

**MERRITT ISLAND REDEVELOPMENT AGENCY  
MINUTES OF APRIL 24, 2003**

**Members Present:** Bert Francis, II, Chairman  
Sandee Natowich, Vice Chairman  
Michelle Daignault-Ives  
Mike Selig  
Roddy Kring

**Members Absent:** Duane Watson  
Bob Barranco

**Agency Staff:** Doug Robertson, MIRA Consultant  
Barbara Carta, MIRA Executive Secretary

**County Staff:** Scott Knox, County Attorney

**Guests:** Ozella Bowles, MIRA Beautification Committee  
Kathleen LaRochelle, Merritt Island Garden Club  
Barbara Benn, Merritt Island Executive Council  
George White, Florida Today  
Debra McGirr, The Face Place, Merritt Park Place  
Donald Dean  
Donna Dean

**NEXT REGULAR MEETING SCHEDULED FOR MAY 22, 2003, 2:00 P.M., MERRITT ISLAND GOVERNMENT CENTER, 2575 N. COURTENAY PARKWAY, ROOM 205, MERRITT ISLAND.**

Prior to the meeting being called to order, George White of Florida Today took a photo of the MIRA Board, Beautification Committee members and MIRA staff with the new Façade Improvements Program banner.

Chairman Francis called the meeting to order. All were present except those indicated above.

The minutes of the March 27, 2003 meeting were reviewed.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY RODDY KRING, APPROVING THE MINUTES OF THE MARCH 27, 2003 BOARD MEETING. MOTION PASSED UNANIMOUSLY.**

**Agenda Item No. 1 – Continuation of Discussion of Proposed Capital Improvements Projects for MIRA – Regional Stormwater Retention Facilities**

Mr. Robertson reminded the Board that Ron Jones of the Brevard County Stormwater Department had made a presentation at the last MIRA Board meeting. He stated that certain areas within the

Redevelopment Area had been targeted for improvement, specifically constructing regional stormwater retention facilities to assist developers in consolidating properties.

At the last meeting, Mr. Jones had volunteered to initiate the program through his department. Since the meeting, Mr. Jones retained Bussen-Mayer Engineering Group to perform topographical work and start the feasibility process for the five targeted sites.

Chairman Francis questioned what MIRA's role would be in the process. Mr. Robertson reported that the County would be responsible for treating historical stormwater runoff. They would provide new treatment facilities for that water. The County would calculate the untreated stormwater being generated (x number of feet) as well as what the runoff would be with new development of that area. The County would fund the facility and whatever costs would be involved for treating the historical runoff and MIRA would be responsible for the balance.

Mr. Robertson indicated he would return to the Board once the topographical work and feasibility study was complete.

**Agenda Item No. 2 – Administrative Rezoning Request by Brevard County regarding Richard B. Conforti and Mary Conforti's Property (From RU 2-30 to RP)**

Mr. Robertson reported that the subject property (Conforti Dental Office) was located on the west side of S. Courtenay Parkway just south of TJ Maxx. Mr. Robertson stated that the current zoning was RU 2-30, which was a high density residential zoning. Mr. Conforti had applied for and received a Conditional Use Permit to allow a commercial use at that location. Since that time, Brevard County removed the Conditional Use Permit for that zoning district, making Mr. Conforti's property a non-conforming use. In order to rectify the problem, Brevard County would give Mr. Conforti a zoning designation, which would allow the use. Surrounding property owners had generated no objections.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY MIKE SELIG, RECOMMENDING APPROVAL OF THE ADMINISTRATIVE REZONING REQUEST BY BREVARD COUNTY OF RICHARD & MARY CONFORTI'S PROPERTY (FROM RU 2 – 30 TO RP). MOTION PASSED UNANIMOUSLY.**

**Agenda Item No. 3 – Discussion/Recommendation Re: Donald W. Dean and Donna R. Dean's Rezoning Request to divide their single lot into two lots and change the present zoning of RU-2-15 (Multi-Family Residential) to RU-1-7 (Single Family Residential)**

Mr. Robertson reported that a similar request had been presented to the MIRA Board in the past on Milford Point Drive (next door to the subject property). He indicated that the surrounding area was currently designated single family.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY MIKE SELIG, RECOMMENDING APPROVAL OF DONALD & DONNA DEAN'S REZONING REQUEST. MOTION PASSED UNANIMOUSLY.**

**Agenda Item No. 4 – Discussion/Recommendation Re: Community Banners**

Mrs. Kathleen LaRochelle was present to discuss the issue. She recommended undertaking a community banner project that would be self-supporting. She opined that this would aesthetically improve the appearance of Merritt Island and pointed out several letters of recommendation she had received in support of the project, including three from County Commissioners. The Merritt Island Executive Council reviewed and approved the project in August, 2002, and Barbara Benn, President of the Council, was present to lend her support.

