Relevant Experience

Mr. Drewett said it was suggested that each of the Marine Commission members introduce themselves and briefly talk about their maritime experience.

At this time, each Commission member and Mr. Collins introduced themselves.

B) Human-Powered Vessels in Channel.

Mr. Drewett said he added human-powered vessels to the agenda because it is a State regulation that is not widely known and it needs more exposure. There is a restriction against human-powered vessels in a marked channel and that applies to the Intracoastal Waterway (ICW). He said that Vero Beach Rowing Club has been very successful and they invite college rowing crews to come here in the spring to train and use their facilities. Last year he did see a crew rowing in the channel pretty consistently. He was curious to know if other people have experienced this because being in the channel is a safety issue.

Mr. Cunningham said he finds rowing interesting because even though they are allowed to row in the channel there are also regulations against it. What it comes down to is that everyone needs to be observant and use common sense. He notices more activity in the summer but it is usually more paddle boards and kayaks than it is rowing or crews. He has always assumed that smaller and especially human-powered vessels have the right of way when crossing the channel.

Mr. Chianis said he usually encounters human-powered vessels north of the Barber Bridge and east of the markers. Summer time is when he and his wife enjoy their boat, but now is when the college teams arrive so he cannot speak about them.

Mr. Drewett said he wanted to discuss this because it is the law and it is a safety issue.

Mr. Beard asked if there had been any incidents.

Mr. Drewett replied that he did not know of any.

Mr. Cunningham said he wonders if the Vero Beach Rowing Club includes these regulations as part of their instructions for out-of-state teams coming to Vero Beach.

Mr. Drewett asked if they should suggest that the Vero Beach Rowing Club include it as part of their requirements.

Mr. Sean Collins, Marina Director, suggested asking Mr. Bob Snyder who is heavily involved with the Vero Beach Rowing Club. He said they might want to table this suggestion until Mr. Snyder can come to a meeting.

Mr. Beard asked if it was a Florida Fish and Wildlife Conservation Commission (FWC) ordinance or was it a City of Vero Beach ordinance.

Mr. Drewett replied that it is a State of Florida Statute, so any Law Enforcement officer can enforce it.

Mr. Beard said there is probably a seasonal influx but with the amount of residents they see regularly a lot of this activity is here to stay and water activities are going to continue to be popular. If people are not aware of the Florida State Statute then it is probably important that they help educate them.

6. OLD BUSINESS

A) Update on Marina South Complex Project

Mr. Collins stated that City Council was updated on the Marina projects on January 9, 2024. He said the Marine Commission members all received a copy of that portion of the City Council minutes so they could read what was discussed (on file in the City Clerk's office). They are waiting on the Army Corps of Engineers. They were told that the permit is ready but they do not physically have it yet. They had to do another modification to the Submerged Lands Lease so the new floating dock layout is getting finalized. The timeline with the contractor still looks good so they should have this portion done by next season.

Mr. Drewett asked about the items over the water and if they are expecting to start that work in June. He also asked if it would be completed sometime around September and if the dry storage building would be the next project started.

Mr. Collins replied yes. He explained that per the City's request, they had to go back and ask the Architect to do some plain drawings of the dry storage building because of some new building codes. The Architect is working on that and they should be completed by the end of the week. They want to get all this submitted for review so they can go out to bid by the end of January or early February.

Mr. Cunningham asked if the building codes have changed since this project started.

Mr. Collins replied yes. Some changes went into effect on December 1, 2023.

B) Update on Derelict Vessels

Mr. Drewett reported that he reached out to several people regarding the derelict vessels but he did not get much information. He said the three (3) sunken vessels in the City waters are all tagged for removal. The Field Officers have done their job and now it is up to the bureaucracy.

Mr. Cunningham asked if there is a time frame for when they will be removed.

Mr. Drewett said it could easily be a year before they make it through the system. There is nothing more they can do for those three (3) vessels.

Mr. Cunningham asked what about some of the other vessels that are anchored near the islands.

Mr. Drewett said he is disappointed that the other vessels in the cove near Veterans Memorial Island Sanctuary and north of Fritz Island don't meet the tests for derelict vessels.

C) Anchoring Limitation Area

Mr. Drewett said the County is working on the anchoring limitation area, which is the closest thing they have as a fix for the other anchored vessels. There were some concerns that the City of Sebastian might have requested too large of area for their anchoring limitation area. It cannot be more than 10% of the navigable waterways so the County is working with them. He said he spoke with the Florida Inland Navigation District (FIND) and they will grant funds for some things like signs.

