

**MERRITT ISLAND REDEVELOPMENT AGENCY
MINUTES OF AUGUST 25, 2005**

Members Present: Duane Watson, Chairman
Santee Natowich, Vice Chairman
Dr. Roddy Kring
Mike Selig
Ralph Perrone
Nick Gigante

Members Absent: Bert Francis, II

Agency Staff: Greg Lugar, MIRA Executive Director
Tina Anderson, MIRA Executive Secretary

County Staff: Scott Knox, County Attorney
Ed Washburn, Assistant County Manager
Ryan Rusnak, Brevard County Planning & Zoning
Jim Statlick, Brevard County Land Planning

Guest: Commissioner Ron Pritchard, D.P.A., District II
Gene Williford, DRMP
Mike Henry, P.E., DRMP
Barry Cabaniss, P.E., Bussen-Mayer Engineering Group, Inc.
Doug Robertson, Robertson & Associates
Kohn Bennett, Towne Realty
Maath Bennett, Towne Realty
Nick Stipanovich
Rochelle Lawandales
Erika Pesantes, Florida Today

NEXT REGULAR MEETING SCHEDULED FOR SEPTEMBER 22, 2005 2:00 P.M. MERRITT ISLAND GOVERNMENT CENTER, 2575 N. COURTENAY PARKWAY, ROOM 205, MERRITT ISLAND.

Chairman Duane Watson called the meeting to order at 2:00 p.m. All were present except those indicated above.

The minutes of the June 23, 2005 MIRA Board Meeting were reviewed and corrections made.

MOTION MADE BY DR. RODDY KRING, SECONDED BY SANDEE NATOWICH APPROVING THE MINUTES OF THE JUNE 23, 2005 MIRA BOARD MEETING AS CORRECTED. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM NO. 1 – DISCUSSION RE: INDIAN COVE MARINA

As background, Chairman Watson commented that he met with Commissioner Ron Pritchard concerning a marina project that Towne Realty is proposing for the north side of S.R. 520. Mr. Watson stated that Commissioner Pritchard suggested that he research the feasibility of a public marina as opposed to a private marina. Mr. Watson agreed that a public marina should be at that location and felt that a public marina would be a good project for MIRA.

Mr. Watson introduced Kohn Bennett, Towne Realty to discuss the marina project. Mr. Bennett advised that Island Point Condominium project Phase I has been completed and Phase II is under construction. Mr. Bennett informed the Board that Towne Realty owns both Island Point and Indian Cove Marinas and has the Crab Shack under contract. Mr. Bennett advised that Towne Realty is looking into constructing another building with 60-64 units and would construct enough parking to make a marina. Mr. Bennett commented that Towne Realty was looking to develop the property and then Brevard County might be interested in owning and operating the marina as a public marina.

Commissioner Pritchard discussed the difference between a public and private marina and that he envisions dockage, a dock master, field dock, pump station and a ship store for the marina. Commissioner Pritchard noted that as property becomes more expensive, a public marina would allow the public the opportunity to own a nice boat and be able to afford a slip for that boat. Commissioner Pritchard commented that with the marina in the MIRA area it would benefit the entire community and enhance the waterfront community. Commissioner Pritchard advised that providing a public marina would become a question of how much it would cost to purchase the property and cost of construction.

Mr. Watson advised that the plan would be for MIRA to either fund the project partially or fully and that full ownership would be with Brevard County. He added that the plan would be for Brevard County Parks & Recreation to be in charge of the maintenance of the marina. Mr. Watson stated that if MIRA does not do something with the marina project, it would probably never be built. Mr. Lugar advised that Towne Realty is at a critical point in terms of designing the project as well as obtaining all the approvals as a private project.

Commissioner Pritchard suggested that if MIRA is interested in the marina project Chairman Watson come before the Board of County Commissioners and discuss briefly the concept of the marina project and why MIRA would be interested in studying the idea. Scott Knox, Brevard County Attorney, recommended that if Mr. Watson goes before the County Commission, the MIRA staff would need to come back with a report for the MIRA Board as to how MIRA should proceed with the study. Attorney Knox advised that there are certain steps that would need to be taken if MIRA decides to do the study.