Mr. Robertson stated that the entire package submitted by Mrs. LaRochelle had been distributed to the MIRA Board, which included photographs of banners taken in Sebastian, Florida and Hawaii. Mrs. LaRochelle pointed out that the bottom 1/3 of the banner would be utilized for advertising purposes by local businesses. The banners would need to be replaced every two years due to sun fading and ripping. She pointed out that banners were placed on electrical utility poles and other locations in Cocoa, Rockledge, Titusville and Port Canaveral. She stated that a variance would be needed to place the banners on the poles. Mrs. LaRochelle contacted her sister who used to be a telephone line man in Florida who indicated that the owner of the utility poles could be determined by looking at the top of the pole. If the program was approved, Mrs. LaRochelle requested that she be on the panel to decide on the artwork for the banners.

A question was raised as to whether a limit would be imposed as to how many banners would be placed throughout Merritt Island. Mrs. LaRochelle responded that the home company was located in New York; however she had spoken with the local representative who informed her that a "point person" would be assigned who would be involved in the project. It was agreed that someone would have to play an intense role in the project, whether it was the County or MIRA, due to the separate issues of right of way, risks, ownership, etc. Mr. Kring suggested that the project be administered through the County, without MIRA oversight.

A question was raised as to whether FPL would allow banners on their poles. Mr. Robertson stated that a memo had been included in the MIRA Board package, which detailed the criteria that needed to be met prior to FPL's approval of hanging a banner on their poles. FPL did not encourage this usage; however, Mr. Robertson indicated he would discuss the issue with FPL.

The fee for each banner would be \$445 for 3 years. Someone would need to supervise the location of banners so that a business' advertisement would not be placed in front of a competitor. Mrs. LaRochelle suggested that this project could be worked through the Chamber of Commerce. This project would be revenue neutral, unless otherwise specified. With regard to who would bear the cost of fees, Mrs. LaRochelle was unsure as to who would bear those costs. She suggested that the signs could be sold at a higher rate to cover extended expenses. In response to Vice-Chairman Natowich's question as to whether a governmental entity could collect money for private business advertising, Chairman Francis stated that it was a right and privilege to do so since it was on a county pole.

Mr. Robertson interjected that at the last meeting Mrs. LaRochelle had attended, staff from Code Enforcement had determined that the banners would not be an allowable use under the current Sign Ordinance. He suggested that if MIRA decided that the project was appropriate for the Redevelopment Area or Merritt Park Place Area, then a variance would need to be obtained. County Attorney Knox indicated that another option would be to modify the Sign Ordinance.

Mr. Selig stated that it would set a precedent to allow banners in one small area of Brevard County, rather than allow this county-wide. Mr. Robertson stated that the boundary of the Merritt Island Redevelopment

Area could be utilized to make the banner issue specific to MIRA, which had been done for other issues in the past. Vice-Chairman Natowich questioned whether decisions could be made only within the Agency's pervue. It was clarified that MIRA had jurisdiction only within the set MIRA Area; therefore, the banner program, if under MIRA control, would be limited to that area.

A discussion ensued as to whether Merritt Park Place would be a good place to advertise and it was determined that SR 520 would be a better location.

Mrs. Benn stated that Merritt Park Place would be a perfect spot for the inception of the banner program. She indicated that many people take the cross streets in Merritt Park Place as a short cut to avoid the SR 520 and SR 3 intersection. She suggested that someone approach the local businesses to determine interest prior to researching the variance issue and modification of the Sign Ordinance.

Mr. Selig opined that unless the Board of County Commissioners revised the Sign Ordinance, the banner project would not work. He expressed his opinion that the Board would vote against the project. Chairman Francis stated that the Port had banners; however, the Port Authority had total control of the program.

It was decided that staff should work with Brevard County, FPL, and Commissioner Pritchard to determine what the process and direction should be for the community banner project and return to the Beautification Committee and MIRA Board with an update. Vice-Chairman Natowich suggested that the Merritt Island Executive Council be apprised of the MIRA boundaries.

**Agenda Item No. 5 – Discussion/Recommendation Re: Reclassification of MIRA Personnel**

Mr. Robertson reminded the Board that for the past several years Mrs. Carta had been acting in her capacity of Operations Specialist I / Special Projects Coordinator. Mr. Robertson opined that due to the fact that the extensive construction projects of the last three years were concluded, the position could be reclassified to "Executive Secretary". This would reduce the status of the position and would result in a savings of approximately \$8,000, which could be applied to the Façade Improvements Program. It was staff's recommendation that the position be reclassified to Executive Secretary.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY RODDY KRING, TO RECLASSIFY THE POSITION OF OPERATIONS SPECIALIST I TO EXECUTIVE SECRETARY.**

