

**MIDTOWN REDEVELOPMENT
AREA BOARD MINUTES**

September 13, 2011

There was a meeting of the Midtown Redevelopment Area Board held Tuesday, September 13, 2011 at 6:00 pm. in the City Hall Commission Chambers at 301 South Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members

Ms. Johnnie Ponder (Chair)
Mr. Hemis Ivey (Vice-Chair)
Ms. Patricia Heard
Mr. Ken McGee
Ms. Shirley Benjamin
Ms. Denise McMillon

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Ms. Carrie Lathan, Assistant City Attorney
Mr. Charles Bryant, Project Manager
Off. Eddie Lopez, Code Enforcement
Ms. Jessica Barron, Recording Secretary

1. Call to Order

Ms. Ponder called the meeting to order at 6:02 pm.

2. Roll Call

Ms. Olson called the roll and noted members present as stated above.

3. Approval of Minutes: July 12, 2011

Mr. Ivey made a motion to approve the minutes of August 9, 2011. Ms. Benjamin seconded the motion. Ms. Heard stated that on page 13 Miles was misspelled. Ms. Ponder stated that Huffman was misspelled. The motion was approved unanimously (6-0) with corrections.

4. Staff Report

Code Enforcement

Off. Lopez stated code enforcement had an emphasis on keeping vacant lots cut. He stated that they had been sending letters to property owners whose properties needed cutting and hoped for voluntary compliance. If they were not voluntarily cut, the City would do the work and bill the property owner.

Ms. Ponder asked the cost if the City did the cutting.

Off. Lopez stated it could range from \$100 - \$200. He stated there were several variables figured into the cost. He stated there had been a lot of flyers on trees and poles, mostly by the Coliseum, but had talked to the owner and so far they had stopped. He stated junk vehicles had been removed from 201 S. MLK with the help of the Police Department.

Ms. Heard asked about cars in rear yards.

Off. Lopez stated if they could be seen from the street or from a neighbor's yard they would need to be removed.

Ms. Benjamin asked Off. Lopez to check the property behind Buck's Gun Rack and stated it was a mess.

Mr. Ivey stated that property on ISB and in front of Bethune Cookman was not being kept safe or cut. He stated that 836 Orange Avenue, Mr. Burch's property, and also on Haynes Street were both major nuisances. He stated that Code Enforcement was doing a better job but needed to concentrate on major thoroughfares.

Off. Lopez stated that there was an open case with a fine running on 836 Orange Avenue as well as the vacant lot. He stated the property at Haynes Street and Orange Avenue should be coming up for a hearing about the debris. He stated the lot had been cleaned by the property owner but still had 2 x 4's used as seats on the trees which were still considered debris.

Ms. McMillon asked about the grass between the sidewalk and street.

Off. Lopez stated that area was the responsibility of the property owner.

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Ms. McMillion stated that across from Butt's Archaeological Park there was not enough room to park.

Off. Lopez stated that area was not in the Midtown Redevelopment Area.

Ms. McMillon asked what it cost the City to take care of lots when property owners did not keep them up. She asked if there was a bid process where lawn service companies could do the work when the City did not have time.

Mr. Bryant stated that the City had contracts outside Public Works to cut vacant lots. He stated there was a process through the Purchasing Department where companies would fill out paperwork and were required to have the proper insurance. He stated there had been a workshop in 2010 informing people how to do work for the City. He stated that if a person did not have all of the required information they would not be put on the list.

Ms. McMillon asked how many of the vacant properties were owned by Daytona Beach residents and how many were owned by someone outside Daytona Beach. She asked if it was a process the City had to go through to get properties in compliance or would property owners not respond.

Off. Lopez stated that the Midtown Redevelopment Area had a high rental community with owners out of town or out of state. He stated that according to State Statute they had to issue a letter of violation. He stated that many property owners did not have anyone local to take care of their properties.

Capt. Capri stated that Midtown was looking good as far as law enforcement. He stated that the police had arrested a man responsible for 30 burglaries in the area. He stated he had been through Midtown earlier in the day and it looked good where the demolitions recently occurred and they were working on a program for Haynes Street.

Ms. McMillon had a lot of questions about Keech Street and it being a speed trap. She asked what would be required to have a flashing light to notify drivers that they were in a school zone.

