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**MINUTES OF THE  
CITY OF NEW SMYRNA BEACH  
COMMUNITY REDEVELOPMENT AGENCY  
MEETING OF AUGUST 3, 2011  
CITY COMMISSION CHAMBER, CITY HALL, 210 SAMS AVE.  
NEW SMYRNA BEACH, FLORIDA**

CRA Chair James Kosmas called the CRA meeting to order at 2:00 p.m.

**Answering to roll call:**

**James Kosmas  
Chad Schilsky  
Thomas Williams  
James Peterson  
John Kinney  
Melissa Latty**

Also present were CRA Director Tony Otte; CRA Administrative Specialist Claudia Soulie; CRA Attorney Mark Hall. CRA Project Manager Michelle Martin and Commissioner Doug Hodson were (excused) absent.

**CONSENT AGENDA**

A. Approval of Minutes – Regular CRA Meeting July 6, 2011

Mr. Kosmas asked that staff check page 5 of 13, line 201 – 204 to clarify a comment made by him and replace the word businesses with buildings. Ms. Soulie noted that change.

**Mr. Schilsky made the motion to approve the Minutes with the changes as indicated; seconded by Mr. Kinney. Motion carried on roll-call vote 6–0.**

**PUBLIC PARTICIPATION**

In accordance with the City Commission Resolution #11-89, a three-minute limitation will be imposed unless otherwise granted by the CRA Commissioners.

Reverend Sheryl Walsh, representing the Church of the Nazarene on Orange Street and Faith Christian Academy stated that they own three (3) buildings that are in need of landscaping and inquired if they would be able to participate in the grant program as they are a Not-for-profit organization. She continued that she had been in touch with CRA staff, but wanted to clarify if the CRA would consider her application once she brought it forward.

Mr. Kosmas asked she get back with staff for assistance with the application process.

Hearing no further request, Mr. Kosmas closed the Public Participation of the meeting.

**OLD BUSINESS**

A. Draft CRA Strategic Marketing Plan

50 Ms. Holly Smith, CRA Marketing Coordinator gave a brief summary about the meetings  
51 that have been conducted for the purpose of creating the CRA Strategic Marketing Plan  
52 and branding efforts for the NSB Waterfront Loop. Ms. Smith introduced the steering  
53 group members comprised of local representatives from the Canal Street, Flagler Ave,  
54 Third Ave and Historic Westside areas.

55  
56 Ms. Smith stated that three (3) logo and tagline options have been developed by the  
57 steering group for recommendation to the CRA and City Commission and that the  
58 Committee's preference is Option 2 (Old-Florida Charm – Endless Possibilities). Ms.  
59 Smith further elaborated on the purpose of the Marketing plan and what branding the  
60 loop entails.

61  
62 A brief discussion ensued about the budget for the marketing efforts, logo and banners;  
63 font and verbiage for the logo; proposed concepts for streetlight banner designs; the  
64 amount of banners and the coordination of banner efforts with the Wayfinding  
65 consultants.

66  
67 The CRA Commissioners agreed that Ms. Smith and the Committee did an excellent job  
68 and made favorable comments about staff's recommendation of using logo option 2. (Old  
69 Florida Charm – Endless Possibility).

70  
71 **Mr. Kinney made the motion to accept staff's recommendation that the Marketing**  
72 **Plan be approved and implemented with option 2; seconded by Ms. Latty. Motion**  
73 **carried on roll-call vote 6-0.**

74  
75 The CRA's recommendation will be presented at the City Commission meeting on  
76 August 9, 2011.

77  
78 B. Flagler Boardwalk Project Scope of Work – Cost Estimate for Additional  
79 Work

80  
81 Withdrawn by staff, as a complete cost estimate had not been obtained yet.

82  
83 C. Impact Fee Assistance Grant and Request for additional funds – Clancy's  
84 Cantina addition – 301 Flagler Ave Unit 3

85  
86 Mr. Otte gave a brief history on the previous grant awarded to this applicant and stated  
87 that a representative was present to answer any questions.

88  
89 Mr. Danny Michelbrink, representative for Clancy's, inquired if the CRA had any  
90 questions. Mr. Kosmas asked if the applicant was before the CRA to apply under the  
91 proposed new program, which Mr. Michelbrink confirmed.

92  
93 A brief discussion ensued about the stipulations of applying under the proposed new  
94 program; the CRA guidelines stating that no work can begin prior to CRA approval and  
95 that the applicant had started on some portion of his prior approved scope and  
96 ramifications of "opening" up existing applications to amend the dollar amount.

