

**MIDTOWN REDEVELOPMENT AREA BOARD
MINUTES
Tuesday, September 11, 2012**

A meeting of the Midtown Redevelopment Area Board was held Tuesday, September 11, 2012, at 6:00 p.m. in the Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, FL. The following people were present:

Board Members

Mr. Hemis Ivey, Chair
Ms. Patricia Heard
Ms. Margaret Symonette
Mrs. Denise Cato
Mr. Martin Tooley
Mr. Wilburn Williams
Dr. Irma Browne Jamison
Ms. Shirley Benjamin

Board Members Absent

Mr. Kenneth McGee

Staff Members Present

Mr. Charles Bryant, Redevelopment Project Manager
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. He stated that he would like to observe a few moments of silence in remembrance of the victims of 9-1-1.

2. Roll Call

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

3. Invocation

Mrs. Cato gave the invocation.

4. Pledge of Allegiance to the Flag

Ms. Symonette led the Pledge of Allegiance.

Mr. Ivey extended sympathy to Shirley Benjamin on the loss of her nephew. He asked that the Board keep Ken McGee, who was not in attendance due to surgery, in their thoughts and prayers

5. Approval of Minutes for August 14, 2012

Ms. Heard stated that the minutes reflected that Johnnie Ponder lived on Mary Street and asked that the minutes be corrected to show that she lived on Maley Street.

Mr. Ivey stated that the Board approved changes to the Master Development Plan and those changes had not been made. He asked that Mr. Bryant see that the changes were made and forwarded to the City Commission.

Mr. Ivey stated Commissioner Reynolds attended the last Midtown Meeting and he wanted to make sure that she was recognized as attending as a City Commissioner.

Board Action

Mr. Tooley made a motion to approve the minutes of August 14, 2012. Ms. Heard seconded the motion and it was approved unanimously (8-0).

6. Staff Report – Code Enforcement

Mr. Ivey stated that the Board had asked for a copy of the Midtown budget and it had not been provided, yet the budget was moving forward to the City Commission for approval and did not reflect any funding for Midtown. He stated the City was holding \$1,000,000 in reserves for completion of Orange Avenue while they attempted to secure grant funding. He noted Orange Avenue was a County Road and the utilities belonged to the City of Daytona Beach. He encouraged Board members to attend the City Commission meeting on September 19 and ask the Commission to not approve the budget unless there was money included to help the citizens of Midtown.

Mr. Bryant provided a copy of the Code Enforcement Report from Eddie Lopez, code enforcement officer.

Mr. Ivey asked that Code Enforcement be added to the agenda next month and that Mr. Lopez attend the meeting.

Mrs. Cato stated that she had called Mr. Lopez about several properties and the issues were being addressed. She expressed concerns about Magnolia Avenue and improvements that were made were not being maintained. She noted the trees and shrubs were installed with no irrigation and most of it had died. She felt the landscaping was a waste of money that could have been used for something else.

Mrs. Cato stated that residents were concerned about the grass in the right of way. Many residents believed they were only responsible for the grass to the sidewalk; however, after checking with the City, she learned that residents were responsible for upkeep of the grass to the street.

Mr. Ivey noted that the area was served by reclaimed water and he asked that sprinklers be installed. He encouraged the Board to address the issues with the CRA and the City Commission.

Mr. Bryant stated that Reed Berger had conversations with Public Works about the trees. Mr. Berger was not in attendance due to illness but he would have an answer for the Board at the next meeting.

Mrs. Cato stated that she hoped before any other beautification was done that it could be supported. She noted that the plantings from Martin Luther King to Nova Road were dead.

Ms. Benjamin asked about 112 Martin Luther King Boulevard.

Mr. Bryant stated that location had been before the Code Enforcement Board.

Dr. Jamison asked about the right of way. She stated that crossing over International Speedway Boulevard, the grass was growing out of the sidewalk and asked if property owners were responsible for that. She asked that property owners be given a reminder that they were responsible for maintaining that area.

