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Town of Ponce Inlet  
**CULTURAL SERVICES, HISTORIC PRESERVATION  
AND TREE ADVISORY BOARD**  
REGULAR MEETING MINUTES  
**January 6, 2020**

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Mr. Shaffer called the meeting to Order at 5:30 PM in the Council Chambers, located at 4300 S. Atlantic Avenue, Ponce Inlet, Florida and led attendees in the Pledge of Allegiance.

2. **ROLL CALL & DETERMINATION OF QUORUM:** A quorum was established with seven members present.

Board members present:

Ms. LaBarre, Seat 1

Ms. Harris, Seat 2

Mr. Shaffer, Seat 3

Ms. Finch, Seat 4

Ms. Bell, Seat 5

Ms. Keese, Alternate 1

Mr. Patton, Alternate 2

A. Oaths of Office - Attorney Brackins administered the Oaths of Office to Ms. Finch, Ms. Harris, Ms. Keese, and Mr. Patton.

B. Election of Chair - Ms. Finch moved to nominate Mr. Shaffer to serve as Chair; seconded by Ms. LaBarre. Mr. Shaffer declined. Ms. Finch rescinded her motion. Mr. Shaffer nominated Ms. Bell to serve as Chair; seconded by Ms. LaBarre. There were no other nominations. The motion PASSED 5-0, with the following vote: Ms. LaBarre - yes; Ms. Harris - yes, Mr. Shaffer - yes; Ms. Finch - yes; Ms. Bell - yes.

C. Election of Vice-Chair - Ms. LaBarre nominated Ms. Finch to serve as Vice-Chair; seconded by Ms. Bell; there were no other nominations. The motion PASSED 5-0, with the following vote: Ms. LaBarre - yes; Ms. Harris - yes, Mr. Shaffer - yes; Ms. Finch - yes; Ms. Bell - yes.

Staff members present:

Mr. Brackins, Town Attorney

Mr. Gunter, Public Works Manager

Ms. Hugler, Administrative Assistant

Ms. Schenk, Acting Recording Secretary

Ms. Zengotita, Cultural Services Manager

3. **ADOPTION OF AGENDA:** Chairperson Bell asked if there were any changes to the agenda; Ms. Zengotita requested to remove item 12-A, Discussion of Invasive Species as it was inadvertently included from last year's agenda; there were no other changes.

Vice-Chairperson Finch moved to adopt the agenda as amended; seconded by Mr. Shaffer. The motion PASSED 5-0, with the following vote: Ms. LaBarre - yes; Ms. Harris - yes, Mr. Shaffer - yes; Ms. Finch - yes; Chairperson Bell - yes.

49 **4. DISCLOSURE OF EX-PARTE COMMUNICATION:** None.

50

51 **5. ADMINISTERING THE OATH TO WITNESSES:** None.

52

53 **6. APPROVAL OF MINUTES:**

54 **A. December 2, 2019 regular meeting minutes** – Chairperson Bell asked if there were any  
55 changes; there were none.

56

57 Mr. Shaffer moved to approve the December 2, 2019 meeting minutes as amended; seconded by Ms.  
58 LaBarre. The motion PASSED 5-0, consensus.

59

60 **7. REPORT OF STAFF:**

61 **A. Public Works** – Mr. Gunter reported that staff will be replanting Live Oaks in the south  
62 end of Town in the coming weeks.

63

64 **B. Cultural Services** – Ms. Zengotita provided a copy of the list of upcoming events; reported  
65 that Pollard Park is at 80% completion and has until January 15<sup>th</sup> to wrap up construction. She stated the  
66 Grand Opening will occur after the punch list items are complete (usually within 30 days of the completion  
67 date). She noted that the Davies Lighthouse Park playground has been approved by Council and it selected  
68 the Pirate Ship theme. She stated it is her goal is to have the renovations completed before the Easter party.

69

70 **8. CORRESPONDENCE & COMMUNICATIONS:** None.

