

**MINUTES OF THE PELICAN BAY MSTBU MEETING OF MARCH 6, 2002**  
**Naples, Florida**

**LET IT BE KNOWN**, that the Pelican Bay MSTBU Advisory Committee met in Regular Session on this date, **March 6, 2002** at **3:00 P.M.** at the Foundation Center, 8269 Hammock Oak Drive, Naples, Florida 34108 with the following members present:

Mr. Lou Vlasho	Mr. Glen Harrell
Mr. Joseph Bawduniak	Mrs. Cornelia Kriegh (Absent)
Mr. Thomas Brown (Absent)	Mr. David Roellig
Mr. James Burke	Mr. Christopher Sutphin
Mr. James Carroll	Mr. George Werner
Mr. John Domenie	

**ALSO PRESENT:** Approximately twenty (20) Pelican Bay residents; Collier County Commissioner James D. Carter, Ph.D.; Corporal Dean Walton, Collier County Sheriff's Department; Mr. James P. Ward, Department Director, Pelican Bay Services Division; Mr. Kyle Lukasz, Field Manager, Pelican Bay Services Division and Mrs. Barbara Smith, Recording Secretary.

**AGENDA**

1. Roll Call
2. Approval of the Minutes of the February 6, 2002 Regular Meeting
3. Security Update – Sheriff's Department
4. Sub-committee Reports
  - Organization Structure Review Sub-committee
    - PBSD Revised Ordinance Enactment
  - Clam Bay Sub-Committee
    - Clam Bay Annual Monitoring & Improvement Schedule
    - Cattail Removal
    - Clam Pass Dredging
    - Dune Restoration
    - Seagate Culverts Valves
5. Administrator's Report
  - Community Issues
    - U.S. 41 Median Landscaping
    - Sidewalk Overlays and Repairs
    - Oakmont Lake Walkway Signage
    - North Pelican Bay Boulevard Traffic Signal
    - U.S. 41 Berm Landscaping
8. Financial Statement Review
9. Audience Participation
10. Committee Requests
11. Adjourn

**ROLL CALL**

Mr. Vlasho called the meeting to order and asked that the record show Mrs. Cornelia Kriegh and Mr. Thomas Brown with an excused absence.

**ANNOUNCEMENT**

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Mr. Vlasho announced that there would be a Town Hall Meeting this evening at 7:00 P.M. to meet with District 2 County Commissioner James Carter. The meeting is to be held at the St. Johns Catholic Church on 111<sup>th</sup> Avenue.

**APPROVAL OF THE MINUTES OF THE FEBRUARY 6, 2002 REGULAR MEETING**

Page 4737, Line 6, should read "roughly \$40,000 per 1,000 lineal foot".

***Mr. Werner moved, seconded by Mr. Roellig and approved unanimously the Minutes of the February 6, 2002 Meeting, subject to the above change.***

**SECURITY UPDATE – SHERIFF’S DEPARTMENT**

Corporal Dean Walton introduced himself saying that he has been with the Collier County Sheriff’s Office for approximately twenty (20) years and works the midnight shift in Pelican Bay. Most of my time with the Sheriff’s Office has been spent as an Undercover Officer with the Vice Narcotics Bureau and I came out of that capacity about a year and one-half ago. Do we have a drug problem in Pelican Bay? I can honestly say, yes we do. There are a couple of areas at the south end of Pelican Bay that I handled as a narcotics investigator. One of the units is a rental and the owner is presently in the process of having the tenant evicted. I have constantly arrested people coming in and out of that house and have finally gotten the attention of the owner to have this person evicted. All of the people who know me from my undercover days are actually afraid to come into Pelican Bay to deliver crack. I think we have done our job in scaring those types of people out of Pelican Bay. There is another area in Pelican Bay with this type of problem, which we are addressing, but in this instance the lady owns the condominium and has a lot of riff raff who deal crack visiting the condo.

Corporal Walton continued that a recent arrest was made at the Trieste. I was on patrol at 4:00 A.M. and ran across a car occupied by two black males, on Pelican Bay Extension, who looked out of place. The men had two very big toolboxes in the back seat of their car and after receiving consent to search the vehicle, found that they had a trunk full of power tools. As it turned out, they had broken into the Boran, Craig and Barber Construction Office at the Trieste and had taken \$10,000 worth of computer equipment and tools.

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Corporal Walton explained that on a daily basis we answer a lot of false alarm calls. If we have been out to your house, you may now know that the Sheriff has implemented a False Alarm Ticket. There were, in Pelican Bay alone last year, 529 unverified 911 calls. There were 1,373 residential alarm calls and 282 commercial calls. As an example, for the same time period, all of North Naples had 5,703 alarm calls with 25% of those calls being in Pelican Bay. I know that the problem of speeding has been brought up in the past and we are enforcing speeding and other traffic violations in Pelican Bay. Last year we made nine (9) DUI arrests, arrested seven (7) people for driving while their license was suspended or revoked, we have wrote seventy-six (76) moving violation citations, sixty-four (64) non-moving violation citations, which would be a light out or something to that effect and sixty-nine (69) speeding tickets, for a grand total of two hundred and twenty-five tickets (225) in Pelican Bay alone.

Corporal Walton continued that total crimes in Pelican Bay were up by seventeen (17), which is an increase of 6.1%. Total burglaries were up by one (1), which is an increase of 3.1%. Dwelling burglaries were down by eight (8), which is a decrease of 57.1%. Commercial burglaries are up by nine (9), which is an increase of 90% and robberies are down by two (2), which is a decrease of 66%. I work with five other deputies who nearly all have over twenty-years of law enforcement experience. We take our jobs seriously and try to make it safe for the residents of Pelican Bay.

Corporal Walton explained that there was a question about a burglary at the Crescent and I checked that before coming to the meeting. I read the officer's report and I believe that condominium complex was in the process of being painted. It appears, and we really don't know yet, that possibly some of the people who were doing the pressure cleaning might have been involved and I know the detectives have been working on that. I believe a couple of sets of golf clubs, beer and a toolbox were taken and there is a suspect that they have been looking at. If you saw the newspaper recently, at the Sanctuary and on Valen Way, there were some cars broken into this last week and they were cars that had been left unlocked. Somebody was going from car to car and found unlocked vehicles, gained access and took cell phones and two sets of golf clubs. The Sheriff's Office is going to initiate a letter in the Pelican Bay Post requesting that

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everybody lock their cars. This is not a little town of one hundred people where you can leave your cars unlocked, because there are people out there that will come into Pelican Bay and prey on elderly, wealthy people. That is why when we are on patrol at night and we see something that looks out of the norm we will pull that person over and ask what they are doing in here. That is done on a regular basis.

