

MARINE COMMISSION MINUTES
Wednesday, April 19, 2023 – 9:30 a.m.
Council Chambers, City Hall, Vero Beach, Florida

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

Excused Absences: Bill Johnson and Robert Snyder

1. CALL TO ORDER

Today's meeting was called to order at 9:30 a.m. and the Senior Administrative Assistant called the roll.

2. APPROVAL OF MINUTES

A) January 18, 2023

Mr. Cunningham made a motion to approve the January 18, 2023 Marine Commission minutes. Mr. Chianis seconded the motion and it passed unanimously.

3. PUBLIC COMMENT

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

4. ELECTION OF OFFICERS

A) Chairman

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

Mr. Drewett nominated himself for Chairman. Mr. Cunningham seconded the nomination.

Mr. Turner asked for any other nominations for Chairman.

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

B) Vice-Chairman

Mr. Drewett opened the floor for nominations for the position of Vice-Chairman of the Marine Commission.

Mr. Cunningham asked if Mr. Trautman and Mr. Johnson were still on the Commission.

Mr. Drewett reported that Mr. Trautman is no longer on the Marine Commission. He said Mr. Johnson and Mr. Snyder are the others that make up the total of five (5) full members and Mr. Chianis is an alternate member.

Mr. Lanier nominated himself for Vice-Chairman. Mr. Drewett seconded the nomination.

Mr. Drewett asked if there were any other nominations for Vice-Chairman.

With no other nominations being heard, Mr. Clinton Lanier was unanimously elected as Vice-Chairman of the Marine Commission.

5. OLD BUSINESS

A) Vessel Enforcement Update – Mr. Keith Drewett

Mr. Drewett announced that there was a major meeting among the City, the County, the lady who handles the vessel removals, the Vero Beach Police Department, City leadership, the City Attorney, and a Florida Fish and Wildlife Conservation Commission (FWC) Patrol Officer. They had a good discussion on vessel removals, at risk vessels, and aspects of other issues that affect the City. Nothing conclusive came out of the meeting, but it was more of an informative meeting on the process and how difficult and slow it is. He said the emphasis was more on early intervention and the FWC is interested in getting to vessels early in the process so they are not left with sunken vessels, which are much more challenging and costly to remove. He explained that the City has a new patrol boat, but the Vero Beach Police Department is still short a few officers and the marine patrol is the first to be taken off their list of importance.

Mr. Drewett stated that the Clean Water Coalition (CWC) is going to advocate for some sort of dedicated hours for marine patrols so that it is not last on the list.

Mr. Cunningham asked if the FWC is the last call for action under the current process.

Mr. Drewett explained that any sworn officer can ticket or report a vessel that is in violation of City Codes or Florida Statutes. When it comes to removing a vessel, then it goes to the FWC who will tag the vessel with an orange sticker and then the removal process begins. The funding for vessel removals has been increased this year to over \$8 million. It takes several months to get the vessels approved for removal and then they notify the County's coastal division. They try to assemble a few vessels in the same proximity to improve the economics for the contractor that comes down from Brevard County to remove them. He reported that all the vessels they talked about last time sunk and they are in the removal process. One (1) vessel was removed by the owner and the sailing vessel north of Fritz Island has been tagged and is now being removed.

Mr. Cunningham asked if they know how many derelict or sunken vessels there are in Indian River County.

Mr. Drewett replied that he does not know, but there are a large number of vessels and he understands that there are a lot in Sebastian, Florida.

Mr. Drewett reported that he met with Mrs. Laura Moss, Indian River County Commissioner, per her request to update her on the derelict vessels. He explained that the CWC initiated the anchoring limitation areas with Mr. Peter O'Bryan, County Commissioner, but he has since retired. Now, Commissioner Moss has agreed to take it on and try to move it through the County's process.

Mr. Drewett stated that he received a call from the Fort Pierce Marina Director because they have a major problem down there with derelict vessels. He called to get an understanding of what the City of Vero Beach is doing and to learn about it.