Capt. Capri stated he would talk to Mike Marcum, in the Traffic Department, about doing a study to see if a light would be warranted at that location.

Mr. McGee stated that there was a request later on the agenda for site plan approval of a convenience store and he asked if there were problems at convenience stores.

Capt. Capri stated that there were not a lot of problems at convenience stores when the owners did not allow people to loiter, drink and do drugs. He stated that right from the beginning store owners needed to work with the police and if they did that, there were no problems.

5. Action Item: DEV 2011-043 Site Plan Approval

Mr. Bryant presented the site plan for a convenience store at 719 S. Martin Luther King Boulevard. He stated that applicant and engineer, Mark Dowst, were present to answer any questions. He presented information as contained in the staff report and stated staff recommended approval of the proposed site plan.

Board Motion

Mr. Ivey made a motion to continue DEV 2011-043, Site Plan Approval. Ms. Heard seconded the motion.

Ms. Lathan stated that the Board needed to find out if the Applicant wished to be heard.

Mr. Ivey stated that the Board had previously told staff that before they brought an action item before the Board they needed to have a discussion about the item with the Board. He wanted a discussion about how they were going to proceed when it came to convenience stores.

Ms. Lathan stated that before the Board acted on the item they needed to hear from the applicant.

Mr. Mark Dowst, Mark Dowst & Associates, 536 N. Halifax Avenue, stated his firm was the architect engineer and surveyor for the project representing the owners of the building. Mr. Dowst stated that the applicants bought the building and before they bought it they went to different departments in the City to be sure they could open a convenience store at this location. He stated he worked with the redevelopment staff to bring the building up to design standards and worked with Land Development Code staff to bring the site into landscaping compliance. He stated they had removed graffiti from the building, removed the chain link fence, relandscaped and the business would be a credit to the neighborhood. Mr.

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Dowst stated that Captain Capri said that the Police Department did not have a problem with convenience stores and they were a needed benefit to the Community. He stated that the two owners were committed to providing a good service. He stated that they had previously heard that convenience stores were a magnet for crime but that depended on who owned the business and their relationship with the Police Department. He stated that the owners had put their life savings into the project and they wanted it to be an asset to the community and to succeed and would work hard to make that happen. He stated that the applicants owned the property and any delays would cause an economic hardship. He asked that the Board vote in favor of the site plan based on its merit. He stated that it was a permitted use within the zoning classification. He stated he would answer any questions the Board might have.

Ms. McMillon stated that the neighborhood was bombarded with convenience stores and residents of the community had to travel an average of 8 miles to get to a quality store. She asked why the applicants chose the proposed site.

The applicant stated that the store would cater to residents who did not own a car.

Ms. McMillon asked the applicants where they lived.

The applicants stated they lived in Port Orange.

Ms. McMillon stated that there were 52 convenience stores in Daytona Beach and in the black community people could barely pay rent or pay for prescriptions or food and the owners would make their money in Midtown then go home and take their money to another community. Ms. McMillon asked how many jobs would be created economically in the Midtown Redevelopment area with a good wage and pay taxes at the end of the year.

The applicant stated they would be part of the community and they have to make money too and would pay taxes in the community.

Ms. McMillon asked how they would treat their customers.

The applicant stated they would treat their customers like a friend, sister or brother and would never mistreat a customer.

Ms. McMillon asked what would be sold in the store that would benefit someone to walk to, such as fresh produce, fresh meat, etc. that would be economically

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priced. She stated most convenience stores in Midtown were clean when they opened but within a month they were dirty and stunk.

The applicant stated they were going to have a nice store. He agreed that some stores were as Ms. McMillion described. He stated that they would try to sell goods as inexpensive as possible but they also needed to survive.

Ms. McMillon stated she received phone calls all the time from people complaining about costs. She stated that many stores did not have prices displayed and Tallahassee required that prices be displayed. She stated that the Midtown Board had been having workshops for two years about the Master Plan and no public had come to those meetings.

The applicant stated that they would be an example to the community.

Ms. Heard asked where the applicants would purchase the milk they would sell. If it would be purchased from T.G. Lee or would they go to CVS where they could buy it on sale then sell it to the community.

The applicant stated they would buy milk from T.G. Lee.