Mr. Werner asked that as far as security goes, I have often heard that two of the best things that you can do is have lot a of lighting and to keep your shrubbery trimmed down so that bad people do not have a place to hide, is that true?

Corporal Walton replied, "That is a good point". Last night I worked Pelican Bay alone and as you know it is quite a large area and I endeavor to visit every condominium and every residential area during my shift. When I drive by your house, if your shrubs are six feet high and there is somebody between the shrubs and your window, I can't see those people. If you keep your shrubs trimmed it makes our job easier.

Mr. Carroll stated that whoever burglarized the Crescent did so during the night by opening two windows, which were not locked and stealing golf clubs and a toolbox. What surprises us is how they got away with it. I guess it is not hard to get in the gate, but they were able to case the job enough to know exactly what to do. They took the screen and fan off and removed a toolbox that weighed two hundred pounds, which says there had to be more than one person involved. We have not heard if we are likely to find out any more about this incident.

Corporal Walton replied that in your particular case, the morning prior to that, a couple of deputies made contact at 7-11 with a fellow I had previously arrested. He had been to one of the drug houses in Pelican Bay and I took ½ cookie of crack, worth about \$500.00, out of his vehicle. We keep arresting this individual over and over, he bonds out and comes back out into the community and continues to do criminal acts. The morning after your crime, this individual was sleeping in a van with another individual at the south end of Pelican Bay. The officers looked in the vehicle and did not find anything, but they did perform a Field Interrogation and took photographs. I have forwarded that information to the detectives and they are going to compare fingerprints to some left on the vehicles that were broken into and if they match they can be

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arrested for burglary. It is very frustrating when you arrest these people and put them in jail, they bond out and are back here doing the same things over again. These are very good suspects in the burglaries at your place.

Mr. Carroll stated that we were told they had worn gloves so the fingerprints may not be there.

Mr. Burke asked if you are saying the tenant in the condominium is a dealer?

Corporal Walter replied, "He is a user, so he has a lot of dealers who come to supply him with drugs".

Mr. Burke stated that creates other problems in that condominium. That person provides access to the condominium and could potentially keep those friends informed as to who is and who is not in residence.

Corporal Walton stated that location is Lugano, which is not gated, but you do have to have a security code for access. I talk to the residents on a daily basis and they keep me apprized. I am doing everything I can to get that person out of there.

Mr. Carroll asked if it is true that you can get into any gated community by punching 911 on the keypad?

Corporal Walton replied, "That is not true". Every community has a different code.

Mr. Vlasho asked if the residents of Lugano are aware of the problem?

Corporal Walton replied, "Yes". Several of the residents are writing down the tag numbers of people frequenting the place.

Mr. Vlasho asked, "What other community are you watching"?

Corporal Walton replied, "St. Simone".

Corporal Walton stated that there have been several incidents involving a European lady being seen in houses along Crayton Road and there was also a similar incident along Ridgewood Drive in Pelican Bay. Again, the victim reported that incident to us the following day, but should have picked up the phone and called us immediately. Lock your doors.

Mr. Vlasho stated that there is a publicity issue now and we are constantly discussing what are we getting for our money. Hearing you give a report and seeing it in the paper the other

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morning made it appear that the crime was all through the community and the question was, where is our Sheriff? Did it happen all the same night, because the way it was listed in the paper it sure appeared that way?

Corporal Walton replied, "From the time the people parked their vehicles until the time they found the missing items is the same morning these two individuals were found in the van at the south end of Pelican Bay".

### **SUB-COMMITTEE REPORTS** **ORGANIZATION STRUCTURE REVIEW SUB-COMMITTEE** **PBSD REVISED ORDINANCE ENACTMENT**

Mr. Carroll reported that the residents have been voting on the new Ordinance. As of March 1, the total number of cards returned is 1,101 with 1,096 being residential and 5 being commercial.

Mr. Harrell stated that I saw the same numbers today and I made some calls. It is even worse than you think. First of all, the five commercial ballots that have been returned are mine. Second, 475 of the 1,096 are from the Registry Hotel because they are considered residential for tax purposes. There is less than 600 people in this community that have decided to take a view and 59 don't know how to fill out a card right.

Mr. Carroll stated that as Mr. Harrell indicated, there does not seem to be too much interest in voting. So far 923 are for the Ordinance, 119 opposed and another 59 with no opinion. We will be getting more cards in as the days go forward. After March 15, which is the deadline for these cards to be returned, we will have another Sub-committee meeting and it will be before the April MSTBU meeting. At that time we should have the final results. I question whether we should consider inviting Mr. Brock to our April meeting and our Sub-committee will look at that issue.

Mr. Vlasho stated that my reaction is that people really don't care and why waste our time with Mr. Brock coming here? This is a real joke and unfortunately it is typical of what happens here in Pelican Bay. Unless you get somebody excited about something, they will not turn out. You have not even had that many people vote who would turn out if we did something to antagonize them. This reflects what some of us tend to feel and that is that most of the people

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are happy, they like Pelican Bay, they don't want to be bothered and just let life go on. It is going to be interesting when you come back and ask us to take action and go to the County Commission with just 600 voting. There is no reason to believe you are going to get an influx of ballots now.

Mr. Harrell stated that Mr. Brock had indicated that the preponderance of these votes came in during the first week. It has always been the same rationale, but the Registry kind of skewed that a little.

Mr. Werner stated that I got a number of complaints from people that said why couldn't they tell us what the Ordinance was about? They have had plenty of opportunity to find out what it was about, but that was the complaint that I heard.

### **CLAM BAY SUB-COMMITTEE**

Mr. Roellig explained that the main topic of the Sub-committee meeting was the consideration of a proposal for drainage diversion from System IV to System III. WilsonMiller had a cost estimate of \$28,000 to prepare the plans, specifications and permitting for this diversion. There was a long discussion on this issue and it was determined that WilsonMiller was working entirely on the east side of the berm and had done no studies on the west side of the berm. The proposal that they submitted would impact relatively frequent storms and this diversion would not have a significant impact on storms with large volumes of precipitation, which have caused the problems in the past. After much discussion it was determined that the strategy needs to be reviewed and Mr. Ward is scheduling a meeting between the consultants and the Sub-committee. At the present time the Sub-committee is not recommending moving forward with the WilsonMiller proposal.

