

**MERRITT ISLAND REDEVELOPMENT AGENCY  
MINUTES OF FEBRUARY 24, 2005**

**Members Present:** Duane Watson, Chairman  
Santee Natowich, Vice Chairman  
Bert Francis, II  
Mike Selig  
Nick Gigante

**Members Absent:** Dr. Roddy Kring  
Ralph Perrone

**Agency Staff:** Doug Robertson, MIRA Consultant  
Tina Anderson, MIRA Executive Secretary

**County Staff:** Terri Jones, Assistant County Attorney

**Guest:** Greg Lugar, Director, Brevard County Economic & Financial Programs  
Maath Bennett, Benko Construction  
Ron Jones, Director, Brevard County Stormwater Utilities  
Dick Thompson, P.E. Engineer, Dick Thompson & Associates  
Jim Statlick, Land Development Specialist, Brevard County Land Development

**NEXT REGULAR MEETING SCHEDULED FOR MARCH 24, 2005 2:04 P.M. MERRITT ISLAND GOVERNMENT CENTER, 2575 N. COURTENAY PARKWAY, ROOM 205, MERRITT ISLAND.**

Chairman Watson called the meeting to order at 2:04 p.m. All were present except those indicated above.

The minutes of the January 27, 2005 MIRA Board Meeting were reviewed and corrections were made.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY NICK GIGANTE, APPROVING THE MINUTES OF THE JANUARY 27, 2005 MIRA BOARD MEETING. MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM NO. 1 –PROPOSED CONDITIONAL USE PERMIT (CUP) APPLICATION FOR MARK E. BENSON, ELEBAR, INC.**

Chairman Watson advised that Agenda Item No. 1 had been withdrawn.

**AGENDA ITEM 2 – FINAL ENGINEERING PROPOSAL BY BUSSEN-MAYER ENGINEERING GROUP, INC. FOR THE CENTRALIZED LIFT STATION OPTION FOR SEWER SOUTH OF S.R. 520**

As background, Mr. Robertson stated that the MIRA Board authorized Bussen-Mayer Engineering Group, Inc. to do a feasibility study on providing sewer south of S.R. 520. Mr. Robertson commented that Bussen-Mayer Engineering Group, Inc. had presented three alternatives to the sewer project at the January 2005 MIRA Board meeting. Mr. Robertson advised that per the MIRA Board request Bussen-Mayer has provided a proposal for the final engineering, design and permitting for the S.R. 520 project. Mr. Robertson commented that he had several discussions with Brevard County Transportation Engineering and Dick Martens,

Brevard County Water Resources Department and due to the nature of this contract, sewer installation, the contract would fall under the Brevard County Water Resources Department to administer the contract. Mr. Robertson noted that due to the cost amount of both the engineering contract and the construction value of the work to be done, this would trip the Competitive Negotiation Acts (CNA) threshold and MIRA would need to go to the selection process to select an engineer for the project. Mr. Robertson advised that prior to any money being spent on the final engineering studies, MIRA would need the Board of County Commissioners approval for this project in order to proceed and would need to notify all property owners of the incoming sewer.

Mr. Robertson discussed the process involved in selecting an engineering consulting group. First a selection committee is chosen, then the RFP is advertised in the newspaper, then presentations are made where a score sheet is provided. The prospective applicants would then present their credentials and professional package, and then the selection committee would review and make a selection.

**MOTION MADE BY MIKE SELIG, SECONDED BY SANDEE NATOWICH, APPROVING THE SELECTION PROCESS TO CHOOSE A CONSULTING ENGINEERING GROUP FOR THE MERRITT ISLAND REDEVELOPMENT AGENCY. MOTION PASSED UNANIMOUSLY.**

### **AGENDA ITEM 3 - REGIONAL STORMWATER UTILITY FACILITY**

Ron Jones, Director, Brevard County Stormwater Utility discussed the draft provided to the MIRA Board of the Joint Participation Agreement between Brevard County and Merritt Island Redevelopment Agency. Mr. Jones commented that there is a ten-acre watershed and the Stormwater Utility Department would like to see a stormwater facility of 1.5 acres. As a part of this agreement, MIRA would pursue negotiations for the acquisition of contiguous parcels not less than 1.5 acres in total. Mr. Jones proposed that Regional Stormwater and MIRA share cost of land acquisition on 75-25% basis. Mr. Jones noted that the county would be picking up 75% with Stormwater Utility funds. Mr. Jones noted that the project would move forward after the closings on the properties had occurred and then would have one of Stormwater Utility Department's continuing engineering consultants, move forward with design. A decision would then be made as to what portion of the project, if any, may be built by county forces such as work being done in the right of way as opposed to putting out to bid. Mr. Jones advised that Stormwater Utility would bid out for the actual construction of the pond and would pick up the cost of the construction design.

