

**DOWNTOWN/BALLOUGH ROAD
REDEVELOPMENT AREA BOARD
MINUTES
Tuesday, April 1, 2014**

A meeting of the Downtown/Balough Road Redevelopment Area Board was held Tuesday, April 1, 2014, at 12:00 p.m. in the Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members

Mr. Harold Goodemote, Chair
Mr. Robert Abraham
Mr. Daniel Harshaw
Mr. Larry Robinson
Dr. Kent Sharples
Ms. Cathy Washington
Mr. Jack White

Board Members Absent:

Mr. Scott Weidman
Mr. Paul Zappitelli

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Jason Jeffries, Redevelopment Project Manager
Ms. Carrie Avallone, Assistant City Attorney
Ms. Becky Groom, Board Secretary

1. **Call to Order**

Chair Goodemote called the meeting to order at 12:10 p.m.

2. **Roll Call**

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

3. **Approval of Minutes** - March 4, 2014

Board Action:

Mr. Harshaw made a motion to approve the minutes of the Regular Meeting of March 4, 2014. Mr. Robinson seconded the motion and it was approved unanimously (7-0).

4. **DEV2014-035, Conditional Use, Nathan's Hot Dogs**

Mr. White stated he has a conflict of interest on this item since he is the owner of the building. Mr. White submitted a Conflict of Interest form, a copy of which is hereto attached and made part of the record.

Mr. Jeffries presented the staff report which was included in the Board packet.

Mr. Harshaw asked the size of the umbrellas.

Mr. Jeffries stated they would be a smaller size that would cover a two-seat table. Mr. Jeffries stated only the area 3 feet from the building would be used for the sidewalk café.

Mr. Harshaw asked if parking stops would be installed.

Mr. Jeffries stated he was working with Public Works to have parking stops installed.

Public Comments:

Johnnie Ponder, 885 Maley, asked if there would be indoor seating at this business.

Mr. Jeffries stated there was no indoor seating.

Board Action:

A motion was made by Mr. Abraham, seconded by Mr. Robinson, to approve DEV2014-035, Conditional Use, Nathan's Hot Dogs. The motion carried unanimously (7-0).

5. **Discussion: Streetscape Trees**

Mr. Jeffries stated included in the packet is information regarding trees that are used in other areas as part of a streetscape.

Mr. White stated there has been discussion regarding shade trees versus Palm trees and concern that visibility of businesses would be blocked due to the tree canopy. Mr. White provided photos of Greenville, SC and Winter Park, FL and feels they are good examples of cities that have a tree canopy along their streets. Mr. White noted the sidewalks are wider in those two cities. Mr. White suggested that palms could be used in an interim period but the ultimate streetscape should include a wider sidewalk with trees that provide a canopy.

Mr. Goodemote stated he agreed with Mr. White's comments and stated he has visited other cities that have sidewalks that have the shade from the tree canopy.

Mr. Goodemote stated we must get Phase I of the Master Plan implemented to indicate that the Master Plan is valuable to the city. Mr. Goodemote stated to plant trees right now would be foolish.

Mr. Abraham stated he understood the concerns about visibility of the signs but Beach Street should not be a thoroughfare but should be a destination where people park and walk. Mr. Abraham stated the streets should be narrower.

Ms. Washington stated the streets could be narrowed if the sidewalks were widened. Ms. Washington stated many plans have been completed but there has been nothing done. Ms. Washington stated if there is no funding to do the sidewalks, how can the trees be planted.

Mr. Berger stated the Washingtonian Palms need to be removed due to maintenance concerns. Mr. Berger stated there is no direction to have the sidewalks widened at this time. Mr. Berger stated the flexi pavers look nice and are an improvement. Mr. Berger stated the lamps on the light poles are being replaced. The trash receptacles need to be replaced and the pavers need cleaning and a protective sealant placed on them.

Mr. White stated he would like to see a canopy-type design developed as opposed to Palm trees.

Mr. Berger stated he believes smaller Washingtonians should be planted.

Mr. White asked if the Palms would be a long-term resolution.

Mr. Berger stated that would not be the long-term plan.

Mr. White stated the intent should be to create the canopy.

Mr. Goodemote stated every project seems to have a five-year plan and suggested the Board make recommendations to the City Commission or CRA to see if a design and plan can be established. Mr. Goodemote stated the design should be in process.

Mr. Berger stated he would present the Board's recommendations to the City Manager for consideration.

Mr. Goodemote stated a recommendation should be made to the City Commission and CRA and asked staff to provide information at the next meeting as an agenda item on how this can be presented to the City Commission and moved forward.

Mr. Harshaw asked if some Palm trees could be planted and plant shade trees at the intersections.

Mr. Berger stated this will be considered since the issue of shade trees will come up during the ISB and Orange Avenue projects.

6. Public Comments

John Nicholson, 413 N. Grandview, stated trees other than Palms should be planted in order to give depth to downtown. Mr. Nicholson suggested widening the sidewalks at the courthouse and post office and the area could be used for festivals. Mr. Nicholson suggested using the area closest to the park for two-way traffic during festivals. Mr. Nicholson suggested having a children's area near the library.

Big John, State Ave, Holly Hill, stated the TPO stated the Orange Avenue bridge will be closed for 2 years and asked if a representative of the TPO could discuss this item at next month's meeting.

Johnnie Ponder, 885 Maley, asked if trees will be planted to Ballough Road.

Mr. Berger stated trees will be planted from Orange Avenue to Bay.

7. Board Comments

Mr. White stated he encouraged the Board members to read "Walkable Cities." Mr. White stated parking and streetscapes are discussed in the book and it is a good reference.

Mr. Goodemote asked for a status of the vacant auto lots on Beach Street.

Mr. Berger stated there is no change but a meeting is being scheduled to try to get funding from EPA. He stated at this point, the fences cannot be removed.

Mr. Goodemote asked the status of the sign violations.

Mr. Jeffries stated he sent an email to the merchants regarding sign regulations and stated he will meet with any business owners that have signs that are in violation.

Mr. Goodemote asked if a decision has been made regarding the traffic circles on ISB.

Mr. Berger stated he should be receiving something this week on the traffic circles.

Mr. Harshaw stated two of his employees were approached in the parking lot at his business and asked for the status of police patrols in downtown.

Mr. Berger stated incidents need to be reported to the Police Department but there has been a cut in funding for Police.

Dr. Sharples asked if the bridge study will include traffic flow implications on Beach Street.

Mr. Jeffries stated the bridge is a County project and they should provide a traffic plan for the bridge closure.

8. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 12:55 p.m.



Harold Goodemote, Chair



Becky Groom
Recording Secretary

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>White John "Jack" Curtis</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Downtown Redevelopment</i>
MAILING ADDRESS <i>208 wall street #801</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>Daytona Beach Volusia</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>April 1 2014</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, John "Jack" White, hereby disclose that on April 1, 20 14:

(a) A measure came or will come before my agency which (check one)

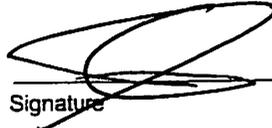
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am owner of the building in which the applicant is a tenant

3-28-14

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.