### **CATTAIL REMOVAL**

Mr. Roellig explained that there is a planting plan and cost estimate for the replanting of the cattail area. The Sub-committee has moved to recommend approval of the planting plan to the Advisory Committee. The schedule we are looking at, if the Advisory Committee approves moving forward, is that the plans and specifications would be drawn in March and out for bid in

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April. Bids would be received during the latter part of April and not awarded until May. This is not a bad schedule because you would want to do the planting during the rainy season.

***Mr. Roellig moved and seconded by Mr. Carroll that the Advisory Committee consider initiation of the plans, specifications and bid documents for the replanting of the cattail area. After much discussion, both Mr. Roellig and Mr. Carroll withdrew their motion. See the discussion that follows.***

Mr. Werner stated that I notice the price is approximately \$25,000 higher than what we were provided at the Sub-committee meeting. Have you been able to determine what that is about?

Mr. Ward replied, "Those are the revised estimates that were provided to us by Mr. Turrell, subsequent to your meeting, after doing an analysis of the exact number of materials and estimated cost of installation".

Mr. Werner asked if these are still the same size plants that were discussed at the Sub-committee meeting?

Mr. Ward replied, "These are the smaller plant materials and planted closer together". The quantities may be up slightly from what you saw before, along with Mr. Turrell double-checking his prices and installation costs.

Mr. Domenie stated that I have also expressed reservations. I was under the impression that somebody was going to take measurements on the high tide to see how far the saltwater was intruding into the system. On Sunday, two days after the full moon, there was a strong southwest wind and at 4:30 P.M., which was about two hours after the high tide, I walked the north berm and there only appeared to be a small amount of flooding taking place near the Claridge, no flooding at the northern end and our whole goal was to bring saltwater into that area. Have we received those measurements?

Mr. Lukas replied, "We went up there Thursday afternoon and the water was still draining out of the system".

Mr. Domenie stated that at the Sub-committee meeting I stated that I did not feel comfortable about planting anything in that area at the moment. Are we planning on doing the

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plants in June, or are we planning to do this after the rainy season and are we rushing into the process because of St. Laurant?

Mr. Ward replied, "Yes". We certainly accelerated the schedule due to complaints from residents with respect to this area and to some extent we have to be sensitive to that issue. The issue that concerns me is what are the elevations of that water going to be over time and we probably need to go through some kind of a rainy season to identify that. Mr. Turrell has said that he is relatively comfortable that the elevations for which he has designed this plant material will be sufficient for a normal rainy season in Florida. Mr. Lewis has expressed some reservations about that, but Mr. Turrell seems to think it is okay to proceed at this point. For my concern I would have liked to have waited, but I do know we have some residents who have to look at that and it is not very pretty at the moment. I am comfortable enough with Mr. Turrell's recommendation.

Mr. Bawduniak stated that these are big numbers and we are into a \$250,000 project here. We have spent over \$100,000 to remove the cattails and now we are spending \$157,000 for replanting. Could somebody enlighten us on the rationale? Does this represent optimum, bare bones or a best guess for how many plants of all of the different varieties are going to go in there? This is not an insignificant project and all we are doing is getting rid of cattails.

Mr. Ward replied, "In my opinion it is bare bones". You are working in a 576-acre mangrove system. We budgeted \$2,000,000 and \$250,000 is a part of that at this point in time. Irrespective of the non-flow at this point, I still believe that if that system does restore itself as the consultants have told you, you will get some saltwater intrusion into that system that would kill those cattails anyway and you would have still needed to deal with this problem. My opinion is yes, it is a lot of money, yes it is bare bones, but if you want to be proactive in the restoration of an environmentally sensitive area this is one of the things that you have to do. It is not an unusual number and I was not surprised by the amount we are spending. I think we could have invested a lot more money into it, but we are trying to be as conservative and bare bones as we possibly can. When the material is planted you are not even going to know it is there, it is bare root material and is going to take time.

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Mr. Werner asked if it would make sense to delay action on this until after the Subcommittee meets with the consultants to make sure there is no conflicting evidence?

Mr. Ward replied, "I don't have a problem with that". I have never been one who wanted to push this forward, in fact I wanted to push it back, but we have to deal with the residents of St. Laurant. I think to some extent if you want to wait and listen to the consultants that would not be problematic from staff's perspective.

Mr. Sutphin stated that I do not know a lot about plants, but the rationale behind the removal of the cattails was drainage and saltwater intrusion into that area. Will what we are proposing to plant survive in both freshwater and saltwater, or should we wait to see what kind of environment they would have to live in?

Mr. Ward replied, "They would survive in either fresh or salt water". It is a little early to tell about a brackish or saltwater system at this point in time, you have not gone through a rainy season, you really don't know what kinds of water elevations are going to come up during the rainy season and you are going to get more flushing action in that portion of Clam Bay than you would at this time of the year anyway. I think you are going to see more tidal action in that system as a result of Mr. Turrell and Mr. Lewis' actions. You need to see more tidal action to completely restore that system and there is no question that the northern part of Clam Bay still has some stressed areas. Mr. Gage was kind enough to allow me to go to the top of the building he lives in and you can still see stressed areas. I think we are still going to need to continue to be more proactive in terms of trying to flush more water through that system.

Mr. Sutphin stated that logic would tell me that if it wasn't for certain residents being upset and obviously we can't ignore them; we would want to get the drainage issues resolved and then optimize the plantings from a drainage standpoint.

Mr. Ward replied, "That, in a perfect world, would be exactly what I would want to do". That is exactly what we would want to do if Pelican Bay had no residents and was in a raw stage of development.

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Mr. Domenie stated if we divert water from System IV to System III that will affect the northern section and I don't think we can make a decision until we decide what to do about that drainage.

Mr. Ward replied, "That has less of an affect than the tidal exchanges in that area".

Mr. Carroll stated that we seem to be talking about St. Laurant people with having a concern, but I think there are a lot more people concerned about the way that area looks.

Mr. Ward replied, "Most of the letters that I have gotten have been from St. Laurant residents". Not to say I want a lot more letters, but there were a concerted group of residents who wrote to Commissioner Carter and myself. I know Mr. Vlasho received a number of letters also.

Mr. Vlasho stated that I think the residents of St. Laurant and other residents should know that we are going to do something, but regardless of what we do it is not going to happen overnight. I don't think we ought to move quickly to appease residents. We ought to be more concerned with doing the right thing, at the right time, and explain that to them. There are some positives in that people like seeing the birds. We still haven't killed the cattails. After the last spraying it appears some cattails were killed, but others are still green. We really haven't solved the problem and to put plantings in there to the tune of \$157,000, which may again be overtaken by the cattails, just doesn't make sense to me and if we were to proceed with the motion, I would vote no.