Mr. Ivey stated that he wanted to recognize State Representative Dwayne Taylor who was in attendance. He stated that Representative Taylor was working to bring a law school and Veterans Center to Midtown.

Mr. Ivey stated that Dr. Edison Jackson, President of Bethune Cookman University, was in attendance.

Dr. Jackson stated that enrollment at Bethune Cookman had increased. The freshman class was one of the best prepared that the University had seen in a decade and Bethune Cookman was a college of choice.

7. **Action Item: DEV2012-041, BCU Larry R. Handfield Athletic Center Training Practice Field**

Mr. Bryant stated that the item was reviewed by the Board at the August meeting and the request before the Board was for Final Site Plan approval; however, since the Board's Design Professional, Ken McGee, was not in attendance the item could not be approved by the Board. He stated the item would be placed on the

agenda for the October meeting. Mr. Bryant noted that the University had requested that the presentation be made to the Board.

Mr. Parker Mynchenberg, 1729 Ridgewood Avenue, representing BCU, stated that the adjacent property owners had been notified of the meeting and many were in attendance. He stated he wanted to make the presentation and come back in October for a vote from the Board.

Mr. Mynchenberg stated the project was located on International Speedway Boulevard between Lincoln and Jesse Streets. He noted that the overflow parking lot was to the east of Jesse Street so parking would be out of the residential area. Parking was originally proposed for Lincoln Street and Magnolia Avenue but had been moved to the east. The training center was now completed and the proposed site plan showed the synthetic field behind the athletic center with Oak trees placed on the site at 30 foot centers and landscape hedging will be installed. Bethune Cookman fencing would run along street frontages with a screening wall of landscaping along the south side. Some of the landscaping had already been constructed along Lincoln Street and would be duplicated along Jesse Street. The synthetic field will be on top of an 8 inch rock area. Mr. Mynchenberg provided a rendering of the resident's view from the south with a 6 foot high stuccoed masonry fence. He stated columns would be installed with 30" centers; and 4" caliper oak trees with crepe myrtle planted in between the trees.

Mr. Jim Morris representing Bethune Cookman University, provided copies of a letter he sent to Board Members on August 31, 2012. He stated that he obtained a listing of adjacent property owners from the County Appraiser's office and provided a copy of the same letter to the residents. He stated concerns were expressed about using the parking at the Nursing facility so he talked with the University and they were working to address that concern. Mr. Morris stated that the University had offered 4 conditions they thought would address the Board's concerns:

1. All activities scheduled on the practice field at the ATC shall conclude no later than 11:00 p.m.
2. The lights on the practice field at the ATC shall be turned off no later than 11:00 p.m.
3. There shall be no band practice permitted at the ATC practice field at any time.
4. If a special event to be held at the ATC practice field should merit additional consideration or temporary modification of the offered restrictions, the Board shall be provided notice and a reasonable opportunity to review the event and allow temporary modification of the conditions needed to allow the special event.

Mr. Morris stated his letter outlined the concerns he felt were raised by the Board. He noted that a drainage pipe would also be installed since it was a concern raised by an adjacent property owner.

Mr. Morris stated that at the last meeting, concerns were raised about spectators. He stated there was no intention for the field to be used other than as a practice field for the University's teams. Bleachers would add to the problems and increase traffic flow concerns for the neighborhood. People would be welcome to watch the practices and bring their own chairs in an open field setting. He stated bleachers may also pose a hazard to the players since space was limited.

Mr. Morris stated that Ken McGee had specific questions and those had also been addressed in the letter. He noted that Mr. McGee had participated in the discussions of the project since it first began in March, 2011. Even though Mr. McGee was not in attendance his concerns had been addressed.

Mr. Morris noted that shielding would be used on the lighting to focus the light downward to minimize the off-site glare.

