

TREE AND BEAUTIFICATION COMMISSION MINUTES

Thursday, June 16, 2022 – 9:30 a.m.

City Hall, Council Chambers, Vero Beach, Florida

PRESENT: Chairman, Katherine Booth; Vice Chairman, Fran Robinson; and Member, Rebecca Siplak **Also Present:** Assistant City Attorney, Jenny Flanigan and Deputy City Clerk, Sherri Philo

Excused Absences: Opal Nelson and Cindy Roberts

1. CALL TO ORDER

Today's meeting was called to order at 9:30 a.m., and the Deputy City Clerk performed the roll call.

2. APPROVAL OF MINUTES

A) May 19, 2022

Mrs. Booth made a motion to approve the minutes of the May 19, 2022 Tree and Beautification Commission meeting. Mrs. Robinson seconded the motion and it passed unanimously.

3. PUBLIC COMMENT

None

4. NEW BUSINESS

A) Mr. Bryan Bobbitt of Keep Brevard Beautiful to give a presentation on Lagoon Friendly Landscaping

Mrs. Booth reported that Mr. Michael Ansley of Keep Indian River Beautiful (KIRB) would be giving today's presentation on Lagoon friendly landscaping.

Mr. Michael Ansley, Executive Director of KIRB, reported that Lagoon Friendly Lawns was implemented in Brevard County by Mr. Bryan Bobbitt of Keep Brevard Beautiful (KBB) as part of a Keep America Beautiful affiliate. He then gave a Power Point presentation (attached to the original minutes).

Mrs. Booth said what she really likes about the program is that it applies to single-family homes. Currently the City's Landscaping Ordinance exempts single-family homes from any type of regulations. She said there is an excessive use of pesticides, fertilizers, herbicides, etc., as well as excessive irrigation. She felt it would be great to have certified contractors. She thought that anyone wanting a pesticide license would have to go through the University of Florida Extension Program.

Mrs. Siplak said the County Extension Office offers several certifications.

Mrs. Booth said that she was glad that the University of Florida has these certification programs. She thought the only one that is mandated by the State is the pesticide license. The other certifications are voluntary. She felt the Commission needed to explore this further. She said there are contractors who are certified in irrigation, which she felt was a huge component of this because there are many property owners who over irrigate and that water eventually ends up in the Lagoon.

Mrs. Siplak said that she didn't think they could enforce certification. However, most homeowners hire someone to take care of their lawn so maybe they could educate the homeowners to request that their lawn service be certified, that they have more training. She felt that was the only way they could encourage people to utilize the certification services. She said there is a ton of resources for professionals to be trained.

Mrs. Booth said the County has stormwater regulations and they have one (1) person who enforces it, however it was her understanding that they only issued two (2) citations in the past two (2) years.

Mrs. Booth reported that Section 38-114 of the City's Fertilizer Ordinance states that it may be enforced. She said it would be interesting to find out from the City if it ever has been enforced.

Ms. Flanigan said that she would request that information from the Code Enforcement Officers.

Mrs. Booth reported that the City has a new irrigation Ordinance that goes along with the St. Johns River Water Management District (SJRWMD) regulations.

Ms. Flanigan said that the City Council passed the Ordinance in June, 2021, which was required by the SJRWMD in order for the City to be eligible for grant funding.

5. OLD BUSINESS

A) Beautification Weekend

Mrs. Booth reported that each Commission member received a paper copy of the banner that spans across 14th Avenue for Beautification Weekend (on file in the City Clerk's office).

Mrs. Siplak asked do they also put out public service announcements that explains what Beautification Weekend is.

Mrs. Booth said their ability to publicize things are very limited. She asked how they could publicize.

Ms. Philo said that she would check on how Beautification Weekend was previously publicized.

Mrs. Siplak said that she could craft a paragraph that they all could use to promote it.

Mrs. Siplak asked if they could add the City's website to the banner.

Ms. Flanigan said that she would check with the Public Works Department. She said the Commission does have some funds that they could possibly use to purchase a new banner. She noted that they would need approval from the City Council to use those funds.

