

MEETING MINUTES
MANASOTA KEY STREET & DRAINAGE MSTU ADVISORY COMMITTEE
November 12, 2014 – Regular Meeting
9:30 A.M. – San Casa Public Works Conference Room

Attendees: Tommy Brock, Joan Dunham-Card, Kim Frahn, B.J. Galberaith, Lorraine Johannessen, and William Wing

County: Karen Bliss, Dawn Harrison, Tara Musselman, and Sandy Wright

Guests: Sign-in sheet attached

The meeting was called to order at 9:41 a.m. A roll call was taken. A quorum was present.

The meeting notes from September 10, 2014 were unanimously approved as amended.

Citizen Input on Agenda Items Only (3 Minute Limit)

- Mr. Delbridge Question: Will Mr. Green be here today?
Answer: No
- Ms. Ouellette Question: How far are the Engineering Plans to date?
Answer: 30%
- Mr. Jackson provided a photo of a safety concern regarding the 25mph sign across from the White Elephant Restaurant that is not being maintained. The sign is located in the park right-of-way (ROW). The growth by the Wanna Be Inn by the tennis courts is not private property; why is the part that is covering the pavement not being trimmed? Mr. Brock will bring it up for discussion during the meeting and will trim by his property. Ms. Harrison explained the County maintains the ROW in front of vacant lots only, if there is a structure on the property, it is the property owners responsibility. The County expects residents to maintain the ROW in front of their home. Mr. Frahn requested a copy of the ordinance regarding the legal height of grass.
- Mr. Dumont stated that he doesn't think new sidewalks coming in will affect his business but he does think it will take away from the beauty of the area and he hates to see it change. He doesn't think that the residents realized what they were going to lose when they said they liked the sidewalks.
- Ms. Lose-Frahn stated it would make more sense to have the County move the sign instead of having Mr. Frahn remove the sign and asked who is responsible for complaining about maintenance.
- Mr. Raterink stated that sidewalks are good for safety issues; however 9 months out of the year it is not an issue. He is concerned that the Committee will decide that there is going to be a sidewalk when most of the community doesn't want them. He is concerned that the foliage will be removed to put in a sidewalk and it will damage the look of the island.
- Mr. Carlin stated he has gone through the past minutes and asked if the Committee is empowered to make the decision and not the citizens. The minutes show they went from broken lights to a bike lane then to the sidewalks. There were 13 people present at the meeting where it was decided to hire a firm to do a sidewalk study. There is going to be a lot of money spent on a study that will destroy the beauty of the island instead of spending a little now to address the problem with the lights. It was explained that some lights were off for the turtle season; the new lighting contractor will turn all of the lights back on and will evaluate them during the evening so that the necessary repairs can be made.
- Mr. Carroll stated that he is a member of a bike club and would like to know the distinction of a bike lane and a sidewalk. Few bicyclists like using a sidewalk. The proposed bike lane appears to be too narrow and he feels that bikes should use the roadway and not have a bike lane.
- Mr. McClain stated he rides his bike every morning and is interested in the maintenance of the ROW. There are trees overhanging, there are owners not taking care of the ROW in front of their houses, and there is trash. He asked if there is a mechanism to take care of this, it should be done. The lights at the pork chop as you approach the round-a-bout and the light over the shell have not worked for a year and they should be maintained. It was explained that the contractor reviewed them less than a year ago and all the necessary repairs were made at that time. That maintenance is getting ready to be done again.

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- Ms. Ouellette stated that the last meeting she attended there were County engineers present that stated drainage would be addressed in the plan and asked if that is still true. It was explained that drainage will be included in the plan.
- Ms. Silva stated that the lighting and drainage problem that she reported at the last meeting have been taken care. She thanked the Committee and County.
- Ms. Galberaith stated the old lighting contractor didn't want to continue their contract; a new lighting contractor is now on board and they will be given a list of concerns.
- Mr. Delbridge stated he is a business owner, resident and was previously a Committee member. He explained that the reason this whole master plan came up was to save the tax payers money. Instead of doing several small projects that sometimes overlap each other, the plan was to address the safety of the pedestrians and cyclist, aesthetics, and drainage. Residents seem to be focusing only on the sidewalks when that was not the only intent. This design project is to save tax payers money. The lighting situation over the past 5 years has been terrible. He agrees that sidewalks are not the place for cyclist and feels the bushes should be trimmed back from the ROW. He thinks everyone should work together.
- Ms. McCallum stated the lighting should be taken care of for safety issues and she is concerned about the aesthetics and the look of the key.