97

98 The CRA denied the request for additional funds, but suggested the applicant contact  
99 CRA staff and revisit the project to find ways to potentially be able to come back before  
100 the CRA with a new grant application.

101

102 **Mr. Peterson made the motion to deny the request for additional funds, seconded by**  
103 **Mr. Schilsky. Motion carried on roll-call vote 6 –0.**

104

105 A brief discussion ensued about the Impact Fee assistance grant application for Clancy’s  
106 and when Impact Fees are generally due.

107

108 **Mr. Williams made the motion to approve the Impact Fee Assistance application;**  
109 **seconded by Mr. Kinney. Motion carried on roll-call vote 6–0.**

110

111 D. Discussion and Approval of Draft Programs:

112

113 1. Discussion on allowing Design Assistance for grant purposes prior to CRA  
114 approval

115

116 Mr. Otte stated that the CRA’s Property Improvement Grant guidelines specify that no  
117 work shall commence on a project prior to CRA approval and that this also applies to  
118 design fees (architectural drawings, plans and artistic renderings for signs), which are an  
119 eligible expense for reimbursement. In lieu of professional design documents, applicants  
120 can submit conceptual renderings for CRA grant approval purposes to avoid incurring  
121 any costs, as there are no guarantees that an application is going to be approved.

122

123 Mr. Otte continued that staff has had several requests from potential applicants to  
124 consider allowing them to commission signed and sealed site plans and artistic  
125 renderings of signs prior to CRA approval and to be able to include these costs in the  
126 application for reimbursement, as having signed and sealed plans and artistic renderings  
127 would guarantee more accurate cost estimates.

128

129 Mr. Otte recommended that the CRA allow design work commissioned prior to CRA  
130 approval to be included as a reimbursable expense and that the verbiage could read as  
131 follows:

132

133 **Design Assistance:** Professional design services related to structural renovation, new  
134 construction, signage and landscaping. Applicant may choose to obtain professional  
135 design assistance prior to CRA approval. PLEASE NOTE: Professional design assistance  
136 is not required for CRA grant approval and the CRA is not responsible for any costs  
137 incurred by the applicant for these services, should the application be denied by the CRA  
138 or withdrawn by the applicant.

139

140 A brief discussion ensued about these design fees being soft costs and if the CRA should  
141 pay for those as well as putting a cap on the reimbursable amount for design fees.

142

143 **Mr. Schilsky made a motion to allow design fees for work completed prior to the**  
144 **application as an allowable expense if the grant application is funded in the**  
145 **maximum amount of 10% of the applicable grant, seconded by Ms. Latty. Motion**  
146 **carried on roll-call vote 4–2 with Mr. Peterson and Mr. Williams casting the**  
147 **dissenting votes.**

148 The CRA did not take any action on staff's request to include this verbiage in the Large  
149 Grants program, which currently does not allow for design assistance as an eligible  
150 expense.

151

152 2. Combined Grant Program for A. Exterior/Interior Renovation, New Construction  
153 and Impact/Permit Fees (\$20,000) and B. Significant Facades (\$60,000)

154

155 Mr. Otte stated that staff had finalized the grant programs that were discussed at the  
156 previous CRA meetings, with changes as directed by the CRA.

157

158 Mr. Otte continued that staff wanted to ensure its understanding of the directive of "One  
159 grant, per business, per parcel" to mean that for a parcel with three buildings, only one of  
160 the three buildings would be eligible for CRA funding. If that building has multiple  
161 tenants, each tenant could be eligible for a Combined grant. For the other grant programs,  
162 grants would only be allowed for that building.

163

164 Mr. Otte informed the CRA that the approved grant programs will be forwarded to the  
165 City Commission for consideration at their August 23, 2011 City Commission meeting.

166

167 A brief discussion ensued about the intended purpose of the Significant Façade grant  
168 portion and what constitutes a significant façade as well as removing the reference that  
169 this would pertain only to multi-tenant buildings.

170

171 Mr. Peterson felt that the significant façade portion was put in place to prevent aggregates  
172 of multi-tenants and was not in favor of removing the multi-tenant stipulation. Mr.  
173 Kosmas felt that owner-occupied buildings should not be precluded from applying.

174

175 Mr. Peterson clarified if the intent was to let multi-tenants aggregate up to \$60,000 or, in  
176 the case of an owner-occupied building, let the building owner apply for up to \$60,000  
177 under the significant façade program.

178

179 Discussion ensued about each façade of a building being eligible for a significant façade  
180 grant and that the CRA had to determine what would be considered as significant.

