

**MIDTOWN REDEVELOPMENT AREA BOARD  
MINUTES  
Tuesday, May 8, 2012**

A meeting of the Midtown Redevelopment Area Board was held Tuesday, May 8, 2012, at 6:00 p.m. in Commission Chambers of 301 S. Ridgewood Avenue, Daytona Beach, FL. The following people were present:

**Board Members**

Mr. Hemis Ivey, Chair  
Ms. Margaret Symonette  
Mr. Ken McGee (left at 7:25 p.m.)  
Ms. Denise McMillon  
Mr. Martin Tooley  
Ms. Patricia Heard  
Mr. Wilburn Williams (arrived at 6:03 p.m.)  
Dr. Irma Browne Jamison

**Board Members Absent**

Ms. Shirley Benjamin

**Staff Members Present**

Mr. Ron McLemore, Deputy City Manager/Public Works  
Mr. Reed Berger, Redevelopment Director  
Mr. Charles Bryant, Redevelopment Project Manager  
Mr. Mike Marcum, Traffic Administrator  
Ms. Carrie Lathan, Assistant City Attorney  
Ms. Becky Groom, Recording Secretary

**1. Call to Order**

Mr. Ivey called the meeting to order at 6:00 p.m.

**2. Roll Call**

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

Mr. Ivey noted that Ms. Benjamin's mother was ill so her absence was excused.

**3. Invocation**

Ms. Symonette gave the invocation.

**4. Pledge of Allegiance to the Flag**

Ms. McMillon led the Pledge of Allegiance to the Flag.

**5. Approval of Minutes of April 10, 2012**

Ms. Symonette noted that the April 10 minutes should reflect that she lead the Board in the Pledge of Allegiance.

Ms. McMillon made a motion to approve the minutes of April 10, 2012, as corrected. Dr. Jamison seconded the motion and it was approved unanimously (8-0).

**6. Staff Report – Public Works Department**

Mr. McLemore updated the Board regarding Public Works projects and asked about historical markers for Midtown. He discussed “branding” of various projects throughout the City and the design for Midtown which would be presented at a later time.

Mr. Ivey suggested each Board member ask questions of the Public Works Director.

Ms. Heard stated the south end of Martin Luther King Boulevard had potholes.

Mr. McLemore stated he had looked at the south end of MLK and it needed resurfacing so he was working to find a funding source.

Ms. Heard asked that Mr. McLemore look at Lane Street since it was one way and suggested signs be put up saying “begins one way.”

Dr. Jamison had no questions.

Mr. Tooley thanked staff for the plans regarding Orange Avenue.

Mr. McLemore stated they were 60% plans.

Ms. McMillon stated a blind group was at the City Commission meeting regarding crosswalks and discussed detection pads at crossings which would make a sound to guide them across the street

Mr. McLemore stated he was working with FDOT to get the devices installed.

Ms. McMillon asked about people that use motorized scooters on Nova Road and asked when the bubble ramps would be installed.

Mr. McLemore noted that all curbs would have bubble ramps.

Ms. McMillon asked how much of the project would go into Tusawilla Park.

Mr. McLemore stated that all work being done was within right of way and the traffic arms would be located on the four corners.

Ms. McMillon noted that some streets in Midtown were very dark at night and asked what the process was for getting street lights in residential areas.

Mr. McLemore stated that when the City received a complaint, it was reported to FPL and they evaluated the area.

Ms. Symonette had no questions.

Mr. Ivey stated he would like to review Mr. McLemore's report and come back with any questions.

Mr. McLemore stated there was a question about street marking and he would do them again.

7. **Action Item: DEV2011-093, Villages of Halifax II Final Site Plan Approval**

Mr. Bryant presented the Site Plan and staff report, a copy of which is hereto attached and made part of the record, for 206 N. Keech Street. He stated at the previous meeting, the Board requested that the chairman and staff meet with the Technical Review Team (TRT) and staff also met with the community. He stated there were two entrances proposed for the site, one off Keech Street and one off Caroline Street.