**MOTION MADE BY MICHELLE DAIGNAULT-IVES, SECONDED BY SANDEE NATOWICH, TO FILL THE POSITION OF EXECUTIVE SECRETARY.**

**Agenda Item No. 6 – Update/Discussion/Recommendation Re: The Disposition of Crosswinds Youth Services & Brevard County Property**

Mr. Robertson stated that the item was placed on the agenda due to the fact that there was a change in status of the building. The building was in fact considered of historical significance and was listed on the Florida State Master Site Plan List, as per Don Lusk. Vice-Chairman Natowich confirmed that the building was on that list and clarified that the list meant that the building was still in existence and had

been in existence since a certain time. She stated that the Heritage Council had no interest in the building due to the fact that it had never been proposed to them. She indicated that the building was in a state of disrepair. She informed the Board that Bob Gross had researched the historical aspect of the building. Given the information, the building could be considered important, from a historical standpoint. Vice-Chairman Natowich expressed her desire that, if the County saved the building, she would like to see a responsible restoration and it be made into a small Merritt Island Museum; however, parking would be an issue.

Mr. Robertson stated that Mr. Lusk would prefer to save the building. A discussion ensued as to the possible relocation of the building to another property within the Merritt Park Place Area. Mr. Robertson explained that due to the condition of the building it would cost more than 50% of the value to renovate. In the event the cost was over 50%, the building would need to be brought up to current Brevard County standards. However, with the historical status, this might not be the case and Mr. Robertson indicated he would research the issue and bring it back to the MIRA Board for consideration.

**Agenda Item No. 7- Discussion/Recommendation Re: Junior Chamber of Commerce Benches**

County Attorney Knox requested the item be tabled so that he could review the Agreement.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY MICHELLE DAIGNAULT-IVES, TO TABLE AGENDA ITEM NO. 7. MOTION PASSED UNANIMOUSLY.**

**Agenda Item No. 8 – Discussion Re: New Verbiage for Façade Improvement Program Contract**

Mr. Robertson stated that all references to liens had been removed from the Façade Improvement Application and Agreement. He cited the following language, which could be included in the application and agreement:

“The owner agrees to maintain the improvements stipulated above for a period of five (5) years. Any changes proposed to the improvements must first be approved by the MIRA Board. In the event of legal action, the losing party will be responsible for all legal fees of the prevailing party.”

County Attorney Knox indicated that the concept was fine and kept MIRA’s alternatives open. He expressed his approval of the proposed language and that the agreement was not significantly weakened due to the elimination of the lien references.

Vice-Chairman Natowich stated that it was her understanding that tenants could apply for grant funds as well as owners; however, the County Attorney indicated that the contract could not be enforced on tenants. Therefore, it was determined that only owners should be allowed to apply. Mr. Robertson indicated it was his understanding that the motion at the last MIRA Board meeting was to eliminate tenant applicants.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY MICHELLE DAIGNAULT-IVES, TO ACCEPT THE LANGUAGE CHANGE TO THE FAÇADE IMPROVEMENTS CONTRACT. MOTION PASSED UNANIMOUSLY.**

**Agenda Item No. 9 – Beautification Committee Report**

Vice-Chairman Natowich pointed out a Beautification Committee application for new members, as per the By-Laws. In response to her question, County Attorney Knox indicated one change had been made to the Beautification Committee By-Laws.

Vice-Chairman Natowich reported that the Beautification Committee agreed with the MIRA Board that the Agency should pursue code violations within the Merritt Island Redevelopment Area. Chairman Francis clarified that the violations would need to be obvious and seen from the street.

Vice-Chairman Natowich stated that the Beautification Committee had approved distributing plaques to all Façade Improvement Program awardees who successfully conclude their projects as well as Beautification Project awardees. She indicated that the Façade Improvement Program banner would be utilized during ribbon cutting ceremonies only. She reported that two signs, as per the Beautification Committee approval, for each program would be constructed and installed on the awardee's property for two weeks to one month. The Brevard County Code Enforcement Department had approved erecting these signs due to the fact that MIRA was a County Agency.

With regard to the Brevard Botanical Garden, Vice-Chairman Natowich indicated that the proposed site was located on S. Tropical Trail. She reported that there was a good turnout of people at the Brevard County Commission meeting and it showed that there was a real understanding of the appreciation and need for the Garden.

Vice-Chairman had requested that MIRA staff request people in Merritt Park Place to refrain from parking in the grass right-of-way areas. Mr. Robertson indicated that he would draft a letter for her review.