Ms. Johnnie Ponder, 885 Maley Street, stated she had concerns about the fencing wall and stated she would like the wall to be higher. She asked if power poles in the area could be removed and lines placed underground. She asked about public access to the field.

Mr. Pierre Lewis, 137 S. Franklin Street, stated that he lived 3 streets from the athletic field. He stated that he did not attend last month's meeting but read the minutes which stated that the field would be available to the community.

Mr. Ivey stated that his question will be addressed.

Mr. Steve Miller, 383 Walnut Street, stated that he was pleased for the Board to be part of something great at Bethune Cookman.

Pastor Max Hawkins, 1641 Third Street, stated he was a property owner to the west and asked if there were any plans for development on the west side of Lincoln Street.

Ms. Cathy Washington, 937 Lockhart Street, stated that she felt it was an excellent project but asked that citizens have input before it moved forward. She stated she supported the project.

Dr. Jamison stated that the project started as a non-intrusive facility that would only be used by the football players when they were scheduled to play another team that used the artificial turf. She felt it would only occur 3 to 4 times per year per football season and maybe during spring practice. Now it was proposed to be a facility that can be used by anyone and the original purpose had been forgotten. She was concerned about others being able to apply to use the field any time of the year and asked that caution be used in permitting others to use the field.

Mr. Williams stated he was concerned about the facility being used by other teams within the City. He stated that if the field was to be used by others, some accommodations should be provided for those individuals. He stated there was confusion since at last month's meeting, it was stated that the field would be used by groups other than Bethune Cookman and asked for clarification. He stated he supported the project.

Mr. Tooley asked Ms. Lathan if the code limited the height of the fence to 6 feet.

Ms. Lathan stated she thought it did but she would check for clarification.

Mr. Tooley stated he read that it was limited to 6 feet which was why the proposed wall was 6 feet. In Mr. Morris' letter in Item 6 under Public Access, it plainly stated that the public would not be using the facility. He stated the project would be progressive for the community at large. Mr. Tooley stated that the letter further stated when the team was scheduled to play on grass they would practice on the grass field. He stated that a special event request would have to be submitted for use of the field and he felt the facility would be an asset.

Ms. Lathan stated she checked the Code and there was a 6 feet height limitation.

Mr. Bryant stated that many of the issues being discussed had been addressed in his report, particularly use of the field and time limit. He stated that he recommended the item be approved at the October meeting.

Ms. Heard stated that she felt games were played and if it was up to her, she would say no because of the games that had been played. She stated that when the proposal was first presented to the Board, the practice field was not there and was added later. The area proposed was to be a five level parking garage. She stated the college had done a good job in beautifying the city. She said she did not feel the address for the project was correct and the correct address was on Jesse Street. She stated the dimensions of the field had not been provided by the developer but Mr. Bryant provided that information in his report. Ms. Heard expressed concerns about the retention pond. She thanked the developer for bringing forward a beautiful project. She stated she hoped the building on Martin Luther King Boulevard with the restaurant materials could be cleaned up. She said she was an alumni of Bethune Cookman as well as a supporter.

Ms. Benjamin stated her biggest concern was security and felt as long as the football team was there, security should be provided.

Ms. Cato commended Mr. Mynchenburg and Mr. Morris for responding to all of her requests. She stated Bethune Cookman had made International Speedway Boulevard the blood vessel that ran through the heart of Daytona Beach. She stated that she discussed with Ms. Grimes about holding a traditional homecoming at Bethune Cookman from Wednesday through Sunday and involving the community. She stated that she hoped they would have come to the

Board the first time telling them what they wanted instead of coming back with changes. She stated she supported the project.

Ms. Heard stated security was important and noted there was a disturbance and shooting in the Derbyshire area yesterday involving 200 students.

Mrs. Cato stated there were kids playing in the area and was concerned about kids in traffic at Martin Luther King Boulevard and Lincoln Street.