Mr. Roellig stated that I would be willing to withdraw the motion until we have a meeting with all of the consultants to discuss the problem.

Mr. Carroll stated that he would also withdraw his second to the motion.

Mr. Vlasho stated that we have to be concerned with doing it the right way and at the right time and the residents are just going to have to understand that. I am not sure we want to be where we are right now, but we are there.

### **CLAM PASS DREDGING**

Mr. Roellig reported that the Clam Pass dredging has been completed.

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### **DUNE RESTORATION**

Mr. Roellig reported that a Purchase Order has been issued in order to proceed with the design and permitting of the dune restoration.

Mr. Roellig reported that the Coastal Advisory Committee met on the first Friday in March. One of the subjects discussed were the areas in the County which have not had beach renourishment in the past, mainly because of access problems, which we have discussed many times. The discussion was whether or not there would be some possibility of cost sharing with TDC funds for these areas in the future. Some of the areas, which have never had a permit for renourishment, are the Barefoot Beach area, an area in Vanderbilt Beach, Pelican Bay, a portion of Gulf Shore and approximately one-half mile north of Gordon Pass. The general discussion was that these areas do provide a considerable amount to TDC funding through the leasing of condominiums, hotels, etc. It is more of a policy question for other levels of government in the County, rather than the Coastal Advisory Committee, but I think the Advisory Committee will be looking at this to some degree to see whether or not there would be some opportunity for cost sharing. Percentages would be determined later. My personal view is that I don't think Pelican Bay wants to get singled out, but if we are part of a bigger group, I don't have a problem with possible future TDC participation.

### **SEAGATE CULVERTS**

Mr. Roellig reported that the flap gates on the Seagate Culverts are still on.

Mr. Lukasz stated that we are waiting on the letter from the City of Naples.

Mr. Roellig explained that the plan is to gather data before and after the removal of the flap gates and then to make a decision of where we want to go from there.

Mr. Vlasho asked if the issues being raised by people from the City of Naples about the flap gate removal have been quieted down and agreed to?

Mr. Ward replied, "The Indians are quiet at the moment". Dr. Steiger from the City of Naples did a good job at quelling the concerns of the residents in answering and addressing the questions that Seagate residents had with respect to this issue. Monitoring the effects before and after we remove the gates will help them through the process.

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### **CLAM BAY ANNUAL MONITORING & IMPROVEMENT SCHEDULE**

Mr. Ward reported that the Clam Bay Monitoring and Improvement Schedule have been changed to reflect the inclusion of the Clam Bay Sub-committee in the review of the rerouting of Drainage Systems III and IV. I will also update the Cattail Removal schedule now to lengthen that substantially, to include a review by the Clam Bay Sub-committee. The balance of your projects are on schedule at this point in time.

### **CLAM PASS DREDGING**

Mr. Ward reported that the Clam Pass Dredging is a completed project. The dredging went very well and the contractor did a great job, cleaned up well and we really didn't have any problems. The monitoring is on going and in the fall of 2002 we will prepare your Annual Monitoring and Maintenance Report. We are going to try to pull together your consultant team in a more controlled and unified manner and try to upgrade that program over the next year, to see what it is. Those of us that have talked about it privately, specifically my discussions with your Chair and Mr. Roellig, indicated that we need to move the process forward a little stronger than where we have been in the last year or two. Some of us are becoming concerned that we are not seeing the die off areas grow as we had expected them to at this point in time. We need to look at that process and see where we are going in the next five to ten years. The goal of the Sub-committee is to pull together the consultant team and try to plan where we are going with that in a more consistent manner than where we have been in the last twelve months.

### **ADMINISTRATOR'S REPORT** **U.S. 41 MEDIAN LANDSCAPING**

Mr. Ward reported that what the Committee had indicated at the last meeting was that you would fund up to \$150,000 from existing MSTBU Funds, plus you had \$138,000 available from the two donations that will be forthcoming from WCI, one of which we have already received. Through the good graces of the Pelican Bay Property Owners and WCI, we may have the ability to tap into another \$75,000 for that project. In order to proceed forward with this project, it requires a couple of things to end up appearing before the Board of County Commissioners. One is the approval to enter into an Agreement with FDOT for the long-term operations and

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maintenance for that stretch of the road. This is an FDOT and County requirement. County staff has been in the process of preparing the agreement with the approval of FDOT and the estimated costs to complete it. In addition to that, staff has advised that they will need Commission authorization to proceed forward with the bidding and funding source for that project. In the way of the timing issue that we all need to understand, when I place something on the County Commission Agenda for consideration, I am telling them this is where the funding source will be. The second \$75,000 from WCI we don't currently have so I can't commit to the County Commission that it is forthcoming because we don't have it and we don't have an agreement for it. We are going to have to commit our existing funds and hope that we will be able to get that contribution from WCI. I do have a call in to Mr. Thomas to see if they are actually going to be in a position to fund that contribution at this point in time. I wanted to make sure the Advisory Committee is comfortable with that.

Mr. Ward continued that we have just received a copy of the final plans and estimates for this project from McGee and Associates. The final estimate is \$300,000. It is \$258,000 for construction and approximately another \$25,000-\$30,000 for construction inspection. It breaks down to approximately \$150,000 for actual landscaping work and \$100,000 for the irrigation system that needs to get installed. My first question was what could we cut to get the numbers down to make it work? If you look, there is not a lot in here to do. Irrigation is what it is and those numbers are relatively well fixed. The only big item in the landscaping is the Live Oak trees; twenty of them for \$17,500 and you might be able to remove a few of those trees. The maintenance of traffic is estimated at \$25,000 and it is relatively expensive to do an MOT Plan in a FDOT road right-of-way and I don't see that coming in much less than that. When you look at these in detail, although \$258,000 sounds like a lot of money, it is not an unreasonable amount. I hope the irrigation, if anything, will come in a little lower than what is planned here, but you are in the ballpark with the \$255,000-\$275,000 for the plan that you saw at your last meeting.

Mr. Vlasho stated that the check was for \$63,000, so what we in effect have authorized was \$150,000 plus \$138,000. Although it says bid, this is a project estimate.

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Mr. Carroll stated that I heard about the 90% drawings that we had last month and he asked, "Are these 99%?"

Mr. Ward replied, "These are 100% final drawings and are in for permitting at this point in time".

Mr. Vlasho stated that the Committee has already said let's move forward to the tune of \$288,000. Is there any reason that you are not moving forward except for the \$75,000?

Mr. Ward replied, "No, that is it".