Unfinished Business:

- Community Plan/Sidewalks – Ms. Musselman the Project Manager for this project has been overseeing the project since the beginning. Originally it started to address the lighting; then the committee said they may want to install a sidewalk in the future. The design plan was done so that multiple items could be addressed in the proper order. The public input was tabulated and the conceptual master plan was created. Back in December the Committee agreed to move forward with the first 3 items of lighting, bike lane, and a sidewalk. Changes were given to Weiler Engineering prior to the plan being given to staff and the committee for additional changes. The updated 30% plans are available now and the 60% plans should be available about 3 days prior to the December MSTU/Community meeting. She explained that County staff didn't drive this project; they do what they are directed to do by the committees. Through the contract specialty driveways will be replaced with exactly what is there; however shell drive ways will not be replaced because they create a safety issue for shell to be on both sides of a sidewalk. The County will not replace landscaping. Some of the major issues that were safety issues such as crosswalks have already been addressed. Ms. Musselman reviewed the updated 30% plans with the Committee members and property owners while answering questions. Ms. Musselman explained that the plans are not final, they are only 30% complete; and the 60% plans that will be available at the December meeting will provide more detail. There are 5 properties that will require property easements and the addresses will be known by the December meeting. If an easement isn't received, the sidewalk will not be able to be installed in that location. Ms. Musselman asked for the Committee to allow citizen comments so they can be taken back to the engineer for review. Citizen input was opened back up for comments.
- Mr. Delbridge asked if an overlay of the plans can be provided so that property owners can identify exactly where their property is on the plans. The plans were prepared from an official survey and the 60% plans will have the lots and blocks identified on them.
- Ms. Yeomans Question: How many feet from the edge of pavement the sidewalk would be.
Answer: It will vary because it will meander and they are trying to prevent moving as much as possible. The landscaping in the ROW can be relocated by the property owners. Some of the trees will have to be removed. The trees can be replaced somewhere in the ROW by the MSTU if the Committee decides to.
- Ms. Galberaith stated that when the sewers were installed, the citizens worked with the contractor so that they only had to dig a hole and the contractor would relocate a tree. It was worked out between the contractor and property owner and there was no warranty regarding the trees survival.
- Mr. Carroll asked for a 3-4 sentence description of what the plan would entail for approximately a mile of road. Ms. Musselman described it as a 5ft concrete sidewalk from the circle to the state park on the west side of the street to between the two Shoreviews; then it will cross to the east side of the road. Mr. Carroll requested that next time the plans be put up on the wall so everyone can see them easily.

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- Ms. Carroll agrees something needs to be done around the White Elephant and suggested making Shoreview one way around the circle counter clockwise. Ms. Galberaith stated it was looked at but presented problems. It was explained that a review of the option by the traffic engineer would have been done if it was requested by the committee; however if there was no request; it wouldn't have been done. Ms. Musselman will follow up. Ms. Carroll stated that from the beginning, property owners preferred something different from what is in the plan. She feels that people that stated they don't want to do this were taken into consideration. She is not convinced that the property owners who will be paying for this are in favor of this project and asked if there is a way to find out if the property owners are in favor or not? Secondly, if they are not in favor, how do they get out of doing the project before it goes any further? She doesn't feel it is fair for people to have to pay for something they don't want and stated that Commissioner Truex agreed to look into a vote by the property owners.
- Mr. Carlin Question: Is the advisory committee authorized to make these decisions?
Answer: They have the power to make recommendations to the BCC.
Mr. Carlin stated that somewhere along the line the property owners should be able to vote on whether they want this or not. They should be given the opportunity to voice their concerns. What the committee wants to accomplish is not what the public wants.
- Mr. Jackson expressed concern regarding the public having enough time to review the 60% plans that will be available at the December meeting and asked if there is someplace else the plans can be viewed prior to the meeting. Ms. Musselman explained the 60% plans were not scheduled to be done until February; they have been pushed up to accommodate the meeting date. She agreed to set up the plans prior to the beginning of the meeting to allow the public time for review if the meeting room is available.
- Ms. Ouellette Question: How much was Weiler Engineering paid to do this design?
Answer: The design cost is \$69,000. The cost for design, permitting, lighting and sidewalks to get to construction ready phase is \$175,000. An estimate of costs will be available at December meeting
- Mr. McClain stated that lighting is the one issue that he is in favor of and asked if the county standard light is different from the lights at the round-a-bout. It was stated that the lights must be turtle friendly or they will not be installed. An example of the county standard light on Bayshore Drive by the bridge.
- Ms. Silva asked that the president of the Manasota/Sandpiper Key POA be provided with a copy of the presentation so she can make it available to the public.
- Mr. Jackson heard there will be 13 parking meters installed at the north end, is this true? There are no parking meters on the plans. The December 10th meeting is the proposed sidewalk plan only.
- Ms. Ouellette Question: Where the sidewalks begin?
Answer: Will start at the White Elephant and meander and will be 4 to 5 feet off of the pavement.
- Ms. Carroll Question: Why was the meeting scheduled in December if the 60% plans weren't due to be complete until February?
Answer: Weiler Engineering thought the plans would be available sooner so the meeting was scheduled accordingly. It will be a rush to get them completed by December.
- Mr. Carroll stated that the plans are hard to digest and suggested a highlighted version of the plans be made available during the presentation to the public to make it easier to tell where things will be.
- Mr. Delbridge Question: Will the mail boxes be relocated?
Answer: Yes
- Question: Can the existing ROW be highlighted and the sidewalks shown on the plans so the property owners will be able to see what they are going to lose?
Answer: Ms. Musselman will follow up with Weiler Engineering to see if addresses can be provided; the lot and block numbers will be on the 60% plans.
- The Committee members requested a copy of the plans as soon as they are available.
- Mr. Falk stated that if this committee is an advisory committee the BCC will do what the committee wants correct?
Answer: No, the Committee makes recommendations to the BCC. A majority vote of the committee members can shut down the project if they choose to. If a survey is done and opposition to the plan is found, the Committee can vote to cancel the whole plan; however the lighting problem will still need to be addressed.