Mr. Ivey stated that Ms. Symonette could not participate in the discussion because she was an employee of Bethune Cookman.

Mr. Ivey stated that all of the concerns had been addressed. He felt that a lot of the things that the Board was addressing tied into the Town and Gown theory. He noted that Ms. Grimes had been working on homecoming. He noted that many of the items that have been discussed were school issues more than Midtown Board issues. Mr. Ivey stated that he felt Mr. McGee's questions had been addressed in the letter and asked if it was necessary to wait until Mr. McGee returned to vote on the item.

Ms. Lathan stated that the LDC stated that the Board did not have a quorum if the design professional was not in attendance. She stated that if Mr. McGee would not be back next month, she thought they could get an alternate professional to sit in. Since the Land Development Code required the design professional to be in attendance, the Board could not vote on the item that evening.

Mr. Morris stated that the LDC said that but wondered how the Board could appoint an alternate between then and the next meeting.

Mrs. Cato asked if there was someone within the City that could be appointed.

Mr. Ivey asked what the process would be to get an alternate design professional appointed.

Ms. Lathan stated that she did not think the Board would have to go to the Commission level for an appointment. She stated that Stan Holle had filled in previously on different boards. She stated she would check with Mr. Berger. She stated she could ask Ms. Goodman to have an item rushed through to get an alternate appointment at the next meeting.

Mr. Morris stated that everyone was in attendance but would come back if necessary. He asked that a vote be taken and if the item needed to come back in October, hopefully a design professional would be in attendance and then the vote that was taken at that time evening could be affirmed.

Mr. Ivey stated that since the applicant had requested a vote, he recommended that a vote be taken. He stated it would give staff an opportunity to continue to work with BCU; if a special call meeting was required, that would be scheduled to take a formal vote.

Mr. Tooley stated that if they took a vote without a quorum, it was not a binding vote.

Mr. Morris stated that by taking the vote, the Board would express its sentiment and hopefully abbreviate the procedure at the next meeting.

Mr. Morris stated the President of the University heard the Board's comments regarding security and the concerns would be met. He stated it was a specific purpose facility and intended to be a practice facility for university teams. Women's athletic teams would also be using the field but they were university teams. He stated handicapped parking was available at the parking lot. He said bleachers were discussed at the last meeting but were not proposed. The public was welcome to attend the practices but the public would come and go at practice times and would not be a disturbance to the neighborhood. Regarding the property west of Lincoln Street that Pastor Hawkins asked about, the university owned a lot of property there. Mr. Morris stated that presently there were no plans for the property west of Lincoln Street. He stated that the situation of the field not being mentioned initially would not happen again. He further stated that when the University had plans, the Board would know and would be involved in the plans.

Board Action

Ms. Benjamin made a motion to approve DEV2012-041, BCU Larry R. Handfield Athletic Center Training Practice Field, including the 4 conditions as outlined in Jim Morris' letter dated August 31, 2012, and as otherwise presented in the staff report. Mr. Williams seconded the motion and it was approved unanimously (7-0) with Ms. Symonette abstaining.

Mr. Ivey asked Mr. Bryant to check to see if a special meeting would need to be held to formalize the vote with an alternate design professional.

8. Board Priorities

Mr. Bryant stated that he has continued to place this item on the agenda since he has not received any calls from the Board. Mr. Bryant said he has provided a list to the Board. That list will be provided to the City Manager's office. He asked Board members to contact him if there is anything they would like added.

Mrs. Cato stated that lists had been provided by Board members from the workshop outlining priorities. She thought the list was completed once those items has been presented.

Ms. Symonette asked how projects will be considered if the Board is not included in the budget and asked how items could be included in the budget.

Chairman Ivey said that is why he is encouraging the Board to attend the City Commission meeting. He stated every Board member has a right to speak at the Commission meeting and feels they should present their items to the Commission.