Mr. Vlasho asked that if we say that we will provide the \$75,000 at this point and assuming we will get it back, you could keep moving?

Mr. Ward replied, "Yes".

Mr. Vlasho stated that I would be in favor of doing that because as I heard Mr. Thomas state, they are going to be here for some funding and we are assuming it is \$75,000.

Mr. Werner stated that Mr. Thomas said \$75,000.

***Mr. Roellig moved, seconded by Mr. Werner and unanimously approved that we move forward with the U.S. 41 median landscaping program.***

Commissioner Carter stated that since that is a decision of this Committee, I will go forward with the Transportation Department and get it in writing for the maintenance on both Phases. We need to get that in place for a guarantee of what we are doing here. I think you are at a small risk here and I will also work with Mr. Ward and WCI.

### **SIDEWALK OVERLAYS AND REPAIRS**

Mr. Ward reported that the Transportation Department has completed the bio-barrier installation in Phase I; the sidewalk repairs in Phases I and II and are they are approximately 25% complete with the repairs in Phase III. The Transportation Department has not scheduled the overlays for this current fiscal year, but they have indicated to us that they are going to contract that to an outside vendor since their staff is too busy to handle it. That is actually a good thing.

Mr. Ward continued that the Transportation Department has also indicated that they are going to be milling and paving Gulf Park Drive this current fiscal year, so you will see that happen

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before September. We have gotten a number of phone calls about the washboard effect on Gulf Park Drive.

**OAKMONT LAKE WALKWAY SIGNAGE**

Mr. Ward stated that the signs around Oakmont Lake will say "Walkers Only" and if anybody wants them to say anything other than that speak now or forever hold your peace. They are going to be on 12' x 18' backers mounted on 36' posts and will look just like a mini version of our current street signs.

Mr. Vlasho replied, "Wait until the bikers start calling".

**NORTH PELICAN BAY BOULEVARD TRAFFIC SIGNAL**

Mr. Ward reported that the controller and electrical service at the North Pelican Bay Boulevard entrance have been moved. It is still big, but it looks a lot better than what it did.

**U.S. 41 BERM LANDSCAPING**

Mr. Ward explained that we have taken bids on the irrigation side of that project and that is up for award at the Board of County Commissioners Meeting on March 26. This past month we met with representatives of the Pelican Bay Property Owners Association and some residents regarding those plant materials. I believe everybody agreed to disagree on what needed to be done in that area. My opinion is that this is an aesthetic treatment for the U.S. 41 median berm and is not there to deal with carbon monoxide, security or noise issues. If we want to do that, I don't have a problem with that, but it should not be baled in the concept of a landscaping palette or landscaping plan. However, the Pelican Bay Property Owners Association has disagreed and they have sent a letter expressing their concerns with respect to that issue. We are moving forward with that plan, unless you want to stop it at this point.

Mr. Ward explained that as a part of your budget process I had discussions with your Chairperson about the ways to improve the berm between the conservation area and the developed portions of Pelican Bay. We are doing a 200' section where we have re-graded the berm and pulled some of the bad materials out of the swale areas. We are putting in irrigation and will landscape the 200' section for you, which will give you a flavor of what you can have that berm look like if you choose to do so. It is going to be a bare bones type of landscaping program

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designed to upgrade the area somewhat, but still have a very natural look to it and not the manicured look you see on the boulevards. You will see that going in over the next two or three weeks. I encourage the Committee and the community to go out and take a look at it. As part of your budget process we will also provide you the estimates to do the balance of the berm as part of your Capital Improvement elements in the coming five years.

Mr. Vlasho asked, "What is being spent on the test area"?

Mr. Ward replied, "Approximately \$3,000".

Mr. Werner asked, "Where is this work being done"?

Mr. Ward replied, "At the end of the berm, by the north tram station, where you come out onto Pelican Bay Boulevard".

Mr. Werner stated that I assume that in doing this it would preclude widening that berm by ten feet or so.

Mr. Carroll stated that I have been talking with Mr. Lukasz about placing signs on the mast arms on Pelican Bay Boulevard North. All around town these signs have been installed, including north of Vanderbilt Beach Road going into Pelican Marsh. I think we need them on the masts going into Pelican Bay Boulevard North. Mr. Lukasz's first answer when he inquired about this was that there was a sign approximately one-half mile down the road stating the name. I don't think you are looking that way if you are thinking about turning left.

Mr. Ward replied, "We will ask, in writing, for FDOT to do that".

Mr. Domenie asked, "What happened to our flagpoles"?

Mr. Ward replied, "They will be installed shortly".

Mr. Harrell stated that he was talking with Mrs. Daniels from the Philharmonic and she has to replace her flagpole because it is too short.

Mr. Domenie stated that is due to the size of the flag.

Mr. Vlasho stated that the County appears to be checking traffic around the Philharmonic where they had talked about placing the four-way stops. I assume that will come back to us at some point.

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Mr. Ward replied, "Yes, there was a letter to the Commissioner's Office addressing that issue and I assume that the Transportation Department is re-looking at that intersection". We will keep abreast of that with Transportation.

### **FINANCIAL STATEMENT REVIEW**

Mr. Ward reported that at this point in the year you are doing extremely well with respect to your expenditures and revenue stream. Variances at this point are in timing issues related to the programs themselves and your fund balance and allocations are on target with where they were expected to be.

Mr. Vlasho asked, "What have you put into Other Operating Supplies for \$49,000"? It is either a mistake or you don't have any more "other" for the rest of the year.

Mr. Ward replied, "I will check that for you". It is a landscaping issue, but I just don't know specifically what it was.

### **AUDIENCE PARTICIPATION**

Mr. Ray O'Connor – President, Pelican Bay Property Owners – On the WCI Agreement, we have in our records from Mr. Dwight Thomas that the \$75,000 would be forthcoming for the median landscaping. We have two existing agreements with WCI and that is one of them. The other is an agreement on the PUD relating to commercial space within Pelican Bay. There is only so much space, which can be utilized for commercial purposes, and it is divided between the north and south commercial areas. If commercial space is going to be transferred back and forth, the Property Owners have to be consulted and given their approval. In order to do that, the Property Owners have established a Committee that would oversee the PUD and the agreements with WCI. If there are any questions regarding commercial space or the \$75,000, we will have that on going Committee reviewing it.