Mrs. Booth asked the Commission members if they wanted to hold Beautification Weekend in conjunction with another event, such as Garden Fest. Her preference was to hold it in June. She felt that the Commission needed to be clear on what it is that they are tasked to do and what they hope to do. In thinking about Beautification Weekend, she felt the most beautiful thing that matters is the Lagoon so whatever activities they do they should have the goal of protecting the Lagoon. She said if the Commission holds Beautification Weekend during the cooler months, whatever landscape beautification is done is going to require irrigation. Even in June it would require some type of irrigation.

Mrs. Siplak said that she was okay with moving Beautification Weekend to June with the caveat of notifying people that they are not permitted to use fertilizer after June 1st, that it is a good time to plant, etc. She said that she had made a suggestion that they do a trash pickup event. However, she felt that attendance would be low in June because of the heat.

Mrs. Robinson suggested working in conjunction with KIRB to hold some clean up events targeting certain neighborhoods. She said this might help build a more unified presence of the Commission.

Mrs. Booth asked Mr. Ansley what KIRB is currently doing.

Mr. Ansley reported that Coastal Connections hosts a beach cleanup every Wednesday and KIRB is working with them to host the Coastal Cleanup in September. He said that he is currently hosting cleanup projects for the children that are home schooled. He said Keep America Beautiful (KAB) holds the Great American Cleanup through the summer months where they try to get organizations or businesses to do a cleanup around their area. He said they would be happy to work with the City to host more cleanups.

Mrs. Booth asked the Commission members to write down their thoughts as far as the neighborhood cleanups and working with KIRB. She questioned if they wanted to do this as their beautification project.

Mrs. Siplak that is her hope.

Mrs. Booth said if they decide this is what they want to do for Beautification Weekend then they would need to find out which neighborhoods would be included, decide on signage, and get with KIRB to see when they are available.

Mrs. Siplak said that she would write something up on what she is thinking and they could discuss it at their next meeting when everyone is present.

Mrs. Booth asked Mrs. Siplak to make a proposal to the Commission at their next meeting. She said they do need to decide if they want that to be their Beautification Weekend and if they want to have a Landscaping Award Program.

B) Landscaping Award Program – Mayor’s Award and Champion Tree Award Programs

Mrs. Booth said they all should have received an email that included information pertaining to the previous beautification award, the Champion Tree brochure and the Mayor’s Live Oak Award (on file in the City Clerk’s office). She asked Ms. Philo to resend the email to all the Commission members. In the meantime she is going to create a table with the different award programs, including the Florida Friendly Landscaping and Lagoon Friendly Landscaping and how she would like to promote protection of the Lagoon. She said that she would send the information to the City Clerk’s office to forward to the Commission members so they could look at it prior to their next meeting.

Mrs. Robinson said that she went through some of her Master Gardner publications and several of them have the Florida Friendly Landscaping.

Mrs. Booth said that would be criteria that they might want to look at if they are going to have a landscaping award.

C) Discussion of Members Attending other Commission/Board meetings

Mrs. Booth said that she sent an email to the City Clerk’s office to distribute to the Commission members that had a limited list of Commission/Board meetings that she felt would be pertinent for a Commission member to attend (on file in the City Clerk’s office). She said that she would be attending the Planning and Zoning Board meeting this afternoon because they are going to be discussing Landscape Ordinance revisions, which includes tree protection.

Mrs. Robinson asked are the Commission/Board meetings recorded.

Ms. Philo said the meetings are televised and can also be seen online on the City’s website.

Mrs. Booth felt that in order to be proactive they need to attend these meetings and give their voice on what they are trying to work on and how it might be impacted by what another Commission/Board is doing. She said the City Council meets the first and third Tuesday of the month at 9:00 a.m., the Code Enforcement Board meets once a month and she would like a Commission member to attend. She said that she would be attending the Planning and Zoning Board meetings.

Ms. Philo noted that they would want to check to be sure the Commission/Boards are meeting and have not been cancelled.

Mrs. Booth commented that Ms. Nelson said that she would work with Mainstreet. She said another meeting that she would like a Commission member to attend is the Historic

Downtown Economic Development Advisory Committee, which she thought Ms. Nelson would want to attend.

Mrs. Siplak said that her work schedule would not allow her to attend in person, but she would watch the meetings on the City's website.

Ms. Flanigan noted that when they do attend these meetings they can give public comment on behalf of themselves and not on behalf of the Commission.