Ms. Heard stated that she had seen an entire family go to CVS to buy milk on sale then go back to the community and sell it at triple the cost.

The applicant stated they would not do that.

Ms. Heard asked how long the applicants had owned the property.

The applicant stated they owned the property since last May.

Ms. Benjamin stated that there was a convenience store at 580 Bellevue Avenue, less than 500 feet away from the request before the Board.

Mr. McGee stated that he agreed with Mr. Ivey that the item should be continued. He stated that the Board tried to do their best to improve the community. He stated he had asked the question to Capt. Capri because of the item on the agenda and he was surprised at the answer. He stated that the Board was trying to develop the corridor of Martin Luther King Boulevard as business and retail. He stated that the staff report stated the area was office transitional and asked if the business before the Board would be compatible.

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Mr. Berger stated yes, it would be compatible.

Mr. Mcgee stated he did not know how the business would fit in but he did not think it would fit the vision of what the Board wanted. He stated they needed healthy food at reasonable prices. He asked the applicant to address those issues when they came back before the Board.

Mr. Ivey stated that it was important that when they had an action item that the Board had a discussion period before they made a decision.

Ms. McMillon stated that if the proposed store was approved there would be 7 convenience stores on Martin Luther King Boulevard between International Speedway Boulevard and Bellevue Avenue.

Mr. Dowst stated they needed to discuss options for the action. He stated that the applicant had met all of the requirements of the current codes and the issue was not that a convenience store was not allowed, because it was. He stated it seemed the Board did not want a convenience store in that location and asked if that was correct.

Ms. Benjamin stated that once the Board went into session and had their discussion and the applicant came back before the Board, the Board would let them know.

Mr. Dowst asked Ms. Lathan what his options were. He stated they were on a timeframe and had spent money.

Ms. Lathan stated she did not know if a continuance could be appealed but advised the Board that anything discussed on the next item could not pertain to the item currently before the Board. She told the Board that they needed to evaluate the criteria to decide if it met site plan criteria such as landscaping, parking, etc.

Mr. Dowst asked the Board to vote on the item in order to give them the ability to appeal.

Ms. Ponder stated the motion on the floor was to continue the item and that was the vote.

Mr. Dowst asked Ms. Lathan if he had any options.

Ms. Lathan stated she was not sure whether the next step was to file in court or with the City Commission but that they would look into that further.

Board Action

The motion was approved unanimously (6-0).

6. DISCUSSION ITEM: PROHIBITED USE, LDC TEXT AMENDMENT

Mr. Bryant stated that at the meeting of August 4th he presented a memo of the proposed prohibited uses. The Board requested that staff bring back information to be approved or denied and forwarded to the Planning Board for their review regarding car washes and convenience stores. He presented a map showing the location of car washes and convenience stores in Midtown. He also presented a crime report, health department report and code enforcement report for each property. He presented photos of the car washes in the area and found some that were not previously on the Board's list.

Ms. Suzanne Grubbs, Volusia County Health Department stated that their policy was "access to healthy food" which was a challenge for many Americans, particularly those who lived in low income neighborhoods. She stated that the Midtown community was located in the central city of Daytona Beach and defined by the Economic Research Service and the US Department of Agriculture as a food desert. She stated that food deserts were low income communities often communities of color without ready access to healthy and affordable food. According to the policy link and the food trust the lack of healthy food retail also hindered community economic development in neighborhoods that needed private investment activity and jobs. She stated that access to healthy food was a major contributor to health factors such as obesity, diabetes and heart disease. According to the Center for Disease Control and Prevention adult obesity rates were over 51% higher for African Americans than whites and 21% higher than Latinos. Black and Latino children were more likely to be obese than white children. She stated that measures for food store availability and access to healthy food in nearby stores found major disparities by race and income. Only 8% of African Americans lived in a census tract with a supermarket compared to 31% of whites. Nationally low income zip codes had 30% more convenience stores, which tended to lack healthy items, than middle income zip codes. Ms. Grubbs stated that adults living in neighborhoods with no supermarkets and access to only convenience stores and smaller grocery stores or both had the highest percentage of obesity and overweight. Research had also shown that for each additional supermarket in a census tract produce consumption for African Americans

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increased by 32%. She stated there were strategies to increase access to fresh and wholesome food in food deserts including attracting or developing supermarkets, developing other retail outlets such as farmer's markets, public markets, cooperatives, farm stands and commercially supported agriculture programs, increasing the stock of fresh fruit and vegetables at neighborhood corner stores or small groceries, growing food locally through the commercial gardens or larger urban scale agriculture and improving transportation to grocery stores and farmers markets.