Mr. Jones discussed the construction of the proposed stormwater facility. Mr. Jones advised that within five months of closing on the tract, Stormwater Utility would have completed the design and come back to MIRA for concurrence. If MIRA approves the design, then Stormwater Utility would submit for permits and cover the cost of the permit application. Upon completion of the permit application, Stormwater Utility would need approximately four months to go from permitting to advertising and awarding of any bids that are involved. Stormwater Utility would manage the construction of the project and set a time limit, not to exceed six months. Mr. Jones noted that the joint funding of construction cost for the project would be 75-25%, which would be the same as the land acquisition. The agreement would be modified to show the ownership to be Brevard County. Mr. Jones advised that a provision was made that shows Brevard County would maintain the pond. There also is a provision in the agreement that MIRA would be allowed, as long it did not interfere with the county maintenance capability, to construct passive recreation opportunities. Mr. Jones discussed Section 10, with a provision that after construction is complete and all cost has been accounted for, that Brevard County would then adopt a rate

structure to be paid by future developers that would cover the cost actually incurred, also included is a provision for a maintenance cost.

Mr. Robertson inquired as to when MIRA would need to go before the County Commissioners to have authorization to proceed with the project and when would MIRA authorize appraisals to be done on the properties that are being targeted and start negotiations with the property owners? Mr. Jones that advised going to the Board for authorization to proceed and permission for the appraisals could be on one agenda item. That way the board would see the proposed project, would understand the inter relationship between Brevard County and MIRA by moving the project forward and getting permission at that time. Mr. Jones advised that the county had recently hired land acquisition supervisor, Holly Pardi, who has extensive experience in land acquisition and would be able to assist MIRA. Stormwater Utility is asking as part of the agreement that MIRA take the lead with working with the prospective property owners. Mr. Jones would ask that Mr. Robertson be available the day the agenda item was coming before the commission and to do a joint presentation before the board. Mr. Robertson inquired if the project was authorized to proceed at that time would the next step be getting the appraisals and who would pay for the appraisals? Mr. Jones advised that Stormwater Utility would pay for the appraisals. Mr. Jones recommended that the first thing to be done would be to have a preliminary discussion with the property owners to gauge their interest in selling. Mr. Robertson advised that the discussion had already been done. Mr. Jones commented that a technique he had used in the past, when it was not certain which property could be purchased, he would begin looking at multiple properties from a zoning prospective and probably be able to render a range of values. Mr. Jones noted that he would attempt to do that and see if there would be a need to follow up. Mr. Jones commented that when he has an appraisal done he then sends a memo to Transportation Engineering Department who then administers the continuing contracts with the appraisal firms. Mr. Jones advised that it would be appropriate for Mr. Robertson, Ms. Pardi and himself to sit down with the appraiser and say this is the area we have interest in and need to have a range of value and then have it followed up with final appraisals, factoring in Mr. Robertson's discussions with the property owners. Mr. Robertson commented that he would prefer to have Ms. Pardi and himself sit down with the property owners.

In terms of the stormwater credit-based program Mr. Jones indicated that credit would be established by computing how much per acre of drainage area would go to this pond system. If the County and MIRA was successful in selling 100% of the project cost this would be a success story to help promote redevelopment area, from the county perspectives, if each property were to develop.

Mr. Robertson inquired as to what MIRA needs to get the stormwater project on the agenda for the Board of County Commissioners. Mr. Jones commented that the amendments to the agreement would need to be made and sent to the County Attorney's office for approval. Then the MIRA Board would need to authorize Mr. Robertson to continue review of the agreement and authorize Stormwater Utility to move forward before the Board of County Commissioners. Once the final language is drafted the agreement would be sent back to MIRA to work out any changes to the agreement.