Mr. Cunningham said he agrees that the anchoring restrictions need to be enforced.

Mr. Drewett reported that City Council approved hiring one (1) more Police Officer for beach and lagoon enforcement so the Police Chief is actively recruiting.

Mr. Beard said he spoke with Mr. Dean Kubitschek, Fort Pierce Marina Manager, and they are looking at implementing a similar anchoring limitation area.

Mr. Drewett replied that he also spoke with him. He said he is pretty sure that Brevard County, Fort Pierce, and Martin County are all going to be enforcing anchoring limitations. He is concerned that if Vero Beach is the only Marina with an unenforced anchoring area they will have a problem. They need to keep pushing for this so they can address the anchored vessels before they sink or get washed ashore.

Mr. Drewett said if the Commission members would like him to keep pressing the issue he will continue talking with the people he knows.

7. MARINA DIRECTOR'S MATTERS

None

8. CHAIRMAN'S MATTERS

Mr. Drewett said just as a reminder, per City Council's request, the Marine Commission will need to meet in June to review Mr. Collins Marina pricing proposals.

Mr. Johnson suggested having the meeting in the early part of June.

Mr. Drewett said there might not be a pressing issue for them to meet before June but they will play that by ear. He asked Mr. Collins if his proposal would include the pricing for the new docks.

Mr. Collins said they would look at the pricing and see how it fits together.

9. MEMBER'S MATTERS

Mr. Lanier stated that he would like to bring up a safety issue. He said some people operate vessels in a way that is not as safe as it could be and not everyone knows the rules of the waterways. There is not a great education program for many boaters and he is not sure if any training is required to operate a vessel. He said most of the injuries or deaths he sees as a Personal Injury Lawyer could have been prevented. He explained that the photo he provided today was a picture he took on New Year's Day (on file in the City Clerk's office). He was traveling north at idle speed under the 17th Street Bridge and another vessel passed him going about 50 miles per hour with no warning. He said no one was injured but a few items were broken and fishing gear was tossed around from the large wake the boat created. He thinks there should be signs, especially at the 17th Street Bridge, because it is not regulated and eventually, someone will get hurt. He feels the City should consider adding a sign or passing an Ordinance to enforce a slow speed zone under the bridge for safety purposes.

Mr. Cunningham explained that anywhere under a bridge in the ICW is a slow zone. It is not regulated by the County or State but it is kind of the "rules of the road" from a boater's perspective. He said that along the Treasure Coast, Vero Beach has the only bridges without any speed zone signs. He reported that the 17th Street Bridge did have slow speed signs on both sides before the hurricanes in 2004. One of those storms took them away and they were never replaced. This topic has come up before and he thought they were told it was the responsibility of the FWC to replace them.

Mr. Turner said signage is regulated by the State and the City does not have much jurisdiction in that area.

Mr. Drewett said there is a slow speed zone in the channel going north of the Barber Bridge.

Mr. Cunningham replied that is correct but the 17th Street Bridge has an issue and he believes they should continue to address the missing signs.

Mr. Johnson said they have addressed this issue many times and he thought they previously suggested that the signs be discussed with the FWC. He asked who is responsible for making contact and communicating with the FWC to get it done.

Mr. Drewett replied that they could ask City staff to do it, or if the Commission wishes he can explore this and report back.

Mr. Turner said he would get some assistance looking into this and provide the Commission with some information at their next meeting.

Mr. Lanier stated that he was researching the Florida Statutes and he believes that a municipality can regulate this so they might not have to go through the FWC.

Mr. Turner asked Mr. Lanier to send him that citation and he will look at it.

Mr. Beard asked if there is a timetable for the replacement of the docks at Riverside Park.

Mr. Drewett said the last thing he heard was that the City was waiting for grant funding.

Mr. Cunningham stated that Mr. Monte Falls, City Manager, might be the best person to ask about the timeframe for those docks.

10. NEXT MEETING DATE

A) April 17, 2024

The Commission members discussed scheduling a Special Call meeting in June to review the Marina pricing with Mr. Collins before the budget hearings. The Commission members selected Thursday, June 6, 2024, as the tentative date.

Mr. Drewett said the Marine Commission's regular meeting is scheduled for Wednesday, April 17, 2024, but if they don't have any items to discuss they might only meet on June 6, 2024.

11. ADJOURNMENT

Today's Marine Commission meeting adjourned at 10:10 a.m.

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