MOTION MADE BY RALPH PERRONE, SECONDED BY DR. RODDY KRING, TO PROCEED WITH THE MARINA STUDY AS OUTLINED BY COMMISSIONER RON PRITCHARD. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 2 – DISCUSSION / APPROVAL RE: REZONING REQUEST BY NICK & LAURA STIPANOVICH, OWNER AND ROCHELLE W. LAWANDALES, APPLICANT, TO CHANGE THE ZONING ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TANGERINE AVENUE AND N. TROPICAL TRAIL FROM BU-1 (GENERAL RETAIL COMMERCIAL) TO BU-2 (RETAIL, WAREHOUSING AND WHOLESALE COMMERCIAL)

Chairman Watson introduced Rochelle Lawandales representing Nick Stipanovich on the rezoning of his property known as “Tropical Mobile Manor” located at the southeast corner of Tangerine Avenue and N. Tropical Trail from BU-1 (general retail commercial) to BU-2 (retail, warehousing and wholesale commercial).

Ms. Lawandales commented that by rezoning Mr. Stipanovich’s property it would make a nice redevelopment project that would be converting an older use in the neighborhood with a

substantial improvement from a dollar value as well as an aesthetic standpoint. Ms. Lawandales advised that the Stipanovichs' would like to request a change of zoning from BU-1 to BU-2 in order to allow for mini warehouse storage. Ms. Lawandales advised that the subject property is located on 1.49 acres, which would have nice landscaping, along with external concrete wall treatments and electronic gates. The buildings would be dehumidified with hours of operation to be approximately from 6:00 am to 11:00 p.m. Ryan Rusnak, Brevard County Planning & Zoning advised that any walls that are within twenty-five feet of a right of way are limited to four feet in height. Mr. Rusnak suggested that the applicant might want to explore other alternatives.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY RALPH PERRONE APPROVING THE CHANGE OF ZONING FROM BU-1 (GENERAL RETAIL COMMERCIAL) TO BU-2 (RETAIL, WAREHOUSING AND WHOLESALE COMMERCIAL) FOR THE PROPERTY OWNED BY NICK AND LAURA STIPANOVICH, LOCATED AT THE SOUTHEAST CORNER OF TANGERINE AVENUE AND N. TROPICAL TRAIL, PRESENTLY "TROPICAL MOBILE MANOR" WITH THE STIPULATION THAT THE PROPERTY WOULD ONLY BE USED FOR SELF STORAGE NON-COMMERCIAL PROPERTY. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 3 – DISCUSSION / APPROVAL RE: VARIANCE APPROVAL BY PULTE HOMES AND TINA DEMOSTENE, APPLICANT, FOR VARIANCE REQUEST FOR PROPERTY LOCATED AT FOUR HUNDRED FIFTY FEET (450) SOUTH OF FORTENBERRY ROAD, BEHIND MERRITT SQUARE MALL.

Chairman Watson introduced Tina Demostene representing Pulte Homes for a variance approval for property located at four hundred fifty (450) feet south of Fortenberry Road behind the Merritt Square Mall. Ms. Demostene advised that Pulte Homes would be constructing a 516 unit multi-family development, which would include two (2) trash compactors. Ms. Demostene commented that Brevard County's code has a requirement for a maximum height restriction for walls six-foot (6) in height. Ms. Demostene noted that requirement was made before trash compactors were installed in place of trash dumpster. Ms. Demostene advised that the trash compactors have a height of eight feet eight inches (8'8") and in an effort to keep the area aesthetically looking good it is necessary to get a variance in order to construct walls to hide the compactors.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY RODDY KRING, TO APPROVE THE VARIANCE REQUEST OF PULTE HOMES TO ALLOW TRASH COMPACTOR WALLS IN A RESIDENTIAL LAND USE ZONE TO INCREASE FROM 6' TO 9' TO SCREEN 8'-8" MECHANICAL EQUIPMENT WITH COLUMN CAPS AND DECORATIVE ELEMENTS AT A MAXIMUM OF TEN (10) FEET IN HEIGHT. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 4 – DISCUSSION RE: STATUS OF N. TROPICAL TRAIL AND MERRITT AVENUE IMPROVEMENT STUDY

As background, Greg Lugar advised that the MIRA Board had commissioned two (2) projects. The first project is the Merritt Avenue road improvement that included installing sewer, sidewalks and road widening. The second project is the N. Tropical Trail road improvement for road widening, landscape and sidewalks. Mr. Lugar commented that Bussen-Mayer Engineering Group, Inc. had identified two areas that MIRA would need to go for acquisition before the road projects would begin. Mr. Lugar introduced Barry Cabaniss, P.E. with Bussen-Mayer Engineering Group, Inc.