71

72 **9. OLD BUSINESS:**

73 **A. Revision of site plan for Davies Lighthouse Park Renovations, 4933 South Peninsula**  
74 **Drive** - Ms. Zengotita explained that Council reviewed the final site plan at is December meeting which  
75 included two alternate plans, based on the Planning Board’s recommendation to try to save the tree proposed  
76 to be removed. At the meeting Council reviewed the options but requested straightening out the sidewalk.  
77 She stated that Alternate A would direct the sidewalk more towards the center of the park and still results  
78 in the loss of the one tree; Alternate B tries to keep the current path as it runs along the perimeter of the  
79 park but will result in the loss of two trees. Mr. Shaffer noted that Alternate A gives you more room in the  
80 park; Ms. Finch and Ms. LaBarre concurred. Chairperson Bell asked if the original issue was to avoid  
81 removal of a tree? Ms. Zengotita stated yes, but Council expressed concerns of the safety of the curvature  
82 of the sidewalk. Ms. Keese clarified with Ms. Zengotita Alternate A (labeled as Attachment B in the packet)  
83 and Alternate B (labeled as Attachment C in the packet) were what staff is asking the Board to review; Ms.  
84 Zengotita confirmed and added that the fence will remain, and any trees removed will be re-planted. Mr.  
85 Gunter confirmed that eight trees are slated to be planted in that park. Ms. Harris suggested that the visibility  
86 through the fence not be blocked. Mr. Gunter noted that there is a bicycle/pedestrian plan proposed to widen  
87 all bicycle/pedestrian paths to be eight feet in width, which includes this area. He noted that with the project,  
88 other trees along Peninsula Drive may need to be removed. Mr. Shaffer referenced the “shaded area” of the  
89 plan and asked if the existing sidewalk will be replaced; Mr. Gunter and Ms. Zengotita stated yes. Ms.  
90 Finch stated concerns that Alternate A would cut up the park with a sidewalk running through the open area  
91 of the park. Mr. Shaffer suggested that Oak trees and other vegetation could be planted in the area between  
92 the new path and the edge of the park. Mr. Gunter stated the goal is to plant trees to restore the canopy and  
93 placement would be based on logistics. Chairperson Bell stated her support of Alternate A, noting that the  
94 sidewalk would be placed further from the fence. Ms. Harris agreed. Chairman Bell opened public comment  
95 - hearing none, she closed public comment.

96

97 Mr. Shaffer moved to forward Alternate A to the Town Council with a recommendation of approval and  
98 suggested more shrubs and trees be planted in the park’s open areas; seconded by Chairperson Bell.

99

100 Ms. Finch asked if useable park space would be lost by moving the sidewalk (path). Chairperson Bell noted  
101 that this is in the area of the pavilion that is typically not utilized.

102  
103 The motion PASSED 5-0, with the following vote: Ms. LaBarre - yes; Ms. Harris - yes, Mr. Shaffer - yes;  
104 Ms. Finch - yes; Ms. Bell - yes.

105  
106 **10. NEW BUSINESS:**  
107 **A. Request to rename “Happy Tails Dog Park”, discussion of renovation plan, and**  
108 **consideration of changing Park hours** - Ms. Zengotita explained that Council approved burial of Ponce’s  
109 ashes, as recommended by this Board. Council has asked the Board to consider renaming the park, create a  
110 renovation plan for possible ECHO funding, and changing the park hours. She asked for the Board to first  
111 consider the name.

112  
113 Mr. Shafer moved to recommend changing the park’s name to “Ponce’s Happy Tails Dog Park”; seconded  
114 by Ms. Harris. Chairman Bell opened public comment - hearing none, she closed public comment.

115  
116 The motion PASSED 5-0, with the following vote: Ms. LaBarre - yes; Ms. Harris - yes, Mr. Shaffer - yes;  
117 Ms. Finch - yes; Ms. Bell - yes.

118  
119 1. Discussion of renovation plan - Chairperson Bell stated she has heard concerns  
120 about the lack of sunlight in the park and its proximity to the wetlands, which keeps it wet most of the time.  
121 Mr. Shaffer stated he does not support removing any trees, but suggested bark mulch might be a better  
122 material. Ms. Keese asked how often the park is sprayed for bugs, etc. Mr. Gunter stated once per month.  
123 She then asked if the Town has considered agility activities. Ms. Zengotita stated staff will research with  
124 the playground companies.