Mr. Ivey asked if Ms. Grubbs' data took into account the Midtown area or if it was an overall Volusia County issue.

Ms. Grubbs stated that it included both. She stated that it included a study of 126 other national studies and food desert information for Volusia County so it included census tracts in Volusia County considered a food desert and Midtown was considered a food desert.

Mr. Ivey stated that it was the Board's decision as to whether or not to approve a convenience store in the area and they needed to be given information to make sound decisions and bring up the standards of businesses in the community. He stated that with the help of the Health Department with implementation of bringing better standards to the community it could only help the Board make a better decision.

Ms. McMillon stated the Board was in the process of producing a master plan to improve the area so that investors would invest. She stated they won't invest now because of the way the area looked and the buildings in Midtown. In order to improve the area work needed to be done.

Mr. Ivey asked Mr. Bryant about the work he had done and the Planning Board asked the Board to review and get information and stated they should have another discussion before sending the recommendation to the Planning Board for the Land Development Code amendment. He asked that at the next workshop with FAMU that time be set aside to discuss the Land Development Code amendment.

Mr. Bryant asked the Board for a date for the workshop to discuss the Land development Code amendment before the next meeting. He stated he would call the members to get a date for the workshop.

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Ms. Ponder stated she agreed with Mr. Ivey that when an action item was before the Board they needed to have a discussion then action not action then discussion.

Mr. Berger stated that when there was an applicant who wanted to be heard, that applicant had the right to be heard for action.

Ms. Ponder stated that the Board still wanted time for discussion before having to act. She stated that the Board needed to get the information so that they could ask questions of staff before taking action.

Mr. Berger asked if the Board wanted a two step process whereas at one meeting they would have preliminary discussion and at the second meeting they would vote on the item.

Mr. Ivey stated that they had discussion once before and wanted to have a period to discuss and be able to include comments. He stated that the Board did not have to vote yes or no and once a vote was made to continue an item, it was continued.

Mr. Berger suggested having a Board workshop to review the legal process and Roberts Rules and stated it might be a good time to revisit the issues.

Ms. Lathan stated that an applicant had an opportunity to be heard. She stated that it sounded like the Board wanted a concept application before voting on an item and if that was the case it would take a zoning text amendment to change the process in the Land Development Code.

Mr. McGee stated that the Board did not only approve site plans, they also looked at economic development, traffic and how a request would affect the neighborhood.

Ms. Lathan stated that they needed to have a workshop on how a Board voted on different things. She stated that with the site plan review process there was special criteria to be reviewed and it was reviewed technically by professional staff.

Ms. Ponder stated she understood but the Board also looked at all of it.

Ms. Lathan stated that when an application came through the Board they were bound by what was in the Land Development Code and review criteria. If there was something else the Board wanted to address they could not do it in that forum and they could not deny a request on criteria that had been met.

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Ms. McMillon stated that the Board could not receive information on Thursday or Friday and be expected to vote on something the next Tuesday. She stated it seemed like everyone was in a hurry and wanted the Board to say yes but the Board had concerns about how issues will fit into the Master Plan and it needed to be explained to applicants that when they went before the Midtown Board they might not get the answer they wanted.

Mr. Berger stated he understood that the Board was concerned about quality of life. He stated the applicant for the convenience store was shocked because they had met all of the requirements of the law.

Mr. Ivey stated that the item was continued and that was the end of it. He stated the applicant could come back to the Board and the Board would vote yes, no or continue and that was the Board's right.

Ms. Benjamin asked if that when the staff recommended approval of an item if that meant the Board must vote yes because every item that came to the Board said staff recommended approval.

Mr. Berger stated no but it was staff's job to review the application and make a recommendation to the Board. He stated that site plans were reviewed by a technical team who reviewed and made a recommendation.

Ms. Ponder stated that when an item was coming before the Board they needed to discuss it first.

Mr. Berger stated they would take it up in a workshop.