Mr. Bryant stated staff recommended approval of the request, subject to the outstanding comments of the TRT being addressed: the retention pond have a fountain and the location of a second entrance off Caroline Street be a condition of approval.

**Citizen Comments**

Mr. Reginald Moore, 209 N. Keech Street, stated he was concerned about additional traffic on Keech Street. He said he attended the community meeting and met with the technical reps. His concern was there would be a dead end at Caroline Street and he was not in favor of the entrance off Keech Street. He stated he was told there were 2 reasons for the entrance off Keech Street, which were visibility and requirements from the Fire Department. Mr. Moore asked that the Board reject the plan as presented based on traffic concerns.

Mr. Ivey stated that he attended a meeting with Mr. Bryant, Mr. Berger and his staff as well as Mark Dowst. Initially, there was only one entrance and all traffic would have been onto Keech Street. He stated that Mr. Moore's concerns were concerns he shared. He stated he recently met again with staff, which was why the Board received an email concerning the second entrance off Caroline Street. He stated he was not in favor of the exit onto Keech Street. He asked the school board about bus access and the Traffic Department said they liked to have the busses travel the main streets.

Mr. Ivey discussed the retention pond and asked why it was at the back of the complex and would alleviate flooding in the surrounding area. The fountain was requested in order to help with nesting mosquitoes in the pond.

Mr. Ivey asked about the Keech Street exit and was told that the project cannot be moved because of the high power wires that run across the street and they could not be moved.

Mr. Ivey stated he asked if the project could be done in two phase and was told the project could not be done in two phases because two permits would be required and there would be empty property if it was built in two phases.

Mr. Ivey stated it was a hard decision but it was the best thing for the community. He said he came up with more positives than negatives.

Ms. McMillon asked what it would cost for Caroline Street to run straight through the project.

Mr. Ivey stated that was not something that was discussed but piping and retention would cost more.

Ms. McMillon stated that was her main concern. She stated with an entrance on Keech Street there would be a constant flow of traffic and constant lighting onto the property. She asked how far Oak Street was from the property.

Mr. Ivey stated new setbacks required it be 150 feet from the property line which would require moving a utility pole and the lines would have to go underground.

Ms. McMillon asked about the fire hydrants on Keech Street. She stated there was one on Caroline Street. She asked if when a unit was called to the complex, if they would access it from Caroline Street or Keech Street.

Mr. Ivey stated it was proposed for a second entrance to the back of the project off of Caroline Street.

Ms. McMillon asked if the retention pond would be adjacent to the brick wall.

Mr. Ivey stated there would be a new wall.

Ms. McMillon asked about traffic from emergency vehicles. She stated that she understood Mr. Moore's point regarding putting the street straight through. She asked if it had been technically mapped out with Mr. Markham.

Mr. Ivey stated that there was concern about only having one entrance in and one entrance out. Opening the second entrance would allow two fire engines to come from two directions at the same time.

Ms. Symonette asked about the wall.

Mr. Ivey stated the wall was currently there and would be replaced.

Mr. Dowst stated the existing wall would stay but needed to be cleaned and painted.

Mr. Ivey asked about the east side of wall.

Mr. Dowst stated that along the east side of the property, along Keech Street, a new wall would be constructed of stucco with landscaping of the property. Along the pond, there would be a fence you could see through. Along the perimeter of the property, there would be a fence you cannot see through.

Mr. Williams asked about Mr. Ivey's discussion with the School Board about the entrance off Keech Street and how it would affect routing.

Mr. Ivey stated the bus would utilize the light and go north. They could also use the light at MMB to go south toward Nova Road.

Mr. Williams asked if there were speed bumps on Keech Street.

Mr. Ivey stated yes.

Mr. Williams asked if there would be a gate.

Mr. Ivey stated no.

Mr. Williams asked about the computer lab proposed for the community center.

Mr. Ivey stated that was outside his realm. He stated it was noted on the plans so he was sure it would be there. He noted the Mid-town Cultural Center was up the block, and there would be computers there.