**MOTION MADE BY NICK GIGANTE SECONDED BY SANDEE NATOWICH, PERSUANT TO THE CHANGES IN THE JOINT PARTICIPATION AGREEMENT MADE AT THE FEBRUARY 24, 2005 MIRA BOARD MEETING, TO AUTHORIZE DOUG ROBERTSON TO WORK WITH THE BREVARD COUNTY STAFF THROUGH THE COUNTY ATTORNEY'S OFFICE TO CONTINUE REVIEW OF THE STORMWATER AGREEMENT AND AUTHORIZES STORMWATER UTILITY DEPARTMENT TO MOVE FORWARD TO PUT THE PROJECT BEFORE THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS. MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 4 - MIRA'S ROLE IN PARTICIPATION OF THE EXTENSION OF MYRTICE AVENUE FROM ROSE STREET TO N. TROPICAL TRAIL**

Chairman Duane Watson filed a Conflict of Interest form for this item.

As background, Mr. Robertson reported that Myrtice Avenue would be closed from S.R. 520 to Rose Street within the next month. Mr. Robertson introduced Maath Bennett, Benko Construction, who was doing the construction of Island Pointe Condominiums and had requested the road closure. Mr. Bennett advised that the road would be closed for approximately one year from beginning of construction. Mr. Bennett commented that the plan is to do heavy construction first and would not be putting in the utilities until last. Mr. Bennett advised that underground sewer would be installed, then tie into the lift station, paving sidewalks, re asphaltting the roads, swale work and a small amount of landscaping. Mr. Bennett said there would be a short time that both Myrtice Avenue and Rose Street would need to be closed for approximately thirty days.

Mr. Robertson inquired if the MIRA Board would be interested in completing Myrtice Avenue from Rose Street to N. Tropical Trail? Mr. Robertson advised that from a cost standpoint MIRA would need to get our own consultants to give us input. Mr. Bennett commented that Myrtice Avenue is an exit for Island Pointe Condominiums and the main entry is off Sail Lane. Mr. Selig opined that to put sewer in the small area from Rose Street to N. Tropical Trail would be cost prohibitive due to all the utility lines that are located in that area. Mr. Robertson suggested getting more information from Bussen-Mayer Engineering Group, Inc. to see what benefit MIRA would gain by putting sewer at that location. Mr. Robertson commented that he would bring back to the Board the necessary information on completing the project on Myrtice Avenue. Mr. Robertson suggested looking at this as two separate issues, the first issue being the sewer installation, which Mr. Robertson would bring back to the Board, and the second issue would be to complete the paving, sidewalk, landscaping on Myrtice Avenue from Rose Street to N. Tropical Trail. Mr. Watson suggested that the MIRA Board look at the sewer issue of the project. Mr. Robertson inquired if the MIRA Board would like to work with the developers to finish the project not including the sewer installation from Myrtice Avenue to N. Tropical Trail? Mr. Bennett advised there would not be a lot of landscape on the property owned by the County as there is not any room for landscaping and the County would need to maintain the landscaping.

**AGENDA ITEM 5 - SUN SETTING MIRA IN FIVE YEARS**

Doug Robertson reported that Commissioner Ron Pritchard had requested that the issue of sun setting MIRA in the next five years be placed on the agenda along with a list of all capital improvement projects that are proposed. Commissioner Pritchard would like to see MIRA complete their present projects in the next five years and not add any additional projects. Mr. Robertson commented that the other part of the request from Commissioner Pritchard is to expand the boundary to the North on Courtenay Parkway to Lucas Street. Mr. Robertson noted that extending the district would require only minimal expenditures involving primarily façade improvement and landscaping. Mr. Robertson discussed the capital projects that MIRA has budgeted with the exception of the Myrtice Avenue project. Mr. Robertson commented that MIRA has the funds available to complete the capital projects. Mr. Selig opined that it was too early to predict which projects would be completed in five years. Mr. Francis inquired if the increment is set by statute or set by roll back rate, which can be adjusted? Mr. Lugar advised that MIRA's has a bench park that froze the tax base and the ad valorem tax increase from the base year is the portion that MIRA receives. Mr. Lugar noted that MIRA has two tax districts in their area, the first being District A that is everything west of Sykes Creek and District B was adding everything else in the boundary.