6. TREASURY REPORT

Mrs. Booth reported that there was \$171,942.07 in the Tree Replacement / Mitigation Funds and \$1,569.21 in the Tree Planting Application Fund.

Mrs. Siplak asked if the Commission in the future wanted to add online forms and content on the City's website, who would manage that.

Ms. Flanigan said the website is managed through the City Clerk's office.

7. CHAIRMAN'S MATTERS

Mrs. Booth asked for the links to any Statutes on regulations relevant towards making Code revisions for tree protection and landscape regulations, which defines private property rights versus public interest in protecting natural resources; what can be regulated in regards to private property when there is public interest.

Ms. Flanigan said that is a very broad topic. She said that she would send the Commission members a list of the preemptions that would be relevant to this Commission.

Mrs. Booth said it is in regards to the regulation of landscaping on single-family properties in the City. She said other cities and counties in Florida have regulated single-family property landscaping. Since the City's Code Enforcement Officers are already able to regulate certain aspects of landscaping, fertilizer and irrigation, it made sense to her that they would include single-family residences in the City's landscaping requirements. She said in what she has read so far, landscaping is allowed to be regulated under the Comprehensive Management Plan.

Ms. Flanigan read from Section 163.045 of the Florida Statutes that would be effective on July 1, 2022, with regards to tree removal, trimming, pruning, etc. (attached to the original minutes).

Mrs. Siplak wondered if the City would consider using some of the mitigation funds to plant trees on properties that are not owned by the City.

Ms. Flanigan said they would have to get the consent of the property owner.

Mrs. Booth asked if she was stating that a private property owner could petition the City to plant a tree on their property.

Mrs. Siplak answered yes and that they could use the mitigation funds.

Ms. Flanigan read in part Section 72.43 (i)(1) of the City's Code, *"All amounts paid into the fund shall be reserved solely for the removal of invasive plants, purchase, relocation, costs directly related to tree planting, installation of tree related irrigation systems, or maintenance of trees and palms on public property and rights-of-way within the City. With the approval of City Council, such funds may be used to purchase vacant property for the preservation of existing trees or palms of significant public interest."*

Mrs. Siplak said there is a lot for sale at the corner of 19th and 22nd that has two (2) giant Loblolly Pines that are ancient. She said that she did not know the price of the lot, but it would be an awesome Park.

Mrs. Booth asked is that something that Mrs. Siplak could send to the Public Works Department for consideration.

Ms. Flanigan said that would need approval from the City Council.

Mrs. Booth said then they could make a motion today to bring this property to the attention of the City Council.

Ms. Flanigan recommended that the Commission develop more facts so that there is a reasoning behind it. She said they would need to make a finding of significant public interest.

Mrs. Siplak said Loblolly Pines were not on the list of trees that are of significant importance and it is her goal to get Slash Pines, Loblolly Pines, and Long-leaf Pines added to the list. She said that she is still formulating her plan on this and that she would bring this before the City Council as a private citizen to ask them to add these trees to the list.

Mrs. Booth asked if she was correct that Mrs. Siplak could made a motion that the Commission asks that the City add these trees to the list that it would first go before the Planning and Zoning Board.

Ms. Flanigan said they could make that motion.

Mrs. Booth asked Mrs. Siplak if she wanted to make that motion.

Mrs. Siplak said that she knows there are ecological benefits to Pine Trees and she would like to have them documented in order to pass it forward as a reason that they are important trees to preserve. She felt their argument would be better if they had supporting factual information behind it.

Ms. Flanigan said the Ordinance is in the process of being amended, which would be heard by the Planning and Zoning Board at their meeting this afternoon. She said there is still time to make recommendations.

Mrs. Siplak made a motion to request a change to the Tree Protection Ordinance to include Slash Pine Trees, Long-leaf Pine Trees, and Loblolly Pine Trees as trees that are economic, ecological, and environmental importance to the list. Mrs. Robinson seconded the motion and it passed unanimously.

8. MEMBER'S MATTERS

None

9. NEXT MEETING DATE

A) July 21, 2022

The next Tree and Beautification Commission meeting will be held on Thursday, July 21, 2022 at 9:30 a.m. in the City Hall, Council Chambers.

10. ADJOURNMENT

Today's meeting adjourned at 11:18 a.m.

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