125  
126 2. Park hours - Ms. Zengotita stated the park is open 7:00 AM to 8:00 PM, and  
127 concerns have been raised by the Interim Police Chief due to no lighting in the park. Interim Chief Walker  
128 noted that many park visitors are there until 8:00 PM and use their car headlights and flashlights to  
129 illuminate the area, which raises liability concerns. Chairperson Bell opened public comment. Ed Rooney,  
130 4590 S. Atlantic Avenue - stated his support he uses the park quite a bit and suggested that not too many  
131 activities be put in the park due to a lack of space. He stated that several residents support keeping the park  
132 open later, as many residents work out of town or have different schedules and changing the hours could  
133 prevent them from using the park. He stated that he understands concerns of liability, but that the few  
134 residents who are there later, have been doing this for nearly five years. He added that it is not only a good  
135 for the dogs, it is a social gathering for the owners. Mr. Shaffer asked where the closest electrical connection  
136 is located. Mr. Gunter stated there is a power pole in the area, but residents might complain about the  
137 lighting. Ms. LaBarre asked if it would be possible to shield the light; Mr. Gunter stated it is possible, but  
138 keep in mind that there is a heavy tree canopy there as well. Mr Shaffer suggested holiday lights be hung  
139 in the trees or install uplighting. Mr. Rooney suggested solar lighting and that he and a couple of other  
140 residents would be happy to pay for the cost. Chairperson Bell asked if lighting would address the safety  
141 concerns. Interim Chief Walker stated if the park is illuminated, the issue would be eliminated, and the  
142 lights could be on timers. Vice-Chair Finch asked if it would be OK to continue to use the park as it is,  
143 while waiting for the renovation of the park proposed. Interim Chief Walker advised against that. Ms.  
144 Zengotita stated it could take up to a year for the ECHO Grant to be approved by ECHO and then begin  
145 project as several boards have to review and approve. Mr. Rooney stated that anything would help, and that  
146 the days are getting longer, so this issue would resolve itself in a month or so and asked the Board to not  
147 make a decision to change the hours now. Attorney Brackins noted that using flashlights is not ideal and is  
148 a liability concern; as well as concerns with temporary lighting. Chairperson Bell closed public  
149 participation.

150

151 Mr. Shaffer moved to change the hours of the dog park to: Dawn to Dusk; and to forward to Town Council  
152 with a recommendation of approval; seconded by Ms. LaBarre. The motion PASSED 5-0, with the following  
153 vote: Ms. LaBarre - yes; Ms. Harris - yes, Mr. Shaffer - yes; Ms. Finch - yes; Ms. Bell - yes.

154  
155 **B. Boardmember Annual Training** - Attorney Brackins reviewed the training materials and  
156 provided a question and answer session. Attorney Brackins suggested that the Chair should not make a  
157 motion or second a motion whenever possible, the Chair should ask for a motion and a second to the motion.  
158 He reviewed the Sunshine Law and penalties for violating it and urged members to read the materials and  
159 reminded members that items may “come back before the Board” so do not discuss cases amongst  
160 yourselves. Ms. Zengotita asked if board members may speak with staff individually. Attorney Brackins  
161 stated yes, but that conversation must be disclosed before the item is heard. He reviewed Legislative  
162 hearings and Quasi-Judicial hearings. He noted a new State law that requires a “findings of fact” or “Order”  
163 is now required whenever it constitutes a development order. He reminded members to never “reply to all”  
164 in response to emails to avoid potential violations.

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166 **11. PUBLIC PARTICIPATION:**

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168 **12. BOARD DISCUSSION:** Ms. Keese stated she served on the former Parks and Recreation Board  
169 and was able to get raised reflectors for the roadways, which alerted drivers before coming onto a sidewalk.  
170 She expressed concerns to Interim Chief Walker of the speed of traffic traveling South Peninsula Drive and  
171 asked if there was anything the Police Department could do. Interim Chief Walker noted her concerns and  
172 stated that patrols will be stepped-up; he noted that the new texting law might help as well. Ms. Keese noted  
173 specifically south of Inlet Harbor Road to the park. Ms. LaBarre referenced Brazilian Pepper trees and  
174 asked what the town is doing to facilitate the removal of these invasive plants; and added that there should  
175 be a streamlined process for the paperwork. Mr. Gunter stated that Public Works will provide poison to any  
176 Town resident upon request. He stated that the chemical (Round-up) is applied to the root system and  
177 prevents the species from growing back. Ms. LaBarre asked if the Town will remove them for free; Mr.  
178 Gunter stated no, staff is not allowed to remove them from private property. Vice-Chair Finch suggested  
179 adding an article in the Newsletter. Ms. Zengotita and Mr. Gunter confirmed there have been several articles  
180 and there is another one in the upcoming edition. Mr. Gunter explained that you have to poison the leaves,  
181 the roots, and then grind the stump and remove it once it dies off. Ms. Zengotita urged caution with  
182 removing while the plants have berries on them, as this causes them to spread and re-seed. Ms. Keese stated  
183 she researched shared pathways and will send the information to staff. Attorney Brackins referenced the  
184 notice at the top of each agenda: “*Sunshine Law Notice for Board Members - Notice is hereby provided that*  
185 *one or more members of the Town Council or other Town Boards may attend and speak at this meeting*”,  
186 covers board members with regards to the Sunshine Law and suggested that members refrain from sitting  
187 together in the audience.

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189 **13. ADJOURNMENT:** Chairperson Bell adjourned the meeting at 6:50 PM.

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191 Prepared and submitted by:  
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193 \_\_\_\_\_  
194 Peg Hunt, Board Secretary