Mr. O'Connor continued that the other issue is the letter, which you received from our Security Committee concerning the planting along the U.S. 41 berm. When I first looked at it I was concerned primarily with security and then the noise issue became predominant at the meeting we held with the residents. I looked at it from the point of view that if you are going to expend money for plantings and the people who are raising this issue have some

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recommendations that would address some of those concerns, why not do it that way and resolve some of the issues? Quite frankly, I don't think this issue is going to go away. If you don't try to mitigate it somehow and I agree it is aesthetics, but I think aesthetics can be accomplished as well. It is going to be an on going concern of the residents and has been coming up for the last two years that I have been directly involved with it through the Oakmont Homeowners Association and as long as four years ago at the Property Owners Association meeting. This is an issue that concerns the people that live along that berm. While the officer was reporting on burglaries and while they may not be overwhelming, all you would need is one break-in robbery on an older couple where somebody would get hurt and that issue would be enflamed. I am trying to say that if you could look at it in cooperation with the people who are bringing these issues to you and if some of the plantings could accomplish some of the goals that they have, it might be to everybody's advantage and we could address this problem in that manner before it becomes decibels, fences, etc. I appeal to you to at least look at it from that perspective.

Mr. Bob Swart - Oakmont resident – I have a premise and that is if you continue on with the project to do what you are doing to the berm without aesthetically adding a sound and acoustical protective security barrier, which would be very easily accomplished, I think that we are looking at financial irresponsibility. Ten years ago the FDOT made a study of U.S. 41 adjacent to Pelican Bay. They said if we find that the decibels are more than 65, we are going to put up one of those grotesque cement barriers that one sees along major highways. They took their readings and spent hundreds of thousands of dollars and the decibel readings came in at 63, which is two decibels away. Commissioner Carter is on record that in Collier County we don't want to have any traffic or sounds above 60 decibels. Mr. Bawduniak will tell you that the Naples Airport Authority uses 60 decibels as far as jet noise is concerned. We are getting decibel readings of 75 and 80, so I think that is something that you really have to take into account. There is something wrong in the Pelican Bay community when we can spend hundreds of thousands of dollars on mangroves, cattail removal and plants in the median. I would think that you would be considerate for the thousand people that are affected by U.S. 41 and your fellow

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human beings. I don't understand the thinking that is taking place. It is a barrier on the berm, done contiguously, very aesthetic, not seen from the road and a great thing for the community.

Mrs. Lynn Armstrong – St. Lucia – This has to do with the cattails, which I like seeing the way they are. When they go through and spray they do not kill them all and they are going to keep coming back. I would hope you would hold off with the replanting. I would hope that they would kill all of the cattails and who is overseeing it that they don't? It appears that they stopped spraying at St. Pierre because below that they are still coming back green and you can still see some of the tall ones that were missed along the way.

Mr. Jim Hobin – Oakmont resident – I agree with what Mr. O'Connor said earlier and I think that it would be very prudent to at least allow the situation to be examined to see what steps could be taken to ameliorate the issues. I think Mr. Swart made some very good points also. Last month Mr. Skaggs asked whether or not \$4,000 could be appropriated for a decibel study and the answer was that the Advisory Committee could not do it. It was never said why you couldn't do it and maybe that question could be addressed.

Mr. Carroll asked Mr. O'Connor what the Foundation's responsibility is, versus what your Committee is doing, reviewing the PUD with regard to commercial space.

Mr. O'Connor replied, "Before my time, Pelican Bay Property Owners instituted a lawsuit against Westinghouse", which resulted in the Marketplace being moved from Gulf Park Drive to the north. The lawsuit was settled outside court and as a part of the settlement Mr. Hardt secured a number of provisions. One provision had to do with the commercial space in Pelican Bay because the lawsuit was brought about because of the commercial space. In the agreement we have with WCI, there is an allocation of commercial space in the north and south portions of Pelican Bay and in times to come there may be some request to move some of that commercial space either way. We have had indications at one time that First Union Bank was going to ask for a transfer of space for a parking structure, but of course that came to nothing. If there is any kind of request like that made of WCI, the provision in that agreement calls for WCI to consult with us. The other half of the Committee will be involved in studying the PUD, in that we have had at least one building in the south become a tear down and replacement. We want to make

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sure that all of the PUD provisions are adhered to if that sort of thing starts to take place in Pelican Bay, as it has in Olde Naples. We will have an on going Committee that will continue to monitor the PUD. The first thing they will do is look at the original PUD and then check to see if there have been any amendments over the years and if so, just what they were. Two years ago we did have the former City Manager of Naples, Dr. Richard Woodruff, review the PUD and provide an up-to-date report and we feel we could always call upon his expertise to tell us where we are.

Commissioner Carter explained that with regard to Dr. Swart's comments on noise and decibel levels, he is right. I am on record as supporting the consultant's recommendations and in the fall of 2000 a higher decibel level was passed by the Board of County Commissioners and is the one in existence today. How that would play out in this scenario I don't know. I do know that FDOT has met with the Safety and Security Committee, along with representatives from the U.S. Department of Highways. They may look at a traffic study now that the road is completed, but I do know that it has to be a sustained noise level over periods of time. You could have a truck backfire and drive the decibel level through the roof, but it does not sustain long enough. I have fought battles with Krehling on these issues and I will tell you that it is a very difficult kind of thing to enact. As a resident of Pelican Bay, I would encourage you to look into it and find the best way to protect the community in any way that you can. When you deal with FDOT and the U.S. Department of Highways be careful what you ask for. I don't know when they would come and do a study and if they do reach some decision, I don't think there is enough land in there for sound barriers, as far as they are concerned. It would come back to a local decision and not in terms of local/County, but more in terms of a local/Pelican Bay decision of where you go with that. I appreciate the comments from the area that I live in, I have worked with them and I would encourage you to look at the suggestions in terms of how you could work together to resolve these issues.

Commissioner Carter announced the Town Hall Meeting at 7:00 P.M. this evening at St. John's Catholic Church on 111<sup>th</sup> Avenue. There will be a wide range of issues discussed.

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Mr. Bawduniak stated that one of the challenges that this Committee has is looking at projects and problems and see how they impact some number of residents of Pelican Bay, versus a irrational spending spree. You can go from the mangroves, which can be a strong argument that they are a very important asset in Pelican Bay, down to a sign on Ridgewood that was falling apart with a motion made to replace the sign and the voting coming back "no" because it was only a benefit to the few people in Pinecrest. We are talking about \$250,000 for seven acres of cattails that are a problem because it doesn't look nice. How do we compare that against the problem along U.S. 41 were we have had folks coming in here for two years saying they have noise, are concerned about Carbon Monoxide and they have security issues? Is there any reason we couldn't just hold off on our plantings for hundreds of thousands of dollars and try and find or at least give somebody a chance to see if there is anything that will work? I have no firm belief that we are going to find some beautiful flora that is going to absorb Carbon Monoxide and noise, but I think there may be more than 1,000 people in that spillover. Is there any reason we should not say we hear you, we are not really optimistic that we can help you, but let's stop and have some mechanism to take a further look at what we are planting? I have walked the Bentwood Berm over the past couple of weeks and it is real pretty, but is there a reason we couldn't just slow up a little and give them the benefit of the doubt to see if there isn't something better that we can do to help them?