9. Redevelopment Project Updates

Mr. Bryant stated that he talked with Mr. McGee and he suggested we have a Board workshop to go over the Midtown plan. Mr. McGee's concern is sidewalks in the Midtown area. Mr. McGee also wants to talk with Police Chief Chitwood about crime in the Midtown area.

Chairman Ivey suggested that when the special meeting is held, he would like to schedule a workshop on the same day to go over these items.

Chairman Ivey recognized Suzanne Grubbs from the Health Department who is in the audience for the work she has done on the Walkability Study. He stated that he hopes she will be involved in the Town and Gown.

Mr. Bryan stated that he was working on Christmas activities for Midtown. Programs would be planned for the four Saturdays in December and would be called Light Up Midtown. The first Saturday the businesses would all turn on their lights between 7:00 p.m. and 7:30 p.m. and businesses and residences would be asked to decorate. Prizes would be given for the best decorated business and residence. The parade would be on December 8 and a step show and gospel fest will also be held. BCU was working with the City on a community day and the local NAACP was also committed to work with the city on a community day.

10. Public Comments

Ms. Johnnie Ponder, 885 Maley Street, stated she was excited about the Christmas program and willing to help. She also said she felt 11:00 p.m. was too late for the practice field to be open.

Mr. Steve Miller, 383 Walnut Street, stated that he felt a Mary McLeod Bethune Festival should be held. He felt the Board could get grant money to fund activities. He commended the Board on their professionalism during the meeting.

Ms. Cathy Washington, 937 Lockhart Street, talked about the grass on the sidewalks. She stated that Mr. Hill from Willie Drive volunteered to cut the grass if the City will provide him with the supplies needed. She stated that the budget for Midtown for the past three years had been zero and she stated all other Redevelopment Boards were funded. She stated she felt it was the Board's responsibility to attend budget meetings. The Board members' absence sent a message that they did not care. She talked about Orange Avenue and felt the County should do their part. She talked about Martin Luther King between International Speedway Boulevard and Mary McLeod Bethune Boulevard. She stated there was a leak last week for 3 days but it had been fixed. She stated there were holes that had not been fixed and the potholes were large enough that a tire could fit in.

Mr. Pierre Lewis, 137 S. Franklin Street, stated he was surprised there was no budget for Midtown. He stated that wi-fi had not been addressed and wondered what happened. He stated there was a comment about crime and if jobs were increased, crime will be decreased. He also commented about the Magnolia trees and wondered what happened. Mr. Lewis stated that he supported the Light Up Midtown program and offered his assistance.

Mr. Ivey asked Mr. Bryant to schedule a meeting with staff to see what was going on with the wi-fi.

11. Board Comments

Ms. Benjamin stated she would talk with Mr. Lopez about her concerns in the Midtown area.

Mrs. Cato thanked the Board for their efforts in looking out for Midtown and thanked Mr. Bryant for his efforts. She stated a number of residents had talked to her about coming to the Board to ask for assistance but stated the Board cannot help them when there was nothing to give them. She wondered how serious the Board was being taken but seemed it was falling on deaf ears. Mrs. Cato stated she appreciated receiving the LDC and had referred to it to answer questions.

Mr. Tooley thanked Mr. Bryant for providing the LDC to the Board. He expressed concerns that people were unable to attend events in Midtown if they were not familiar with the area and knew how to get around on the side streets. He stated that the residents of Midtown needed to be made aware that a renters tax was proposed to help pay for things on LPGA. He also stated that the Board members needed to attend the Budget meeting. He stated the Board needed to get accountability about the budget because every grant that was written used the demography of Midtown, yet Midtown did not get the benefit from the grants. Mr. Tooley stated that he felt all high schools should be invited to participate in the Midtown Christmas parade to bring the City back together.