181

182 The CRA further reviewed the final draft for this program and made some minor  
183 changes.

184

185 Mr. Kosmas commented on the grant requirement of placing signage identifying the  
186 funding partners at the project site for the duration of the project and suggested extending  
187 the sign display time 30 or 60 days past project completion. The CRA agreed. Ms. Soulie  
188 noted that suggestion and stated that staff had also commissioned window/door stickers  
189 to be given to the applicants.

190

191 **Mr. Williams made the motion approve the Combined Grant program as amended,**  
192 **seconded by Mr. Kinney. Motion carried on roll-call vote 5-1, with Mr. Peterson**  
193 **casting the dissenting vote.**

194

195 3. Grant Program for: A. Large Grants (\$50,000) and Opportunity Sites

196

197 The CRA reviewed the final draft for this program and made some minor changes.  
198  
199 Discussion ensued about changing the eligibility area for the \$50,000 to include the entire  
200 CRA district instead of only a predetermined portion on the mainland and Flagler Ave as  
201 well as removing the stipulation that hours of operations had to extend beyond 5:00 pm.  
202 The CRA agreed to keep the eligibility area as designated and to add verbiage that  
203 additional consideration will be given to businesses proposing hours of operations that  
204 extend beyond 5:00 pm.  
205

206 Further, it was discussed that a property owner may not receive a \$20,000 grant if he or  
207 she was awarded a \$50,000 grant, but that receipt of the large grant would not preclude  
208 tenants from applying for the \$20,000 grant.  
209

210 Mr. Bob Wiley, property owner on Canal Street, inquired if he, as the building owner,  
211 could receive an Opportunity Site grant as well as a \$20,000 grant if he also owned a  
212 business in his building. The majority of CRA Commissioners agreed.  
213

214 For the Opportunity Site grant Mr. Kosmas suggested removing the reference to Flagler  
215 Ave sites as well as add the requirement of a Level I environmental assessment. Staff  
216 noted these suggestions.  
217

218 **Ms. Latty made the motion approve the Grant Program for Large Grants and**  
219 **Opportunity Sites as amended, seconded by Mr. Schilsky. Motion carried on roll-**  
220 **call vote 6-0.**  
221

222 4. Grant Program for Small-Scale (Exterior) Improvements (\$2,500 No-Match)  
223

224 The CRA reviewed the final draft for this program and made no changes.  
225

226 **Mr. Kinney made the motion approve the Grant Program for Small-Scale**  
227 **Improvements as submitted, seconded by Ms. Latty. Motion carried on roll-call vote**  
228 **6-0.**  
229

230 Mr. Kosmas stated that he wanted to congratulate everybody on their work and efforts in  
231 regards to these grant programs.  
232

233 **NEW BUSINESS**

234 Mr. Kosmas suggested that, for purposes of time a motion be made for approval for each  
235 individual grant item under New Business without discussion, unless any of the  
236 Commissioners had specific questions, which would then be addressed. The CRA agreed.

237 A. Commercial Property Improvement Grant – 500 N. Causeway  
238

239 **Mr. Williams made the motion approve the Grant for 500 N. Causeway (without the**  
240 **Design fees), seconded by Mr. Kinney. Motion carried on roll-call vote 6-0.**  
241

242 Ms. Kathy Standing, applicant inquired when she would have to go before the City  
243 Commission and was informed that staff was preparing to submit her application for  
244 ratification by the City Commission on August 23, 2011.

245 A brief discussion ensued if it was really necessary for this application to go before the  
246 City Commission and staff will check into this and get back with the applicant.

247

248 B. Commercial Property Improvement Grant – 114 Sams Ave

249

250 **Mr. Peterson made the motion approve the Grant for 114 Sams Ave, seconded by**  
251 **Mr. Kinney. Motion carried on roll-call vote 6-0.**

252

253 C. Residential Property Improvement Grant – 1111 S. Atlantic Ave

254

255 Mr. Otte stated that the applicant is proposing improvements to a duplex structure  
256 located at 1111 S. Atlantic Ave. The Property Appraiser shows that this location shares  
257 its parcel number with 1109 S. Atlantic Ave. Mr. Otte continued that the application  
258 had received the necessary points to qualify for consideration and staff recommends  
259 approval.

260

261 Mr. Sid Cohern, Architect of record for the project, explained that the applicant is  
262 currently working on rectifying an issue with the survey. A brief discussion ensued  
263 about dividing the lot and the applicant being able to come back with a new parcel id  
264 number for 1109 S. Atlantic Ave and being able to apply for a residential improvement  
265 grant for the structure at 1109.