Mr. Bryant asked if the Board wanted to have two separate workshops.

Mr. Ivey suggested a workshop with all redevelopment boards to cover the sunshine law such as one that had been held in the past for all board members.

Mr. Bryant stated he would set up a workshop for the text amendment and Ms. Lathan would set up the workshop for all of the boards.

7. Revisions to Redevelopment Grant Programs

Mr. Bryant stated that the grants had been presented to the Board and Board comments were included in the staff report. He stated that the commercial façade grant included the lease subsidy grant that had previously been used in Downtown. He stated he would answer any questions the Board might have.

Ms. Ponder stated that roofs and A/C needed to be kept in the Midtown grant program.

Mr. Ivey asked if A/C had been removed.

Mr. Bryant stated yes.

Mr. Ivey asked what the budget was for the new year.

Mr. Berger stated the last number he had seen was zero because the revenues had been so deeply cut. He stated that there was money in the capital budget for MLK and Orange Avenue so consideration could be give to reallocate some of those funds for operational costs such as grants.

Mr. Ivey stated that when the City Commission reviewed the budget Orange Avenue was not in it but the Mayor and City Manager had said that \$500,000 to \$600,000 on the design of Orange Avenue. He asked when the Board was going to see the design of Orange Avenue. He stated that the Master Plan was being developed by the school of architecture and could save money for Orange Avenue that could be reallocated to the grant program so that the community could be served and beautified.

Mr. Berger suggested the Board make a motion to the CRA how they wanted the grant program and funding to be included.

Mr. Ivey asked if there was a line item breakdown on how the grant funds had been used in the past and if most people used the grant for roofs and air conditioning and if so then that's what was needed.

Ms. Ponder stated that a paint program was needed to help the citizens and beautify the community.

Mr. Berger recommended the Board make a motion to leave air conditioning and roofs in the grant program.

Mr. Ivey stated that they could not make a decision if they did not know what people had used the grants for in the past and he thought the item needed to be continued. He asked that funds be moved from the capital budget to the grant program then work on what should be included in the program.

Mr. Bryant stated that the Board wanted to add roofs, air conditioning and a paint program into the grant program and asked if there was anything else the Board wanted to add. He stated that they needed to get something approved so they could go to the City Commission and ask for funds to be reallocated.

Mr. Berger stated that roofs were not making a visual difference in the communities so other redevelopment boards wanted to remove air conditioning and roofs.

Mr. Ivey stated that the Board needed to make a motion to add roofs and air conditioning and to have 100% grants for senior citizens.

Board Action

Mr. Ivey made a motion to approve revisions to the redevelopment program to add air conditioning, roofs and paint into a 100% grant program. Ms. McMillon seconded the motion and it was approved unanimously (6-0).

8. Midtown Master Plan workshop

Mr. Bryant stated that the last workshop had a good audience and a lot of information provided to the Board. He stated staff had been communicating with Professor Huffman and he would be contacting the Board about the next workshop.

Mr. Berger stated that once staff received the first submittal from Professor Huffman the Board would review it and make a recommendation to the City Commission.

Ms. Ponder stated that they needed to have Professor Huffman come back to the Board sooner than later.

Mr. Berger stated that the final plan was set to be delivered in October.

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Ms. Ponder stated that she wanted Professor Huffman to go before the City Commission to update them with an overview of what had been done.

Mr. Ivey stated that he thought the City Commission gave Professor Huffman until January to get the Plan to them.

Mr. Berger stated that was for the amendment dealing with an appeal for site plan review and the request was that they look at the site plan review section after January.

Mr. Ivey stated that he had seen that a consultant had been hired for Downtown so he wanted the CRA or City Commission to bring back FAMU to complete the Master Plan because the contract was due to expire.

Ms. McMillon asked if there were funds in the budget to extend the contract.

Mr. Ivey stated that the Board could borrow the money from the City Commission or the CRA.

Ms. Ponder asked when the review was set to be submitted.

Mr. Berger stated that there was a budget and based on projected revenue and disbursement of funds there would not be much in the operating budget. He suggested the Board look at the website to look at the draft budget however revenues were down significantly.

Ms. McMillon asked if the Board would be receiving a copy of the budget.

Mr. Berger stated he would give the Board the section of the budget dealing with Midtown.