Mr. Cabaniss distributed a project status on the W. Merritt Avenue and N. Tropical Trail roadway improvements. Mr. Cabaniss advised that the right-of-way investigation, topography survey and utility location was complete and they are forwarding the drawings to the utility companies. Mr. Cabaniss advised that Bussen-Mayer Engineering is currently going ahead with the final plans and would be providing drawings on properties that MIRA would need to acquire. Mr. Cabaniss noted that they are looking at three locations for water retention areas and suggested that MIRA look into the acquisition of easements or property for the projects. Mr. Lugar inquired if January 2006 was still a feasible time line to put bids out for the roadwork construction. Mr. Cabaniss commented that January is a possible date, but that there were many variables and unknowns at this time. Mr. Cabaniss discussed the lift station in the middle of one of the lanes on Merritt Avenue and advised that he had sent the plans to Dick Martens, Brevard County Utilities to review. Mr. Cabaniss suggested sending a cover letter with the plans for Merritt Avenue to the School Board to include the proposed plans, solicit comments and then sit down and meet with them.

Concerning N. Tropical Trail improvements, Mr. Cabaniss commented that with the construction of Island Point the lift station would be located on Myrtice Avenue and at the request of the MIRA Board, Bussen-Mayer Engineering had resized the lift station to accommodate the third phase of Merritt Park Place. Mr. Cabaniss commented that if MIRA plans to widen N. Tropical Trail that would be the time to install sewer down N. Tropical Trail. Mr. Lugar recommended that a meeting be set up with Bussen-Mayer Engineering Group and Dick Martens, Brevard County Utilities Department to resolve the issues and see if there would be any cost sharing on the N. Tropical Trail and Myrtice Avenue Improvement projects with the County Utilities Department or Regional Stormwater Utilities Department. Mr. Lugar commented that he would need more input on the Smoke Shop, which has been specifically sited for a stormwater retention area. Mr. Lugar suggested getting appraisals on that property and come back to the MIRA Board. Chairman Watson recommended that MIRA staff contact Dan Adovasio concerning the smoke shop and advise Mr. Adovasio of MIRA's plans for obtaining appraisals of his property. Mr. Cabaniss discussed the landscaping on the medians of both corridors. Mr. Cabaniss advised that there would not be enough room available to landscape on the medians and MIRA would need to increase the county easements to have room for landscaping down the sides of the corridors.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY MIKE SELIG TO APPROVE OBTAINING APPRAISALS ON THE PROPERTY LOCATED AT 45 N. TROPICAL TRAIL. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 5 - DISCUSSION / APPROVAL RE: DRMP PROPOSAL FOR SEWER EXTENSION ON S. TROPICAL TRAIL SOUTH OF S.R. 520

As background, Greg Lugar advised that the MIRA Board had approved the sewer extension project, but due to the Florida Statutes, MIRA had to go out for bid for an independent consulting firm. Mr. Lugar commented that Dyer, Riddle, Mills & Precourt, Inc. (DRMP) was chosen as the engineering consulting firm. Mr. Lugar noted that at the last MIRA Board Meeting the Board requested that DRMP come back with a full comprehensive proposal to do the sewer project south of S.R. 520. Mr. Lugar discussed DRMP's proposal, which would be from start to finish, including surveying, engineering, permitting, bidding, construction services and other consulting services relating to the sewer project. Mr. Lugar advised that DRMP would be using Kugelmann Land Surveying, Inc., a local surveying company, to do the surveying. Mr. Lugar recommended the proposal and authorization to proceed with the project. Mr. Lugar advised that DRMP had included in their proposal a public participation phase, which Dick Martens, Brevard County Utilities Department had recommended MIRA conduct to get the property owners on board,

which would include notification and assisting the owners through the process. Mr. Lugar discussed having an assistance program for the property owners involved connecting up to the new sewer. Mr. Lugar suggested having the owners work with the State Health Department to provide a five-year window to be able to hook up as opposed to a mandatory time when the sewer becomes available.