Mr. Roellig asked if somebody has been taking Carbon Monoxide readings? To me this is a different area and where did this Carbon Monoxide problem come from?

Mr. Sutphin stated that I have a couple of questions because I agree with the desire to spend money intelligently and it would be nice to improve security. I think at the prior meeting the Landscape Architect for the Property Owners rendered a professional opinion that landscaping would not achieve effective noise reduction. That is the basis I am coming from. If there is landscaping that can accomplish that I would like to know about it. I would also like to know what is meant by security? Are we looking for something physically impenetrable like a massive briar patch? How will planting promote security? I don't understand what that means, so I am looking for knowledge.

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Mr. Werner stated that when I moved here in 1988 we lived in Valencia and decided that we wanted to go to a single-family type residence and one of the first places we looked was the model row on Arrowhead Lane in Oakmont. It was too noisy and you were right next to a highway, which has always been there and it has always been noisy. I am a little confused, the last two or three years we sat here and have heard people say you can't put vegetation or landscaping thick enough to make any measurable impact on the noise problem and if you want to erect a fence you have to make it fifteen to twenty feet high for any measurable impact. I asked the Deputy and as far as security goes, the best thing you can do for security is not have any landscaping and more lighting. I don't have a problem if it is the will of the Committee to delay this, but it seems to me like we are tilting our windmills.

Mr. Vlasho stated that I would not be opposed at supporting Mr. Bawduniak's recommendation, but it does get frustrating because we have had meetings for two or three years and examined this issue over and over again. At these meetings we have talked about the solutions and that maybe there is something else out there and every time we come to a conclusion, someone throws up another possibility that hasn't been thought of. The last thing we want to do is to act like we are not responsive to all of the residents, but personally Mr. O'Connor and Mr. laizzo, I was disappointed that you wrote this letter again. Dr. Swart, I take this financial irresponsibility personal and that is not what happens with anybody on this Committee. We may not make the perfect decisions, but we always think them through and vote, sometimes unanimously and sometimes on a split vote. I beg your pardon if you think we are financially irresponsible.

Mr. Vlasho continued that with regard to the barrier reading and getting that wall up, we have constantly over two years warned about taking those readings. You may get a wall where you won't have a choice and can't do anything about it. If you want to delay and look at other opportunities, fine, the world will not come to an end if we don't continue that project. On the other hand, someone has to come up with something concrete. Your own landscape architect said it wouldn't help. I got a report from Mr. Ward on the meeting and I thought we tried to get everybody together. If we have to get them together again, let's do it, so that we don't come off

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as not listening. I don't know what the solution is, it keeps coming up and I think Mr. Werner defined it as it should be defined. It was there when those homes were built and it is going to be there unless somebody comes up with a new solution. That being said, I would be in favor of holding up on the project for thirty to sixty days or whatever it takes. I agree that I don't think anything is going to come up.

Mr. Bawduniak stated that I preferenced my statement that there is not much of a chance. There are two states that have done studies on different types of shrubs, etc. that have been found to reasonably absorb noise. Unfortunately, those states are Ohio and Washington and not Florida, so you cannot extrapolate that little bit of good news. My feeling is that we are very concerned over seven acres of cattails, but I think your quality of life is a little more serious than looking at dead cattails and for that reason it doesn't hurt us to give you more time. The burden is, what can you come up with that may be viable?

Mr. Vlasho stated that I would like for them to come up with it. Mr. Ward stated that I don't have any other solutions and in terms of speeding it up or slowing it down, as I indicated to you last month we are in the process of bidding the irrigation system and will take another month before it gets before the Board of County Commissioners and probably another month thereafter before it gets installed. If the Property Owners Association wants to do something, they are certainly welcome to do that. I have had to slow the process down because of the bidding requirements and as a result of that there is time if they desire to do something. You are right, at the end of the day, I have told you consistently that I don't know to do any more than what we have done at this point. Landscaping is not a noise and security fix.

Mr. Werner stated that when the issue came up at the last meeting about the \$4,000 that was requested, it was not a question of whether we wanted to do it or not, even though I didn't want to do it, but Mr. Ward said we couldn't do it.

Mr. Ward replied, "I believe the gentleman asked for a donation from us in the amount of \$4,000 to do a noise study and I indicated that we could not give a donation to another group".

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Mr. Vlasho asked with the Committee's concurrence, could we direct Mr. Ward to move forward with the bidding, but not move forward on the project until it comes back to this Committee?

Mr. Roellig asked how long would the contractors honor the irrigation bids that were opened in February?

Mr. Ward replied, "In all probability, ninety days".

Mr. Werner asked for a review of the timetable.

Mr. Ward explained that the Board of County Commissioners wouldn't see the irrigation bids until the end of March. Contracts take four weeks to get signed, so that is the end of April, which means we are going to be installing this in the month of June. And after that we would be ready to fall in line with the landscaping, so sometime in late July to mid-August is when the landscaping would be installed, based on that irrigation plan.

Mr. Werner stated that I don't see any reason to delay it past the end of June or middle of July, do you?

Mr. Vlasho replied, "My concern is that I don't want any perception that we aren't listening to the residents".

Mr. Werner stated that I thought you said to have Mr. Ward put a hold on it.

Mr. Vlasho replied, "Yes, for sixty days".

Mr. Werner stated that I don't see a reason why he couldn't move forward with the irrigation.

Mr. Vlasho stated that I just heard he is going to be getting approval, select a contractor, award the contract and that will happen within sixty days.

Mr. Werner asked, "Don't you want to do any of that for sixty days"?

Mr. Vlasho replied, "That is my current thinking based on the discussion".

Mr. Sutphin asked, "Does the irrigation have anything to do with the plantings"?

Mr. Ward replied, "Yes". To the extent that you change the landscaping plan, you will have to change the irrigation plan.