Ms. McMillon asked how they would function as a Board without financial stability. She stated that the Board had heard there was no money but she wanted to know where the money came from that was used to do projects around Midtown. She stated they needed money and until that was done the Board was wasting their time and Mr. Berger needed to fight for them.

Ms. Heard asked if the Board could see the budget for all redevelopment areas.

Mr. Berger stated that he could get them redevelopment budgets but for anything else he would need to check with the Finance Department.

Ms. Heard asked when MLK would be paved from Orange Avenue to Shady Place. She stated it was very rough and was ruining people's cars.

Ms. McMillon stated that \$70,000 had been spent to patch Orange Avenue so MLK needed to be done next.

9. Redevelopment Project Updates

Mr. Bryant stated that he had been going through the area and when he saw a code violation he would email the Code Enforcement Inspector or Sonja Wiles. Ms. Wiles was responsible for arranging to have work scheduled by the City. He reviewed the properties in the Midtown area with code violations. He stated there had been a meeting regarding flood elevations at the Police Department and he was disappointed in the number of people in attendance. He stated it was important for people to know if they were in a flood zone so they could get flood insurance if they were in a flood zone. He encouraged residents to contact FEMA to see if they were in a flood zone.

Ms. Heard stated that most of the flood zones were not directly in Midtown but were in adjacent areas that caused flooding in Midtown. She asked that arrangements be made to have Nova Canal cleaned and for the palm trees along Nova Road be trimmed.

Mr. Bryant stated he would send the message to the appropriate person.

Ms. Benjamin asked who to contact about speed bumps. She stated that she had a number of people ask her about getting one on Franklin Street between Magnolia Avenue and Orange Avenue.

Mr. Bryant stated they could contact Public Works.

Ms. Heard asked if the request had to go through the City Commission.

Mr. Bryant stated no, and he would make the request to Public Works.

Ms. Heard stated she had concerns about a number of streets not in redevelopment.

Mr. Bryant stated he would speak to her after the meeting.

Ms. Ponder stated that she was also at the FEMA meeting and was disappointed in the number of people in attendance. She stated that a lot of information had been put out to notify people about the meeting so there should have been a larger number.

10. Public Comments

Mr. James Harper, 429 S. MLK stated he felt bad for the businessmen who had been before the Board about the convenience store site plan and the Board had tabled the request after the applicant had followed all of the rules. He stated the Board should have voted the request up or down so the applicant could have appealed the decision. The Board had said they were not prepared to vote because they did not receive their packet until Thursday but that gave them 3 days to review the information. He stated that the City Manager met with each City Commissioner before each City Commission meeting and suggested that Mr. Berger and Mr. Bryant meet with each Board member before every meeting so they would be prepared for the items that came before them. He stated he appreciated what the Board did for the Midtown Redevelopment Area.

Ms. Cathy Washington, 937 Lockhart Street, asked about the presentation for the convenience store and why there was not a concept plan submitted prior to a formal site plan being submitted.

Mr. Berger stated that the convenience store request did not meet the 20,000 threshold to require a concept plan.

Ms. Washington asked why the item had gone before the Planning Board prior to going before the Midtown Board.

Ms. Lathan stated that the applicants were at the Planning Board because they were interested in the text amendment item that had been before the Planning Board but their item was not before the Planning Board.

Reverend Victor Gooden, 809 Pelican Bay Drive, stated that he had a church in Midtown and they needed to have a transfer of wealth into the area. He stated if there were not enough funds to operate the area it would never get businesses to locate their. He agreed with Mr. Harper about the owners of the convenience store getting caught up in the process. He stated he thought the Board should get copies of all redevelopment budgets and they did not have enough information to be cognizant and there needed to be a level playing field. He stated that other

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redevelopment areas did not have the kind of problems that Midtown had and Midtown should be able to have the same thing as other areas.

Mr. Kenneth Flowers stated he was at the meeting when there were conversations about cleaning up the car washes and convenience stores and asked what the Board meant by cleaning up.

Ms. Heard stated that they did not want people hanging out outside of convenience stores and not going inside to buy anything. She stated that it was up to the operators to keep people moving and not allow loitering.

Mr. Flowers stated that a lot of Cookman were outside of his business but where they were hanging out was property of the university so he could not say anything to them.