Mr. Williams stated he wanted to make sure it was functional.

Mr. Dowst stated it was labeled on the plans as a computer lab so it would be open to the residents.

Ms. Heard stated that she was still looking at the entrance off Keech Street and asked if it would be two-way traffic.

Mr. Dowst stated that both entrances would be two-way traffic and neither would be gated.

Ms. Heard asked about Caroline Street and the wall.

Mr. Dowst stated there would be a fence along all property perimeters.

Ms. Heard stated that she wished there could be an exit so that North Caroline Street could be utilized more and MMB being a throughway.

Mr. Dowst stated that any resident in the project could choose to go straight to Caroline Street. There was no requirement to use Keech Street.

Ms. Heard asked if there would be a hydrant on Keech Street.

Mr. Dowst stated there was a requirement for a new hydrant within the development. He also noted all buildings would be sprinkled.

Dr. Jamison stated that she was concerned about a development being built for families that did not include a play area.

Mr. Dowst stated the project included a play area near the clubhouse.

Dr. Jamison asked if it was near the community center.

Mr. Dowst stated it was the primary play area and there was open space for play throughout the development. The play area had a safe surface and was handicapped accessible.

Dr. Jamison asked about traffic. She asked if there was any possibility that at certain times Keech Street could be closed by use of a gate.

Mr. Dowst stated that the entrance off of Keech Street was recommended by Public Safety so to close it would require review by Public Safety.

Mr. Ivey stated that it was proposed that both entrances remain open 24/7. He stated that he felt Dr. Jamison's question was whether the Keech Street entrance

could be closed at night to force everyone to use the Caroline Street entrance. He stated there were no gates proposed for the development.

Dr. Jamison stated there was concern about Keech Street by the people who lived in the area and she did not think it would require a lot of extra money to close the entrance at certain times of day.

Mr. Ivey asked Mr. Dowst if he would ask the developer that question.

Mr. Dowst responded he would talk to the developer.

Mr. Tooley stated that the developer and Mr. Dowst had gone through a process of trying to please everybody, and you're not going to please everybody.

### **Board Motion**

Mr. Tooley made a motion to accept and approve the site plan. Mr. McGee seconded the motion.

Mr. Ivey stated the project would be phased and the developer was trying to address retention, fire safety, etc. He stated that the motion should include the two conditions that were discussed: the fountain and the second entrance in the back, and to have the developer review a gate closure from 9:00 p.m. to 5:00 a.m. on Keech Street.

Mr. Tooley expressed concern that the fountain and entrance were mentioned in the staff report but there was no discussion about the gate in the report.

Mr. Dowst stated that he would ask the developer about the gate but currently it was not a condition of the development.

### **Board Action**

Ms. Lathan stated there was a motion and a second and asked if someone wanted to withdraw the motion. Mr. Tooley stated he would amend his motion to include the items mentioned. Mr. McGee seconded and it failed (4-4) with Ms. McMillon, Ms. Heard, Mr. Williams, and Mr. Ivey casting the negative votes.

Ms. McMillon stated she wanted to ask a question and then asked to make a motion to withdraw the motion and ask a question of Mr. Dowst before making her vote.

Ms. Lathan stated the proper procedure would be to finish the vote then Ms. McMillon could ask her question and make a motion to reconsider.

Ms. McMillon asked to make a motion to question Mr. Dowst.

Ms. Lathan stated a motion was not necessary to ask a question.

Ms. McMillon asked Mr. Dowst about the conditions for the fountain, the gate, and the second entrance. She asked if the second entrance referred to going back to the City to discuss a second entrance or if it was the second entrance on the back.

Mr. Dowst stated that the second entrance off Caroline Street was part of the plan and the developer had agreed to the second entrance.

Ms. Lathan asked if anyone who voted no would be interested in making a motion to reconsider.

Mr. Moore attempted to speak from the audience.

Ms. Lathan stated that public comment had closed. She further stated that someone who had voted no would have to make a motion to reconsider.