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The property owners could save the cost of the design by making the decision to use county standard lighting which would allow the use of county staff and eliminate the need for an outside contractor. Property owners will have plenty of opportunity to voice their concerns. After the design is complete the property owners may want to move forward with lighting.

- Mr. Brock asked if a show of hands could be done today for people not wanting the sidewalks. There was discussion regarding the people in attendance not being enough to represent all the property owners.
- Ms. Dunham-Card made a motion to close public comments; the motion was seconded by Ms. Johannessen and passed with 4 for a 1 opposed.
- Mr. Brock made a motion to send out a notice asking all residents on Manasota Key how they feel about the sidewalk project; the motion was not seconded and did not pass.
- Flapper Gates – Photos of the flapper gates were provided for the members to review. The gates have not been working or cleaned in about a year. The committee can vote to move forward with the cleaning of the flapper gates. The estimates were distributed when it went out to bid; however quite some time has gone by since then so it will have to go out to bid again for another estimate. The previous contract was discussed and the Committee is concerned over the cost tripling. The previous contractor didn't want to continue. The new contractor will have to meet the specifications of the job that is to be done and must be licensed and insured. Ms. Dunham-Card will talk with Gaspar Divers. Ms. Johannessen made a motion to put the flapper gates back out to bid; the motion was seconded by Mr. Wing and passed unanimously.
- Light contract/light located at Bayview – Ms. Harrison provided an update via email. The new contractor will go out during the evening to assess all the lights so he can see which lights need repairs. The Bayshore light was recommended to be removed by the committee. The community requested that the light be put back up because it is located at the crosswalk; the decision is up to the committee. Ms. Galberaith requested that the Traffic Engineer research the possibility of placing a barrier around the light to prevent it from being destroyed again. Ms. Harrison stated that a she spoke with the Engineer and was told that this can't be done for safety reasons. Ms. Galberaith made a motion to install a new light at Bayview by the entrance to the Villas; the motion was seconded by Ms. Dunham-Card and failed with a vote of 2 for and 3 opposed. The previous motion to remove the base still stands.

New Business:

- Financial Reports – The draft 12 Month Actual Report was distributed for review and discussion. The Committee requested a copy of the Activity Report; Ms. Harrison will email the report to the members.

Open Discussion:

- Mr. Wing stated that Manasota Key is a wildlife refuge not a sanctuary. A sanctuary means no building would be allowed. There was discussion regarding the leach law. Ms. Galberaith stated some ordinances are being updated and she will verify the leach law is going to remain in effect. The county has updated their sign ordinance. The refuge signs can be addressed when the county updates the signs to meet with the new ordinance which will prevent the new signs from being installed on the existing channel poles. Ms. Harrison will send a copy of the new sign ordinance to the members. Mr. Wing provided a photo of a portable sign that can be placed in a crosswalk that says vehicles must stop when pedestrians are in the crosswalk. All states don't have the same laws; some northern visitors don't know it is Florida law to stop when pedestrians are present in the crosswalk. There was discussion regarding the new crosswalk signs having lights on them; the committee agreed the lighted signs would be best. The Committee asked Ms. Harrison to remind Mr. Green that he agreed to talk to FPL about putting the utility wires underground.
- Mr. Brock asked if the weeds and vegetation that are growing in the ROW north of his fence where the county park starts be the parks responsibility to keep trimmed. A photo of the area was reviewed. The Committee requested Ms. Harrison contact Parks and Rec to clear the growth from the bike path in that location.
- Ms. Dunham-Card nothing to comment on other than surveying all residents on Manasota Key concerning the sidewalk because there is seems to be serious push back from property owners. The committee agreed that there are a small number of residents that disagree with the sidewalks; however they are very vocal. The design will move forward and be completed; at that time it would be appropriate to poll the property owners to see how they would like to proceed. The members are responsible for representing the public.