266

267 **Mr. Peterson made the motion approve the Grant for 1111 S. Atlantic Ave. in the**  
268 **amount of \$5,000, seconded by Mr. Williams. Motion carried on roll-call vote 6-0.**

269

270 D. Discussion for possible Large Grant Application – 545 Washington Street

271

272 Mr. Otte stated that CRA Staff was approached by Mr. Kung who is proposing to  
273 convert two (2) condemned houses at 543 and 545 Washington Street into habitable  
274 living quarters. The project entails the rehabilitation of the existing structure at 545  
275 Washington Street as well as the construction of three (3) new cottages on the same  
276 parcel. 545 Washington Street is the primary address for this parcel and also houses 543  
277 Washington.

278

279 The project site is located on Washington Street on the west side of US1, which is  
280 currently under design for streetscape improvements and is only a few houses away  
281 from a proposed business incubator location. The applicant would like to apply for a  
282 \$50,000 grant, with the qualifier being residential infill. Mr. Otte continued that staff  
283 was requesting discussion on the following:

284

- 285 1. Does the CRA consider this proposal to be residential infill, thus qualifying for  
286 consideration under the \$50,000 program?
- 287 2. The applicant has submitted a residential grant application for 543 Washington Street,  
288 which is on the same parcel as 545 Washington Street. Would the award of this  
289 residential grant disqualify the parcel from receiving a \$50,000 grant?

290

291 Mr. Otte stated that staff feels that this proposed project will tremendously improve the  
292 look of this parcel, aid in residential infill and reduce blighted influences, and that staff  
293 is recommending the CRA authorize the applicant to move forward with an application  
294 for a Large Grant (\$50,000) for consideration at the September CRA meeting.

295

296 A brief discussion ensued about what could be considered residential infill and its  
297 importance to the district.

298

299 The CRA agreed that the receipt of a residential property improvement grant will not  
300 disqualify the parcel from receiving a Large Grant and authorized the applicant to move  
301 forward with an application under the Large Grant program for consideration at the next  
302 CRA meeting in September.

303

304 E. Residential Property Improvement Grant - 543 Washington Street

305

306 Mr. Otte stated that the work on the structure at 543 Washington Street had commenced  
307 by the time Mr. Kung made contact with staff; however, the exterior items being  
308 considered under this Residential Property Improvement grant application are eligible,  
309 as work for these items had not started. Mr. Otte continued that the application had  
310 received the necessary points to qualify for consideration and staff recommends  
311 approval.

312

313 **Mr. Kinney made the motion approve the Grant for 543 Washington Street in the**  
314 **amount of \$4,725, seconded by Mr. Peterson. Motion carried on roll-call vote 6-0.**

315

316 F. FY 2012 Grants and Aids Applications (listed in alphabetical order):

317

318 1. Friends of Canaveral - \$15,000

319

320 **Mr. Williams made the motion approve the Grants and Aids application for Friends**  
321 **of Canaveral, seconded by Ms. Latty. Motion carried on roll-call vote 5-1 with Mr.**  
322 **Peterson casting the dissenting vote.**

323

324 2. Friends of Historic Canal Street - \$10,000

325

326 **Mr. Schilsky made the motion approve the Grants and Aids application for Friends**  
327 **of Historic Canal Street, seconded by Ms. Latty. Motion carried on roll-call vote 6-0.**

328

329 3. Gallery Group of Flagler Ave - \$21,000

330

331 **Mr. Schilsky made the motion approve the Grants and Aids application for Gallery**  
332 **Group of Flagler Ave., seconded by Mr. Kinney. Motion carried on roll-call vote 5-1**  
333 **with Mr. Peterson casting the dissenting vote.**

334

335 4. Merchants of Flagler Ave Hosp. Group - \$62,175

336

337 Mr. Schilsky stated that he is recusing himself from voting on this item. Mr. Otte  
338 commented that this application has to go before the City Commission at one of their  
339 September meetings due to the funding amount exceeding \$25,000.

340

341 Mr. Kinney asked about the budget figures. Ms. Elaine Stathakis, representative for the  
342 Group explained how they derive their funding through sponsors and in-kind services.

343

344 **Mr. Williams made the motion approve the Grants and Aids application for**  
345 **Merchants of Flagler Ave., seconded by Mr. Kinney. Motion carried on roll-call vote**  
346 **4-1 with Mr. Peterson casting the dissenting vote.**

347

348 5. New Smyrna Beach South Causeway Merchants Association - \$24,000

349

350 A brief discussion ensued about the Association as it was newly established in 2011 and  
351 the cost for out-of-state funding.