Mr. Dowst stated that if the project was voted down, the developer may have difficulty in meeting the time schedule. Also, there was \$900,000 which was provided for the project which must be used prior to September. If the project was turned down, there was not sufficient time to re-submit the project and use the funds that had been allocated.

Mr. Moore stated that he felt he should be given an opportunity to speak. He stated that Mr. Dowst had spoken after the vote was taken.

Ms. Lathan stated that Mr. Dowst was the applicant so he was permitted to speak.

Mr. Ivey stated that he would like to be fair in all aspects of the project and gave Mr. Moore an opportunity to speak regarding the project.

Mr. Moore stated that the residents he had spoken to are in favor of the project and he did not feel there was a public safety issue with the proposed development but he did not feel an exit onto Keech Street was needed.

Mr. Ivey thanked Mr. Moore for his input. He stated that the reason he let Mr. Moore speak was because he felt that if someone had asked to address an issue, he felt they had taken their time and cared about the issue. He stated that at the beginning of the meeting he said that he was going to do the right thing he wanted to reconsider his vote. He stated the community wanted the project but he was not in favor of the exit on Keech Street and would like to reconsider his vote.

Ms. Lathan asked who cast the negative votes.

Ms. Groom responded those who voted no were Mr. Williams, Ms. Heard, Ms. McMillon, and Mr. Ivey.

Ms. Lathan stated someone who voted no could make a motion to reconsider the item. She stated she did not feel it was appropriate for the Chair to make the motion but did not think. She asked for a five minute recess to review Roberts Rules of Order.

Mr. Ivey stated there would be a five minute recess in order to allow the attorney to review Roberts Rules.

Ms. Lathan noted that at any time the Board could suspend Roberts Rules.

Mr. Ivey asked if he could make a motion to let the Vice Chair take over the meeting.

**Board Action**

Mr. Tooley made a motion to suspend Roberts Rules of Order. Dr. Jamison seconded the motion and it was approved unanimously (8-0).

**Board Action**

Mr. Ivey made a motion reconsider the item. Mr. Tooley seconded the motion and it was approved (5-3) with Ms. McMillon, Ms. Heard, and Mr. Williams casting the negative votes.

**Board Action**

Mr. Ivey made a motion to re-institute Roberts Rules of Order to the meeting. Mr. Tooley seconded the motion and it was approved unanimously (9-0).

Ms. Lathan stated a motion now could be made to take action on the item.

**Board Motion**

Mr. Tooley to approve the site plan with the conditions of the addition of the fountain, the entrance off Caroline Street, and to have the developer review the addition of a gate to close access on Keech Street. Ms. Simonetta seconded the motion.

Ms. McMillon stated that she could not attend all meetings that the Chair and Vice Chair attended but she kept hearing there was pressure on the Board that the

money had to be spent. She stated she was not opposed to the project but she wanted the residents of Midtown to be seriously considered as to what went on in their neighborhood and to make sure the residents were heard.

**Board Action**

The motion was approved (7-1) with Ms. McMillon casting the negative vote.

**8. Action Item: Midtown Master Plan – Amendment to the Midtown Redevelopment Plan**

Mr. Williams made a motion to continue Item 8 to the June meeting. The motion was seconded by Dr. Jamison and approved unanimously (7-0).

Mr. Ivey asked that Mr. Dowst leave his phone number with staff in case any member of the Board would like to speak with him.

**9. Redevelopment Project Updates**

There was no report presented at this time.

**10. Board Priorities**

Mr. Bryant referred to the 2012 Strategic Plan which he asked the Board to review and provide him with any comments or corrections.

**11. Public Comments**

Mr. Pierre Lewis, 137 S. Franklin Street stated that he participated in the Health Department walkability study on May 2 and it gave him a new perspective on the area. He commended the Board on their work. He stated that public housing developments were mixed income and residents were not completely subsidized but some paid fair market.