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- Mr. Frahn commented that there are approximately 1800 property owners and doesn't feel the people present at the community meetings spoke for all of the 1800. He stated if property owners could see where their house sits on the plans; it may be more accepted because they could see exactly what is going to happen. He feels this is being rushed. Ms. Dunham-Card explained that this is not being rushed, and further explained that this process has been taking place over the past 2 years. Some property owners want no changes at all.
- Ms. Johannessen commented that she appreciates Mr. Frahn's feelings and understands that some people are upset. She feels the plan has been scaled down the committee should work with the residents to help them relocate their landscaping. The community as a whole will benefit from the sidewalk project.
- Ms. Galberaith stated that additional community meetings can be held as more information becomes available to pass on to the property owners. She asked Ms. Johannessen to identify on the plans, each property on the west side of the street that will be affected by the sidewalks. Ms. Galberaith commented about the landscaping being changed on beach road saying azaleas have been replaced by fire plants. The landscaping is not consistent and if the azaleas were going to be taken out, the committee should have been approached first. Ms. Harrison asked that the members email her so she can pass it to Mr. O'Connor. There was discussion regarding installing edging around a property; this is not an issue for this committee and would have to go through permitting to install it in the ROW. Pots on each side of a driveway in the ROW would also need to go through permitting. Ms. Galberaith expressed concerns about Shoreview, and asked why there is a cement apron on a driveway that was shell and also that Ms. Dexter's property was the one having big problems and no work has been done by her house. Ms. Harrison stated they are not done working in that area and stated that they are tearing up Meredith because it was pitched incorrectly which prevented proper drainage. Ms. Harrison will follow up regarding the work at the end of Mockingbird at the water's edge.
- Mr. Frahn stated that it is not good when there is nobody present at the meeting that really understands the plans and are able to answer questions. Ms. Harrison stated 30% plans don't have very much detail. The contract with Weiler states how many meetings they will attend; additional meetings will cost more.
- Mr. Frahn Question: Are the white lines going down the side of the road the bike lane. Answer: Yes.

Citizen Input on MSTU Related Items (5 Minute Limit)

- Ms. Kane asked that the bike path by the Weston and between the two Little Courts that are so over grown be trimmed. Ms. Harrison will ask that the whole bike path be investigated.
- Mr. Miller Question: How many times have a safety engineer recommended that a light be removed and does the committee have the right to not install another light at Bayview.
Answer: There is an FPL light a few feet away so the area is not a safety concern.
- Mr. Jackson commented on the driveway on Shoreview that is being concreted is replacing the one that was cut out. This morning workers were in front of Ms. Dexter's house and should be done in a day or two. The drainage is working. The bike lane that was made 2ft wide will be corrected when the project is complete.
- Ms. Silva commented on the improvements that were made for the boat races and asked if there are going to be anymore? The road striping was going to be done anyway and was not done specifically because of the boat races. She asked if there are any pending improvements now. Ms. Harrison will forward items as she is made aware of them.
- Ms. Silva Question: If 51% of the votes are needed to approve a vote; is that percentage based on the returned votes or 51% of all the property owners or just the property owners on the south end.
Answer: It would depend on how the ballot is worded. It will go to all property owners and the 51% would be based on the returned votes. She asked that the properties that will require easements be passed on as soon as they are known. Fire Department vehicle usage questions should be addressed to the fire department.
- Mr. Wing stated the boat races have not been set for next April; the county is waiting additional information.

The meeting was adjourned at 12:56 p.m.

Submitted by:

Sandy Wright - Public Works Department

**CHARLOTTE COUNTY
PUBLIC WORKS DIVISION
MANASOTA KEY STREET & DRAINAGE MSTU ADVISORY COMMITTEE
ATTENDANCE ROSTER**

MEETING DATE: Wednesday, November 7, 2014

MEETING TIME: 9:30 A.M. – San Casa Public Works Conference Room

**INFORMATION SUPPLIED ON THIS FORM BECOMES
PUBLIC RECORD**

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