Mr. Gigante inquired as to why would the boundary stop at Lucas Street? Mr. Lugar opined that it had something to do with the planned FDOT six lane projects. Mr. Watson suggested submitting to Commissioner Pritchard a time frame on project completions. Mr. Francis suggested that there should be project specifics, including budget and dollar amounts, time frames and MIRA should come up with either a five or ten year plan and if it encompasses expansion a potential plan. Mr. Lugar informed the MIRA Board that to expand the boundary, MIRA or Brevard County would need to notify the County Property Appraiser by July 1, 2005, and it would be necessary to have a slum and blight study done of the expanded area along with an amendment to the Redevelopment Plan, then have a public hearing before the County Commissioners. Mr. Lugar noted that this would all need to be completed by June 1, 2005, as the Commissioners do not meet in July. Mr. Lugar suggested having an abbreviated plan looking only at the façade and landscaping.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY BERT FRANCIS, TO DIRECT DOUG ROBERTSON TO DO A FACT FINDING ON THE REDEVELOPMENT AREA BOUNDARY TO GO NORTH TO LUCAS STREET. MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 6 - BEAUTIFICATION COMMITTEE REPORT**

Mrs. Natowich reported that the Commercial Façade Improvement Program Grant Workshop was a success with an extremely positive response from the participants. Mrs. Natowich reported that approximately 40 were in attendance and each attendee was provided with a workbook created by the MIRA staff.

Mrs. Anderson reported that Brevard Eye Center has completed their façade improvement project and that Sutton Pool Supply, Inc. should be completed within the next four weeks. Mrs. Anderson commented that she is presently working with three other commercial property owners to submit their CFIP applications before the next Board meeting. Mrs. Anderson noted that she had a meeting with the Maintenance Administrator for Merritt Island Baptist Church, who is working to complete a CFIP application. Mrs. Anderson commented that she had inquired of Terri Jones, County Attorney's office, for clarification as to if low-density institutional zoning would be classified as commercial property zoning and would be able to qualify for a commercial CFIP grant. Ms. Jones advised that the MIRA Board would need to make an interpretation as to if institutional zoning is included in commercial property.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY MIKE SELIG, FOR THE PURPOSE OF THE COMMERCIAL FAÇADE IMPROVEMENT PROGRAM GRANT THE MIRA BOARD CONSIDERS INSTITUTIONAL ZONING AS PART OF THE COMMERCIAL DESIGNATION IN THE CFIP APPLICATION. MOTION PASSED UNANIMOUSLY.**

Mr. Watson commented on the non-conforming metal building located at the intersection of S. Plumosa Street and Fortenberry Road that is presently zoned GML and which the county is requesting rezoning to BU-1. Mr. Watson inquired that if someone was to buy the property and make a CFIP application on a building that is non-conforming would that be permissible? Mrs. Natowich commented that the building can be seen on four sides and would qualify for façade improvement. Mr. Robertson reported that he had discussed with Dick Martens, Director, Utility Services Department, that MIRA's goal and objective was to remove slum and blight from the MIRA area and to meet that goal MIRA would like to have the metal building removed from the property site. Mr. Robertson noted that Mr. Martens agreed that was one of the reasons for the building to be removed and he commented that the County would probably remove the building and add the cost to the appraised property at disposition time.

**MOTION MADE BY SANDEE NATOWICH, SECONDED BY MIKE SELIG, TO DIRECT MIRA STAFF TO WRITE A LETTER TO DICK MARTENS, DIRECTOR, UTILITY SERVICES DEPARTMENT, TO RECOMMEND REMOVAL OF THE METAL BUILDING BEFORE SALE OF THE PROPERTY. MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 7- STAFF REPORT**

**SYKES CREEK/MERRITT AVENUE BERM**

As background, Mr. Robertson advised that Brevard County Roadways & Landscaping agreed to construct the berm located at the intersection of Sykes Creek Parkway and Merritt Avenue. Mr. Robertson reported that he was asked to meet at the site location to discuss design changes with John Denninghoff, Brevard County Transportation Engineering, Dick Thompson, Brevard County Traffic Engineering, Loren Rapport, Brevard County Roadways & Landscaping, Barry Cabaniss, Bussen-Mayer Engineering Group, Inc. Mr. Robertson advised that there were some minor modification made to the plans by Bussen-Mayer Engineering Group, Inc. and Brevard County Roadways & Landscaping agreed to build the berm within the next six months.