Ms. McMillon stated that businesses need to be sure there were signs posted and if the signs were not respected, then operators needed to call the Police. She stated that it could be a job for someone to be outside the stores keeping people moving on and not loitering.

Mr. Flowers stated he had signs.

Ms. McMillon stated that he needed to tell people they could not hang out and call the Police then they would trespass the people. She stated that business owners needed to be responsible for what happened on their own property.

Ms. Camilla Brown stated she was moving from Port Orange into Pine Haven and stated that anyone who wanted to open a business in Midtown needed to do research and see what was needed. She stated a health food store was needed and there should be a stipulation for any new business to give back to the Community. She stated that progress was being made on the Midtown Ecovillage and they wanted to use the garden as a mentoring program.

Ms. Ponder wished Ms. Brown success and thanked her for her enthusiasm.

Ms. Peggy Fennel Bradley stated she was born in Midtown and was glad to see progress being made in the area. She stated she was in the process of moving back from Boca Raton and was working with the City to open a nursing/rehab facility that would be a training center for people to be able to get other jobs. She asked what the procedure was for getting on the Midtown agenda. She stated she needed funding and needed to know what to do.

Ms. Ponder suggested Ms. Fennel Bradley speak to Mr. Berger or Mr. Bryant about the City process.

Mr. Bryant stated that he had a request from Jim Morris for a special meeting of the Board for conceptual review of a multifamily project at 925 Sycamore Street. He stated that the property had been vacant for more than 90 days so they needed to go through the City process. Mr. Bryant explained that Mr. Morris had wanted to be on the agenda before the Board but he had submitted too late so his request was denied.

Ms. Ponder asked why Mr. Morris was denied being on the agenda.

Mr. Berger stated that Mr. Morris did not meet the deadline for TRT review and he had to follow the procedures. He stated that staff had told the applicant they would ask the Board about a special meeting and if there was not going to be a special meeting they would be on the October agenda. He stated that the issue was the request was for a multifamily use in a single family neighborhood so the applicant needed to know if the Board would be in favor of such a request.

Ms. Heard stated that she would be unavailable until after October 10th.

Mr. McGee stated that if they started having special meetings they would be setting a precedent to have them in the future.

It was the consensus of the Board not to have a special meeting but for the applicant to come to the October meeting for discussion then go through the process.

11. Board Comments

Ms. Heard stated that the Board was on top of everything that went on in the Midtown Area. She stated that food was being purchased from stores outside the area then resold in the Midtown area so people needed to be sure to look at dates on the items.

Ms. Benjamin thanked the citizens for attending the meeting and appreciated their input. She stated the Board was there to help citizens but needed citizen input.

Mr. Ivey also thanked the citizens for attending the meeting but was concerned about some of the comments that had been made. He stated that they needed to

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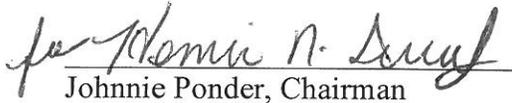
improve some of the streets in the Midtown Area and the crosswalks at ISB and MLK and Lincoln Street needed to be repainted. He stated he had made the same request months ago but the work had not yet been done. He stated there were also lights out at Lincoln Street and ISB. He stated that the Board needed to pay attention to the redistricting and how it would affect Midtown and whether or not the boundaries would change. He stated he was committed to Midtown and he read all information about it and attended meetings to be able to be aware of issues. He stated that the Board had a right to their opinion and had the right to continue any item they wanted to whether or not staff reviewed the criteria. He stated the Board needed to have a monthly budget update like every other board had.

Ms. McMillon stated that there were business owners in Midtown who did not live in the area so they made their money in Midtown then took their money to another community and did not give back to the community where they made their money. She stated that as a Board they should be allowed to discuss an item and get as much information as possible. She stated she appreciated being on the Board and appreciated Mr. Berger and Mr. Bryant and the time they put in for the Board.

Ms. Ponder thanked Mr. Bryant for his work and thanked the citizens for attending the meeting. She stated she did her best to be involved in the community and help the Board move ahead. She stated that the Board needed to stick together and work hard for the community.

12. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 9:25 p.m.


Johnnie Ponder, Chairman


Cathleen Olson, Board Secretary