Ms. Camille Brown, 218 Carl Brinkley Circle, stated she was concerned about children playing in the street. She also participated in the walkability tour and found it very enlightening. She stated that someone from the School Board noted that the old Campbell School property could be donated to a non-profit and she felt there was potential for the property.

Mr. Bryant stated that he did not walk as part of the study but attended the seminar. He stated there would be a lot of positive things that would come out of the study and he thanked the Health Department for conducting it.

Mr. Bryant stated the Health Department had conducted a clean up on Saturday with 55 volunteers and they were doing many positive things in the community.

Mr. Bryant reminded the Board that he had given them a copy of a flyer for the Juneteenth event on June 12<sup>th</sup> with a banquet and festival.

Ms. Heard asked if they would be receiving tickets year.

Mr. Bryant said he would check. He stated he had been chairman of the event for many years and was looking for a new chairman.

Ms. Camille Brown stated that Turie T. Small would be having their carnival on Friday and invited the Board to attend. She stated there was grant money available for programs at the schools.

**12. Board Comments**

Mr. Williams stated that he did not get his question answered about the computer lab.

Mr. Ivey stated the development was private and it was up to the developer to make sure they were up and working.

Mr. Williams stated he felt pressured by Mr. Dowst's comments and felt it was a disrespectful.

Mr. Ivey stated that a lot of work had gone into the project and at some point they had to come to an agreement. He stated that he had made a mistake and would take the blame for the vote but everything the Board had asked for was covered. He stated the Board had trusted him to go to the meetings and get the answers and Mr. Berger had asked him to meet one more time to make sure they had all their answers and had no problems coming into the meeting.

Mr. Ivey stated no one could be pressured to vote which was why he made the decision to reconsider. He had attended the meetings and knew they had achieved

what they had never achieved before and he would make sure he addressed Mr. Williams' concerns with Mr. Dowst.

Dr. Jamison stated that she voted to approve the project but was concerned about the traffic.

Mr. Tooley stated that he appreciated the project was a Federal funded source and there were time limits. He stated he felt there should be a time limit on citizen comments not for talking but to stop the rambling. He stated that Board members needed to review their packets prior to the meetings and contact staff with questions.

Mr. Tooley thanked the Chairman and stated that he did a good job. He stated that public representatives should attend meetings if they were concerned about Midtown.

Ms. McMillon had no comments.

Ms. Heard stated that she was not against the project but she did not like the fact that her street was open because it was used as a thru way all the way to Shady Place. She wanted to know the percentage of minorities that would be working on the project and she would call Mr. Dowst to ask him. She also thanked Mr. Ivey.

Ms. Symonetta stated that she also supported the project.

Mr. Ivey stated that he knew they were headed in the right direction and any time there was controversy, they were headed in the right direction. He stated that was the first time they had been able to make a difference. He stated staff worked hard and attended a lot of meetings and he had no problem having workshops. He stated information the Board received was important and he did not want the Midtown Board to hold the City up in the Comp Plan review. He stated no project was a perfect project, but they could get the best and demand more. He stated that 90% of what the Board asked for was implemented into the site plan and he fought hard for the Board and the betterment of the community.

Ms. Heard asked about the posters in Midtown at Magnolia Avenue and Martin Luther King Boulevard.

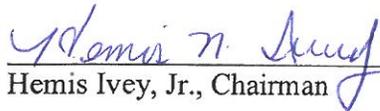
Mr. Ivey suggested calling Code Enforcement.

Ms. McMillon stated a person would have to use a ladder to put signs on the poles.

Mr. Bryant stated Code Enforcement was working on the issue and he had talked to the shop owner at Magnolia Avenue and MLK. He stated there were restrictions on the amount of space that could be covered in a sign. He stated he talked to the special magistrate and the fine was \$5,000 per sign.

13 **Adjournment**

A motion was made by Mr. Tooley, seconded by Dr. Jamison, to adjourn the meeting at 8:10 PM.

  
\_\_\_\_\_  
Hemis Ivey, Jr., Chairman

  
\_\_\_\_\_  
Rebecca Groom, Recording Secretary