Dr. Jamison stated she believed that the Department associated with the Board is the one that was responsible for submitting budget requests; therefore, she felt the Board needed to get with the Department at the beginning of the budget process to write the Board's budget request. She stated that if someone was volunteering to cut the grass, why wasn't it done and wondered if it was a liability issue. She stated one Public Works employee could cut the areas on Martin Luther King Boulevard in one day and then send a letter to the property owners that it would be their responsibility in the future. She would like to see it done before Christmas. She stated that she thought trash cans should be placed along Martin Luther King Boulevard to help keep the area clean. She stated she would help with the Christmas activities.

Mr. Williams thanked Mr. Bryant for all that he did for the Board. He stated that he would like to receive his Board packet earlier. He stated that he felt the Board needed to get the community involved in the political process. He thanked the Board for bringing Professor Huffman back. He stated that he was the Minister of Music at his church and believed his church would support the City in the Christmas program. He asked for a copy of the City's Comprehensive Plan. Mr. Williams stated that the funding for Orange Avenue was not a grant, but a loan. He stated there was a leaking fire hydrant near Orange Avenue. Workers were there three weeks ago and cones and tape were still there but the hydrant had not been fixed. He stated that in other parts of Daytona Beach, a fire hydrant would not sit for three weeks without being repaired.

Ms. Symonette stated that the Orange Avenue project needed to start at Nova Road. She stated she supported the Christmas program and asked Mr. Bryant to invite the middle schools as well as the high schools to participate.

Ms. Heard commented about the Citgo Service Station on International Speedway Boulevard and stated that it was filthy and disgusting. She stated there was a restaurant there and all of the grease was outside. There was a handicapped parking space that was self-painted and everyone used it except handicapped people and people park there and block the drive through.

Mr. Bryant stated he was working on the area.

Ms. Heard stated that BCU had improved International Speedway Boulevard and felt that maybe BCU should come back to the City to ask for campus police.

Mrs. Cato stated that Dr. Jamison was talking about the man who wanted to volunteer to cut grass. She stated that at the Farmers' Market there were two young men through a private program helping. She asked if the program was available to the entire city. She stated there were a number of people who needed volunteer hours and maybe a system could be developed to have them help in Midtown.

Mr. Bryant stated it was not available to the entire City.

Mr. Ivey thanked all the residents who attended the meeting, in particular Johnnie Ponder.

Mr. Ivey stated he was concerned about the LDC and Master Plan and the time line. According to the LDC, it should only take 6 months to adopt.

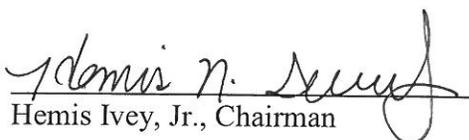
Mr. Ivey stated that they had to educate people and the Board must attend other meetings that were part of the CRA. He stated he was a citizen and had a right to question anything City Hall was doing. He stated only a few people attended the meetings and without numbers no one would listen to them. He stated budget information can be obtained in the City Clerk's office. He stated he called the City Manager and he told him "You can't bully me into making a decision." He stated he was not a bully and had a right to information. He was concerned that if the City Manager would tell him that, then what would he tell other citizens. He stated he was concerned about his neighborhood and City and was concerned that Midtown did not get what other areas received.

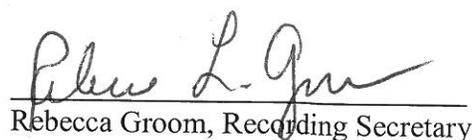
Ms. Heard stated that all meetings were posted but asked that the Board be notified of upcoming meetings.

Ms. Lathan asked that Mr. Ivey contact Mr. Bryant if there were meetings that he felt other Board members should attend and Mr. Bryant could notify the Board.

12. **Adjournment**

Mr. Tooley made a motion to adjourn the meeting. Ms. Heard seconded the motion and it was approved unanimously. The meeting adjourned at 8:10 p.m.


Hemis Ivey, Jr., Chairman


Rebecca Groom, Recording Secretary