

## NORTH BREVARD COMMISSION ON PARKS & RECREATION

Minutes of the regular meeting of the North Brevard Commission on Parks & Recreation (NBCPR), an advisory board, held Thursday, August 13, 2009, in the Brevard Room of the Brevard County Government Complex-North.

### Members Present

Ted Beck, Chairman  
Jan Alwine  
Rev. Glenn Dames  
Barry Gainer  
Dick Gossett  
Neta Harris  
George Newman

### Members Absent

Dr. Ron Bobay, Vice Chairman  
Rev. Vernor Clay

### City of Titusville Elected Officials/Staff Present

Conrad Eigenmann, Councilmember Liaison  
Richard Wheelus, Building Department Official

### Brevard County Staff Present

Kathie England, Administrative Aide to Commissioner Fisher  
Holly Pardi, Land Acquisition Supervisor, Public Works Department  
Barbara Meyer, Bicycle Pedestrian & Trails Coordinator, Transportation Planning Office  
Don Lusk, Parks & Recreation Director  
Terry A. Lane, North Area Parks Operations Manager  
Jeff Davis, Jr., Recreation Superintendent  
Richard L. Tucci, Recreation Superintendent  
John Dacus, Parks Maintenance Superintendent  
Michael J. Rubacky, Parks Maintenance Superintendent  
Chuck Mays, Construction Coordinator  
Judy Inman, Administrative Secretary

### I. CALL TO ORDER & ROLL CALL

Chairman Beck called the meeting to order at 5:04 p.m., welcomed City Councilmember Conrad Eigenmann, and asked Rev. Glenn Dames to open the meeting with prayer. Terry Lane reported Rev. Clay has been out of town and Dr. Bobay was likely involved with school concerns.

### Motion by Neta Harris, seconded by Barry Gainer, to excuse the absences of Dr. Bobay and Rev. Clay.

**AYE: Alwine, Beck, Dames, Gainer, Gossett, Harris, Newman**

**NAY: None** **Carried 7-0**

### II. PUBLIC COMMENT (items not appearing elsewhere on the agenda)

Molly Farace expressed concern about no insurance on the pier and reported memorial insurance is available from Allstate. She also spoke for taxpayers carrying the insurance until there is a concessionaire to do so.

### III. APPROVAL OF MINUTES

### Motion by Dick Gossett, seconded by Glenn Dames, to approve the minutes of July 9, 2009.

**AYE: Alwine, Beck, Dames, Gainer, Gossett, Harris, Newman**

**NAY: None** **Carried 7-0**

### IV. REFERENDUM & OTHER PROJECTS

A. Reports—Chuck Mays gave the following changes that have occurred since July 31:

- Gibson Field—The City is ready to issue permits and the contractor should start work the middle of next week.

- Marina Park—The bulkheads are in and first section of the ramps are in the water. Road and Bridge is doing the site work including demolition of the old concession building and other work.

- Parrish Park-Titusville—Two ramps are now open and work on the dock on the north end is to start next week.

B. North Brevard Referendum Projects—Mr. Lane pointed out items on today's agenda. Mims-Scottsmoor Community Center has a balance of \$732,737; Titusville Veterans' Memorial Fishing Pier has a balance of over \$2 million in contracted and \$268,000 plus in committed; and Equestrian Trails & Facilities has a balance of \$230,000 remaining for the project that could be part of the East Coast Regional Rail Trail.

### V. OLD BUSINESS

A. Titusville Veterans' Memorial Fishing Pier Railing Height—Terry Lane drew attention to a proposed drawing for an ADA railing noting the pier is slated to be completed in April 2010 and that the NBCPR voted for the railing to be 100% concrete. He announced Richard Wheelus, City Building Department Official, and Simon Hagedoorn of DRMP, were present. The proposal has 25% of the railing to be aluminum with a dropdown or removable top rail for ADA. He also noted Brian Breslin, County ADA Coordinator felt the plan is acceptable today because federal guidelines haven't changed and therefore the pier is under the Florida Building Code.

Richard Wheelus reported the 42" height of the railing is determined by the Florida Building Code, and the proposal is to lower ADA sections to 34" with removable top railing and slanted to provide toe room.

Simon Hagedoorn reported the proposed aluminum railing is based on FDOT standard for railing that fabricators are used to, with picket railing slanted out from the deck with a kicker to push out bottom rail to accommodate wheelchairs. Mr. Lane reported staff questioned the top railing being removable and suggested hinged or permanently attached dropdown railing to avoid loss. Mr. Hagedoorn said he can look at making it dropdown in two pieces at each location that locks in place to avoid easy removal.