MOTION MADE BY RALPH PERRONE, SECONDED BY MIKE SELIG APPROVING DRMP'S PROPOSAL IN THE AMOUNT OF \$101,470.00 FOR THE FINAL ENGINEERING, DESIGN AND COST ESTIMATE FOR EXTENDING THE SEWER SOUTH OF S.R. 520 ON S. TROPICAL TRAIL. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 6 - DISCUSSION / APPROVAL RE: ROBERTSON & ASSOCIATES CONSULTING CONTRACT AND SLUM AND BLIGHT STUDY PROPOSAL

Chairman Watson presented Doug Robertson, MIRA's former consultant with a plaque for his many years of service to the community from the Merritt Island Redevelopment Agency Board and the MIRA Beautification Committee.

As background, Greg Lugar commented that the MIRA Board had requested at the June Board Meeting to revise Doug Robertson's contract so that he would be retained for special projects along with a fee schedule. The MIRA Board had also approved that Doug Robertson do the Slum and Blight study for the proposed extension on N. Courtenay Parkway north to Lucas Road. Mr. Lugar suggested supplementing Doug Robertson's Slum and Blight Study with conceptual plans that would include streetscaping on S.R. 3. Mr. Lugar advised that DRMP has a planning and landscaping architect that has had a considerable amount of expertise in redevelopment.

MOTION MADE BY MIKE SELIG, SECONDED BY SANDEE NATOWICH APPROVING THE ROBERTSON & ASSOCIATES CONSULTING CONTRACT AND TO DO THE SLUM AND BLIGHT STUDY FOR THE PROPOSED EXTENSION NORTH TO LUCAS ROAD IN THE AMOUNT OF \$6,800.00. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 7 - DISCUSSION / APPROVAL RE: PAYOFF MIRA COMMERCIAL PAPER LOAN

As background, Mr. Lugar commented that MIRA refinanced the Sun Trust loan two years ago to a Commercial Paper Loan with lower interest. Mr. Lugar recommended that with the cash balance that MIRA has on hand it would be advantages to payoff the Commercial Paper loan to show higher expenditures for this fiscal year.

MOTION MADE BY RALPH PERRONE, SECONDED BY MIKE SELIG APPROVING THE PAYOFF OF MIRA'S COMMERCIAL PAPER LOAN IN THE AMOUNT OF \$149,000.00. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 8 - DISCUSSION / APPROVAL RE: AMENDMENT TO MIRA BY-LAWS AND COUNTY SERVICES AGREEMENT; APPROVAL OF JOB RECLASSIFICATION; AND BUDGET ANALYSIS OF PROPOSED CHANGES.

As background, Mr. Lugar advised that since he is a Brevard County employee it would be necessary for MIRA to change the County Services Agreement with the Brevard County Board. Mr. Lugar commented that the secretarial position had always been in limbo as to who that

position should report to, the agency or the Board. Therefore, that position should become part of the county system, like the Executive Director position and provide services to the MIRA Agency. Mr. Lugar commented that Mrs. Anderson had been working out of class and recommended that her position be reclassified from an Executive Secretary position to a Special Project's Coordinator position. Mr. Lugar discussed the fiscal impact of the two positions from what it was a few months ago with a savings to MIRA of \$9,3335.00 annually.

Mrs. Natowich inquired as to any changes with the Agency working with Mrs. Anderson directly or would they need to go through Mr. Lugar first. Mr. Lugar advised that the Agency would continue to work with Mrs. Anderson as they have been doing in the past.

MOTION MADE BY MIKE SELIG, SECONDED BY NICK GIGANTE APPROVING THE AMENDMENT TO MIRA'S BY-LAWS AND COUNTY SERVICE AGREEMENT; APPROVING THE JOB RECLASSIFICATION OF THE EXECUTIVE SECRETARY TO SPECIAL PROJECTS COORDINATOR; AND BUDGET ANALYSIS OF PROPOSED CHANGES. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 9 - BEAUTIFICATION COMMITTEE REPORT

Mrs. Natowich discussed the article in the Space Coast Press, which highlighted the Award's Ceremony for the Beautification Award to Applebee's Restaurant & Grill and the Commercial Façade Improvement Project Award to Sutton's Pool Supply.

Mrs. Natowich reported that the Bussen-Mayer Engineering Group, Inc. and the First Baptist Church of Merritt Island were nominated for the September Beautification Award. Mrs. Natowich noted that the First Baptist Church of Merritt Island and Ralph Perrone, Perrone Properties would be receiving the Commercial Façade Improvement Project Award.