**Agenda Item No. 10 – Staff Report**

**Request for Payment to Public Works for Removal of Two Palm Trees**

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY MICHELLE DAIGNAULT-IVES, TO PLACE THE REQUEST FOR PAYMENT TO PUBLIC WORKS FOR REMOVAL OF TWO PALM TREES ON THE AGENDA. MOTION PASSED UNANIMOUSLY.**

Mr. Robertson reminded the Board that he had reported at the last meeting that two (2) trees had been planted in front of the signage at Fun Time Boats as part of the Beautification Program. The trees had matured and were blocking their sign. Mr. Robertson had requested Mr. Loren Rapport's input and it was agreed that the trees could be moved without damage. Mr. Robertson informed the Board that Mr. Rapport had removed the trees and submitted an invoice for the work performed in the amount of \$921.77. Mr. Robertson informed the Board that when services were performed by a County Agency for another Department within the County, the Department requesting the service would be billed.

Mr. Robertson reported that two large palm trees were removed from SR 520. One of the palm trees replaced one dead palm tree that was removed from Grove Street and the other palm tree had been temporarily planted at the Sheriff's Farm until such time as MIRA determines a good location for it. In response to a question from Chairman Francis, Mr. Robertson indicated that a landscape architect had created the landscape plan that placed the two palm trees in front of Fun Time Boats. He stated that the palm trees would survive the move and confirmed that palm trees were very hardy.

**MOTION MADE BY RODDY KRING, SECONDED BY SANDEE NATOWICH, TO APPROVE PAYMENT TO PUBLIC WORKS IN THE AMOUNT OF \$921.77 FOR REMOVAL OF TWO PALM TREES. MOTION PASSED UNANIMOUSLY.**

### **Brevard County Change of Use Ordinance**

Mr. Robertson reported that he had met with County Attorney Knox and would be meeting with Peggy Busaca and Mel Scott with regard to the Ordinance to draft verbiage, which would either exempt MIRA or make the Ordinance more lenient for the Redevelopment Area. He stated that would be meeting with the Brevard County Commissioners in the following weeks to discuss the issue.

### **Debt Service**

Mr. Robertson stated that he had sent a memo requesting that Greg Lugar, Director of Economic Development and Legislative Affairs, begin the process for MIRA to utilize the Brevard County loan program. He indicated this item would be presented to the Brevard County Commission. He reminded the Board that the savings to MIRA would be approximately \$35,000.

### **Code Enforcement**

Mr. Robertson reminded the MIRA Board that the Agency was becoming more proactive with regard to researching code violations within the Redevelopment Area. He had brought several violations in front of the Board at the last meeting and it was agreed that MIRA would like to pursue those. Mr. Robertson reported that he had met with Rick Enos, Director of the Brevard County Zoning Department, who indicated he would perform research on the violations prior to beginning the process of notifying those properties. Vice-Chairman Natowich interjected that the Beautification Committee understood that if a member made a complaint to Mr. Robertson, a picture must accompany it. Chairman Francis clarified that MIRA staff should not handle requests for pursuit of code violations in the event the complainant did not receive an immediate response from Code Enforcement.

### **Parking in Merritt Park Place**

Mr. Robertson stated that two years ago, there had been an issue in the Merritt Park Place Area with regard to tenants and owners placing private parking signs in front of their businesses for the public parking spaces. He indicated that this issue had been revisited for two businesses in the same area, Susan's Hair Salon (owned by Susan Surprise), formerly The Tea Shoppe, and Connie's Boutique. He clarified that Susan Surprise did not own the vacant property to the rear of the property. He reminded the Board that criteria had been established which indicated that if there was no access to the subject property's back yard, then it could be considered a hardship and private parking signs could be erected. The intent of the Board was that MIRA staff would take the requests into consideration and make a decision. If the decision was not acceptable, then the request could be brought to the MIRA Board. Debra McGirr, owner of The Face Place, had been in attendance at the MIRA Board meeting to discuss the issue; however, she left prior to the item being discussed. Her shop was located directly across from Susan's Hair Salon.

Mr. Robertson discussed the issue with Code Enforcement and discovered that these signs were considered advertising signs due to the fact that the business name would be printed on them. As such, if these signs were set back 7-1/2 feet, they would be considered illegal.

**Agenda Item No. 13 – Other Business**

**FDOT – Courtenay Parkway Road Reconstruction Project**

Mrs. Carta pointed out a flyer that had been distributed to the Board, which announced a general public meeting to be held on May 6 to discuss the proposed reconstruction of Courtenay Parkway from SR 520 to SR 528. Mr. Robertson stated he would attend the meeting and report back to the Board. Several modifications would be made to Courtenay Parkway, including road widening from Skylark Lane to SR 528. Mrs. Carta reminded the Board that when the issue had been discussed several years ago, it had been suggested that MIRA work with FDOT to install irrigation lines within the medians and right of way for future Beautification Projects.

**Next Meeting Date**

The next meeting has been scheduled for May 22, 2003.

**MOTION MADE BY MICHELLE DAIGNAULT-IVES, SECONDED BY RODDY KRING, TO ADJOURN.  
MOTION PASSED UNANIMOUSLY.**

Meeting adjourned 3:24 p.m.