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Mr. Carroll stated that about one and one-half years ago I decided that I was going to lead the charge on this issue. I thought this was a problem and being an engineer and understanding decibels I thought I should do something. The more I looked into it the more frustrated I became. Every place I went to find out what could be done about it, I got very vague answers and mostly answers that indicated there was no good solution unless you wanted to build monumental walls. Mr. Edward Griffith was a member of our Committee at that time and was Project Manager at Pelican Marsh who was dealing with the same issue along the north side of Vanderbilt Beach Road. That area has been mounded significantly and the bottom line is that it didn't do anything for the sound at all. The people living there perceived it has not helped with the noise, but it was Mr. Griffith's expectation that they would get used to the sound. I share the frustration that I hear around this table that we don't have a good fix on solutions. Frankly I feel that it can't be done.

Mr. Len Kudlata – Oakmont resident – I was on the original committee regarding the noise and security problem. I am going to agree with everybody here, saying that vegetation will not help the situation. I have done enough studies and under no circumstances will it solve the noise problem. The only thing that is going to do us any good is a wall and that has been proven in other communities. My question is, are you against a wall, and if so, why?

Mr. Vlasho replied, "We have explored a wall on top of the berm and we were told that it would not hold".

Mr. Ward explained that there are essentially two types of walls. We did a lot of exploration of that area when Mr. Skaggs first brought this issue to our attention. We got the same kind of non-warm and fuzzy feeling from all of the consultants that we talked to about this issue, that a wall was the only thing that was going to solve the noise and security problem. The wall that is out there now is nothing more than a big plastic fence, which we could put up and would help somewhat with the security issue, but that is not going to address any kind of a noise problem. The only wall that we were able to find that ever dealt with the noise issue was a wall like you see along the interstate systems, which are specifically designed to deal with those noise issues. What I indicated to you a couple of years ago was that berm was constructed of material

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that was taken out of this development that couldn't be used for fill on lot pads. It is a culmination of muck, junk and all sorts of debris. The berm was never compacted and there is no way that you could put a wall of that size, magnitude and weight on top of that berm. That means that you would have to move it to the backside or the bottom of the berm itself. We could do that. The noise study to get to the point of designing the right wall was something in the neighborhood of \$30,000-\$33,000. If I recall correctly, the cost of the wall at the time was certainly in the mid-six digit range. That had nothing to do with the landscaping issue and to me they were separate issues. If you wanted to deal with noise and security and do it right, at that time that was the only way we knew of to do it. If you want to deal with the landscaping, I am just not aware that landscaping solves noise and security issues. I agree with Commissioner Carter that if FDOT did it, it would end up on the U.S. 41 side of the berm and that is not where you want to go.

Mr. Vlasho stated that the wall that we are totally against is along the road.

Mr. Ward replied, "Absolutely".

Mr. Ray O'Connor – Pelican Bay Property Owners – The \$4,000 has already been approved by the Pelican Bay Property Owners to study this issue. At the last meeting I believe the conclusion was that we shouldn't spend anything until this Committee had met with Mr. Ward. My concern with this entire issue began with security and I also feel that noise is a problem. I am from New York and have lived with noise all my life. I live two houses off of the berm and I don't really hear the noise, but I have to go by what the others say. What I am trying to accomplish with expending the \$4,000 is to look at this issue once and for all. If we hire someone who says that we have looked at all the plans and there is nothing that can be done that is going to satisfy any of your concerns, then the Property Owners would be able to say to the residents we have done what you asked, this is what we found out and we are going to pass this on to the MSTBU. If Mr. Ward is agreeable to going ahead with his proposal for the irrigation, I don't know how much modification to the irrigation would have to be made if certain plants were recommended. In my estimation if the community wants to vote for a big wall or something else, that is a different story. I don't agree with anyone that wants to put a big wall out on U.S. 41, I think that would be atrocious, but that again is a personal opinion. I would just like to settle the issue of can this

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vegetation do anything? The indications are that perhaps it won't, but let's get it from an expert. I think Mr. Ward had one expert say that it was not going to do anything and I think Mr. Iazzo spoke to someone else who said that it could possibly accomplish something. All I am asking for is for you to do what you were doing anyway and let it go for a month while we do this study and we will get back to Mr. Ward as quickly as possible. The Property Owners are going to pay for the study.

Mr. Vlasho asked if that was for the noise study?

Mr. O'Connor replied it is for the plant study. Mr. Skaggs found out that even if you did a decibel study, there is no way in the world that you could get assurances that the State of Florida would accept your study. FDOT will only accept studies from people who they feel are accredited to do that kind of work. If we went out and hired a company to do the study and we had all of these wonderful statistics, they could turn around and say these are not relevant because you did not have them done by the right company. We don't want to get into that decibel study. I am concerned to see if we can do something with plants and if we can't, we can't. Let's end it once and for all, based on the opinion of somebody other than your Landscape Architect, whose opinion I respect, but I think the residents want an independent opinion.

Mr. Burke stated that in one of the letters there was information cited from the Department of Transportation, which said vegetation 61 meters in width can reduce sound.

Mr. Roellig stated that would be 200'. If you are going to do that you are going to be buying houses and relocating roads.

Mr. Domenie stated that there are some areas where you can step from the lights to the fence that was put up and that can't be but approximately forty feet in some areas. We really do not have that much space in which to plant anything.

Mr. Vlasho stated that in conclusion, the way I hear it is that Mr. Ward is going to move forward. The sense of everything I hear around this table is that we are satisfied and we don't need anything. The Property Owners can do whatever they want and if they come back to us with something concrete we will listen, as we always listen.

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Mr. Werner stated that the Property Owners could come back with a study in enough time.

Mr. Burke stated that there is noise and that is a "gimme", but we are not going to measure for noise.

Mr. O'Connor stated that we want the plant people to tell us there is noise and it is practical to deal with. If it is not, it is not and he will tell us that. Is security something we can deal with and if it is not, he will tell us that? If Carbon Monoxide is something we can deal with or if we can't, we can't. We have an opinion from your Landscape Architect that we cannot and I accept that, except that I am hearing anecdotal evidence that that is not the only opinion in town and there are some other people who feel this can be dealt with by plantings. If so, we will get that information and bring it back to you.

Mr. Vlasho stated that for clarification purposes it has not just been "Jim's guy" providing the information. There have been any number of people that have come before this Committee and substantiated that information, but let's see what your person says.

Mr. Kudlata stated that for the record the \$4,000 that was requested at last month's meeting was for a noise study and not a plant study.

Mr. Vlasho agreed.

Mr. Roellig asked if I understand that we are leaving it that the Property Owners would need to come back to us with a recommendation by the next meeting?

Mr. Vlasho stated that we are moving forward and nothing will happen before our next meeting.

### **ADJOURN**

There being no further business, the meeting adjourned at 5:20 P.M.

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Mr. Lou Vlasho, Chairman