352

353 **Mr. Williams made the motion approve the Grants and Aids application for the**  
354 **New Smyrna Beach South Causeway Merchants Association., seconded by Mr.**  
355 **Schilsky. Motion carried on roll-call vote 5-1 with Mr. Peterson casting the**  
356 **dissenting vote.**

357

358 6. New Smyrna Mainstreet, Inc. d/b/a Canal Street Historic District - \$20,000

359

360 Mr. Peterson stated that he will abstain from voting on this item.

361

362 **Mr. Schilsky made the motion approve the Grants and Aids application for the New**  
363 **Smyrna Mainstreet seconded by Mr. Kinney. Motion carried on roll-call vote 5-0**

364

365 G. Funding Request – “Excellence In Education Awards”

366

367 No representative was present on behalf of this item. The CRA deferred it to a future  
368 meeting.

369

370 H. Proposed Rate Increase for CRA Attorney

371

372 Mr. Otte stated that CRA Attorney, Mark Hall, has served the CRA for more than 15  
373 years and had not received a fee increase in more than 5 years. Mr. Hall is asking for the  
374 CRA to consider and approve an increase to an hourly rate of \$200 for attorney time and  
375 \$90 for paralegal assistance.

376

377 **Mr. Kinney made the motion approve the fee increase for Mark Hall and the**  
378 **paralegal; seconded by Mr. Williams. Motion carried on roll-call vote 6-0**

379

380 I. Sponsor Request for ACA – Images ~ A Festival of the Arts

381

382 Mr. Otte stated that the Atlantic Center for the Arts (ACA) presents the Images art show  
383 every year in the Canal St area. For their 2011 event, the ACA received CRA funding in  
384 the amount of \$7,500 (\$2,500 as a Creative Education Sponsor and \$5,000 as an  
385 Entertainment Sponsor). Mr. Otte continued that staff is recommending that the CRA  
386 approve the Promotions Sponsor opportunity in the amount of \$7,500 for the 2012  
387 Images event.

388

389 A brief discussion ensued about the budget and sponsorship opportunities as well as the  
390 positive economic impact this event has on the community.

391

392 Mr. Williams suggested that all the Art previously purchased during this event be  
393 collected and sold at an Images Event. Those funds could be used to purchase new art.  
394

395 Mr. Otte suggested that staff get with Commissioner Williams to draft a proposal on how  
396 to sell the art and to bring this proposal back at a future CRA meeting.  
397

398 **Mr. Kinney made the motion approve the funding request for ACA as a Promotions**  
399 **Sponsor in the amount of \$7,500; seconded by Mr. Williams. Motion carried on roll-**  
400 **call vote 5-1, with Mr. Peterson casting the dissenting vote.**

401  
402 J. Mary Ave. Streetscape II – LAP Agreement Resolution  
403

404 Mr. Otte stated that staff is asking CRA to recommend that the City Commission  
405 consider adoption of a resolution, which would authorize the Mayor to make, execute and  
406 deliver to the State of Florida Department of Transportation, a Local Agency Program  
407 Agreement for the construction of the sidewalk/multi-use trail across the Mary Avenue  
408 Florida East Coast Railway At-Grade Crossing No. 271969H.  
409

410 Mr. Otte continued that funding for this LAP Agreement is \$281,464, in which the FDOT  
411 will reimburse the City 75% (\$211,098), and the City will match the other 25% (\$70,366)  
412 as previously approved with Resolution 20-10.  
413

414 **Mr. Schilsky made the motion to authorize staff to present the LAP agreement**  
415 **resolution to the City Commission for ratification; seconded by Ms. Latty. Motion**  
416 **carried on roll-call vote 6-0.**  
417

418 **REPORTS AND COMMUNICATIONS**

419 A. Director's Report  
420

421 Mr. Otte stated that on August 18, 2011 staff is making a presentation to the County  
422 Council pertaining to CRA budget and activities in 2010.  
423

424 Furthermore, the wayfinding project has received FDOT preliminary approval for the  
425 design as well as the location maps and sign criteria.  
426

427 CRA Attorney's Report  
428

429 Mr. Hall stated that there will be a ground-breaking ceremony for the Hotel on Flagler  
430 Ave. at a date to be announced.  
431

432 Commissioners Report  
433

434 Hearing no comments, Mr. Kosmas entertained a motion to adjourn.  
435

436 **ADJOURNMENT**  
437

438 **A motion was made to adjourn; all agreed. Meeting adjourned at 5:30 pm.**