**REAR/SIDE LOT PARKING IN MERRITT PARK PLACE**

As background, Mr. Robertson commented that the MIRA staff had mailed out information to property owners on Grove and McLeod Street in Merritt Park Place for interest in rear and side lot parking. Mr. Robertson reported that ten property owners had responded and that the MIRA staff had requested surveys be provided by the property owners or if a survey were unavailable, Mr. Robertson would provide the property owners with the name of surveyors who would assist them.

Mr. Robertson reported that he had been in discussion with Jim Statlick, Brevard County Land Development Department concerning the rear and side lots in Merritt Park Place. Mr. Robertson commented that it had been decided that each property owner that would like to participate in the rear and side lot grant program would have their lot decided on a case by cases basis applying as much flexibility as reasonable to each lot. Mr. Statlick commented that Brevard County is in the process of revising the parking regulations, which covers an area that would specifically apply to development occurring in Merritt Park Place. Mr. Statlick indicated that some of these lots if developed would have a problem if fully developed. Mr. Statlick commented that the problem is that the lots are not big enough in Merritt Park Place to accommodate new development.

Mrs. Natowich commented on resurfacing of back lots with a material that is pervious and constructed from recycled tires. Mrs. Natowich advised that the material is now available at Ace Hardware and suggested recommendation of that type of material as an option.

Mr. Robertson discussed the information submitted by Dick Thompson, Engineer, Dick Thompson & Associates for off street parking in front of 50 and 60 N. Grove Street in Merritt Park Place. Mr. Robertson advised that Mr. Thompson is attending the MIRA meeting as representative for Virginia Schenck, owner of 60 N. Grove Street. Mr. Robertson commented that at present there is no on street parking in front of these two properties and Ms. Schenck is requesting that MIRA provide parking on the street for her property and the property located at 60 N. Grove Street. Mr. Robertson noted that MIRA has been looking for more parking on the street and inquired if this particular property could be made part of MIRA's rear and side lot parking lot program to allow a grant to offset the cost. Mr. Thompson advised that he had met with the owner of 50 N. Grove Street, a legal office, and they informed him they would be willing to have

on-street parking in front of their property, which would give a total of six parking stalls for both properties. Mr. Thompson advised that the project would require signs to be removed, removing a five foot sidewalk, installing a new sidewalk closer to the buildings, repaving and striping, and irrigation lines installed. Mrs. Natowich observed that, as this would be a viable alternative expanding the grant program for front facing properties, who haven't previously given us easements. Mrs. Natowich stated that she would object to underwriting the cost of this project because when MIRA gave the property owners these opportunities MIRA was doing all of the projects at once and keeping within the budget and to do this project now would be a much more expensive project. Mr. Watson informed Mr. Thompson of the grant program that if \$10,000 was spent to construct the parking, MIRA would provide matching funds of 50% or \$5,000. Mrs. Natowich commented that permits and engineering were not included in the grant process. Mr. Robertson suggested adding verbiage to the rear and side lot parking grant agreement to include front parking.

#### **ENTRY SIGNS**

Mr. Robertson reported that the permitting requested for the entry signs are still with FDOT in Palatka being reviewed.

#### **BUS SHELTERS**

Mr. Robertson reported on the site meeting with MIRA staff, Brevard County Staff and FDOT to review the bus shelters site locations. Mr. Robertson advised that Brevard County Engineering Staff indicated that they would be able to approve four potential locations for the covered bus shelters to be located on S.R. 520.

#### **OTHER BUSINESS**

None

#### **OLD BUSINESS**

None

**MOTION MADE BY MIKE SELIG, SECONDED BY SANDEE NATOWICH TO ADJORN. NEXT SCHEDULED MIRA BOARD MEETING TO BE HELD ON THURSDAY, MARCH 24, 2005. MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 4:50 p.m.