B) Update on Anchoring Limitation Areas

Mr. Drewett said he understands that the application for the anchoring limitation areas is complete and they are ready to move forward. He explained that only the County can apply for an anchoring limitation area, so the County is acting as an agent for the City of Vero Beach as well as for other municipalities. It was held up for a while due to the lack of a County Commissioner, but hopefully Commissioner Moss will push this along. This new legislation provides for anchoring limitation areas, which means that anchoring in the same place is limited to 45 days and then the vessel has to move on. It is unfortunate they have had to take this course of action, but Vero Beach is the best protected anchoring area between Stuart, Florida and Dragon Point in Merritt Island, Florida. Vero Beach has become a magnet for anchoring vessels and it has been difficult to move them, so the limitation area is the tool they are using to try to solve this problem.

Mr. Drewett opened the floor for any public comment on the two (2) items that were just discussed.

Ms. Kelly Jackson, County resident, said she is inquiring about regulations on vessels dumping waste. She said even people who live on the water who are community members are not sure this is being regulated.

Mr. Drewett stated that it has been illegal to dump untreated waste in the water in the United States since the Clean Water Act was passed in 1972. He believes that it is also in the City's Code of Ordinances. It can be enforced by any sworn Officer in any jurisdiction. Unfortunately, it is labor intensive because it requires the vessel to be boarded by the officers to test for an open valve. He explained that any boat that comes to the Marina and docks or is in the mooring field is required to have their holding tank closed and sealed with a seal that is unique to the Vero Beach City Marina and the tank has to remain sealed until they leave the Marina.

Ms. Jackson asked when people come here, are there signs informing them of this or how do they know.

Mr. Drewett said he believes any recreational boater knows the rule that within three (3) miles of shore there is no overboard discharge.

Ms. Jackson asked if the boaters know where they can go to dump out.

Mr. Drewett replied that in Vero Beach they can go to the City Marina and they can be pumped out for a \$5.00 fee.

Ms. Jackson asked are there signs along the waterways letting them know that.

Mr. Drewett said there are signs along the waterway and at the boat ramps that were put up by the CWC. Grand Harbor also has a public pumpout facility and there are two (2) in Fort Pierce, Florida. He said there are two (2) things that cruisers always know, where the next pumpout facility is and where to get fuel.

Ms. Jackson asked what are the fines if they are caught.

Mr. Drewett said he believes it is a \$500 fine for the first time per the Florida Statutes, but he is not sure what the City Code states. If they are caught at the City Marina, the Marina Director has the option of expelling them from the Marina.

Ms. Jackson said if she is understanding this correctly, no one is currently going around and checking or enforcing this.

Mr. Drewett replied that the FWC and the Vero Beach Police are enforcing it. Now they are required to have three (3) sworn officers present in order to board a boat for safety purposes, so it is labor intensive. He said this is an issue and he thanked Ms. Jackson for bringing it up.

6. NEW BUSINESS

None

7. MARINA DIRECTOR'S MATTERS

Mr. Sean Collins, Marina Director, stated that he has nothing new to report at this time.

Mr. Drewett asked if there is an estimated start time for the construction.

Mr. Collins replied that it is still undetermined at this time.

Mr. Lanier asked what is the worst case scenario for the completion of the new barn.

Mr. John Turner, City Attorney, said the City is waiting on the decision by the Circuit Court on the appeal that was filed by the Vero Beach Preservation Alliance. All the paperwork has been filed and they are waiting on the Court to announce their decision, so that has put the construction of the barn on hold.

Mr. Cunningham asked when will the case be heard.

Mr. Turner replied that the case has already been heard, but it has not been decided. He is estimating that they should know something within a couple of months.

8. CHAIRMAN'S MATTERS

None

9. MEMBER'S MATTERS

Mr. Cunningham stated that the waterfront is busier than he has seen it in a long time and that has probably lead to the new derelict vessels he has encountered.

10. NEXT MEETING DATE

A) July 19, 2023

The next meeting of the Marine Commission is scheduled for July 19, 2023 at 9:30 a.m.

Mr. Lanier, Mr. Cunningham, and Mr. Chianis all stated that they would not be available on that date.

Mrs. Rita Chartier, Senior Administrative Assistant, stated that the City Clerk's office will check for an alternate date and notify the Commission members.

11. ADJOURNMENT

Today's Marine Commission meeting adjourned at 9:52 a.m.

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