Mrs. Anderson reported that there was three Commercial Façade Improvement Projects grants paid in the past month. Mrs. Anderson advised that Dr. Paul Ouellette, 455 Magnolia Avenue, had a set back on his façade project, as the State Health Department would not approve his renovations due to his property being on septic and unable to hook up to sewer. Dr. Ouellette requested any information from MIRA concerning the installation of sewer that MIRA had in the planning stage along S. Tropical Trail. Mrs. Anderson commented that the commercial property owners applying for grants are still having problems receiving three bids on each of their projects, which became even harder to obtain after the hurricanes in 2004. Mrs. Anderson commented that she would discuss with the County Purchasing Department to see if commercial property owners could be required to receive only two bids. Chairman Watson suggested that Mrs. Natowich go back to the Beautification Committee and see if they can fine tune the requirements for the grants and report back to the MIRA Board. County Attorney Scott Knox inquired about the bid requirement commenting that the MIRA Board does not have a legal requirement that would require three bids. Attorney Knox recommended that the best solution would be to go to the Board and request that MIRA have an exception on requirements for the Commercial Property Owners applying for grants.

MOTION MADE BY RALPH PERRONE, SECONDED BY NICK GIGANTE TO APPROVE THE RECOMMENDATION OF THE BEAUTIFICATION COMMITTEE FOR THE SEPTEMBER BEAUTIFICATION AWARD TO BUSSEN-MAYER ENGINEERING GROUP, INC. AND MERRITT ISLAND FIRST BAPTIST CHURCH AND TO AWARD THE COMMERCIAL FAÇADE IMPROVEMENT PROJECT AWARD TO FIRST BAPTIST CHURCH OF MERRITT ISLAND AND RALPH PERRONE PROPERTIES BUILDING (LIGHHOLDER, INC), LOCATED AT 350 MYRTICE AVENUE. THE MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 10 – STAFF REPORT

ENTRY SIGNS

Mr. Lugar reported that he met with Jack West, FDOT and Dick Thompson, Director Brevard County Traffic Department at the east entry sign location. Mr. Lugar commented that the sign location was at an area directly before the relief bridge coming onto Merritt Island from Cocoa Beach. Mr. Lugar advised that if the entry sign were to be placed behind the barrier, then it would not be necessary to use breakaway signs. Mr. Lugar suggested using a local company to construct the entry sign. Mr. Lugar commented that he would like to work with DRMP and their landscape architect so as to get ideas on the landscaping and lighting around the entry sign. Mr. Lugar advised that MIRA would need to get a site plan before FDOT would approve the entry sign location.

SYKES CREEK/MERRITT AVENUE BERM

Mr. Lugar reported that the issues that were still outstanding were that Florida Power & Light had not relocated the power pole and that it would be necessary to fill out a notification permit to St. John's Water Management for the 56 linear feet of pipe that would be covered with the berm. Mr. Lugar reminded the Board that Charlie Burton, Brevard County Roadways & Landscaping Construction Manager would be doing the construction of the berm and Loren Rapport, Brevard County Roadways & Landscaping would be doing all the landscaping and that both are ready to begin. Mr. Lugar was hopeful the project would be completed within the next 45 days.

BUS SHELTERS

Mrs. Anderson reported that Joel Davis, 20/20 Media, is back doing the covered bus shelters. Mrs. Anderson advised that she received notice from the County Attorney's office that at this time the county would not be able to break the contract with 20/20. Mrs. Anderson commented that Joel Davis does not have a current State Contractor's license, which has delayed him receiving his building permits. Mrs. Anderson advised that Mr. Davis informed her that he would be processing the permits to construct the bus shelters once he has a current license available. Mr. Lugar suggested that MIRA place 20/20 Media on a thirty (30) day written notice and if he has not progressed any further than MIRA would start taking action to cancel the contract.

OTHER BUSINESS

None

OLD BUSINESS

None

MOTION MADE BY SANDEE NATOWICH, SECONDED BY NICK GIGANTE TO ADJORN. NEXT SCHEDULED MIRA BOARD MEETING TO BE HELD ON THURSDAY, SEPTEMBER 22, 2005. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 3:58 p.m.