The following was established during board discussion (inquirer/responder):

- This is the same type railing as on the Catwalks. (Gossett/Hagedoorn)
- The railing is approved in concept with no significant problems as long as the top railing is permanently secured to the posts and can be locked into place. Warning signage with penalties for abuse will be required. (Gossett/Wheelus)
- Anchor bolts could be stainless that is more expensive but a better long-term value. (Gossett/Hagedoorn)
- Dick Gossett thanked Mr. Hagedoorn, the chairman and staff for their work on this.
- There will be additional cost for design, but because the contractor has not purchased the concrete railing, the aluminum may be comparable or cheaper than precast concrete. (Beck/Lane)
- Every fourth section of railing will give ADA fishing opportunities throughout the pier to achieve 25%. (Harris/Hagedoorn)
- ADA signage is doable along with painting as in parking spaces and as indicated as necessary by Mr. Wheelus. The railing will prevent wheelchairs from moving forward but there is not a proposal for something to stop wheelchairs from backing up into the normal use areas. There will be provision for 9" toe clearance. (Harris/Hagedoorn)
- Mr. Lane noted the slanted railing allows toe room at the bottom and meets guidelines without jeopardizing the 4" sphere required by the Florida Building Code.
- Mr. Hagedoorn confirmed the contractor has not ordered the concrete railings and will do change orders to deduct concrete sections removed and add aluminum sections. The difference in cost is not known at this time.

Public Comment—Molly Farace stated she likes this concept for all citizens to enjoy the free memorial fishing pier and any additional cost is well worth it. She stated the photo of the Jacksonville pier scares her. The design presented today will insure little kids don't fall off. She spoke for getting the pier fixed right.

In response to a request from Conrad Eigenmann to readdress efforts to keep the top rail from being lost, Mr. Hagedoorn described a method he envisions using a collar to secure a dropdown railing.

Discussion on security at the pier was introduced by Conrad Eigenmann who spoke for the need for City and County staff to meet to discuss security, what the concessionaire will do, security when the concession is closed, what the City police will do and responsibilities and limitations.

Neta Harris introduced discussion about a full bar at the pier, noting it wasn't there previously and asked if it was brought up by the City. Terry Lane reported an amendment to the agreement with the City to allow full alcohol and to readdress insurance will be on the Board of County Commissioners (BoCC) agenda of August 18. Conrad Eigenmann responded it was brought up by prospective vendors. Terry Lane stated there were several vendors at City Council when the option was approved, and one noted that in such a business, beverages are where the profit is made and it will be a large investment for the concessionaire. Chairman Beck confirmed alcohol is an option, not mandatory. Jan Alwine noted a person can become just as inebriated with beer or wine as with a cocktail and spoke for alcohol being an option. Rev. Dames expressed concern about security related to inebriation when the concession is open or closed, and suggested the possibility of a small substation at the pier or requiring off-duty police officers. Mr. Lane responded the pier concession will be no different than any other restaurant in Titusville that serves alcohol and therefore a security guard would not be required, but the concessionaire is responsible for controlling the situation that might include a security guard. The intention is to take away any roadblock to make the concession successful. There were only two bidders three years ago. At the recent pre-bid meeting at the pier, there were six or seven entrepreneurs present. Neither full liquor or even beer or wine is required. Rev. Dames asked about liability to which Mr. Lane replied the concessionaire will be required to have full insurance to cover those situations as primary. The City and County would be liable if negligent.

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**Motion by Dick Gossett, seconded by Barry Gainer, to approve revision to the height of the Titusville Veterans' Memorial Fishing Pier railing as presented.**

**AYE: Alwine, Beck, Dames, Gainer, Gossett, Harris, Newman**

**NAY: None**

**Carried 7-0**

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Further discussion ensued related to liquor and liability ending with a suggestion by Chairman Beck for County and City staff to come up with a security plan and present it at the next meeting. Mr. Lane noted the request for proposal requires a management plan that includes security for the pier and is part of the determination for the selection of the concessionaire. The board will be sent a copy of the RFP and it will be on the agenda for next month.

**B. Mims-Scottsmoor Community Center Potential Properties**—Terry Lane reported the Referendum Committee met on August 3 and recommended the Salib property as first choice, the Whitten property as second choice, and that all the other properties be eliminated. Mr. Lane recognized four Committee members present and stated that Holly Pardi was present to answer questions.

#### Public Comment

- Robert Robbins of Scottsmoor spoke for the Salib property as the center needs to be between the two communities for children and adults, and stated he doesn't think the sewer will cost as much as predicted.
- Patti Robbins spoke for the Salib property noting the title says it all—it should be between the two communities.
- Arnie Benson read the reasons he presented at the Committee meeting in favor of the Salib property that is the northern most property presented (1) as it was the original preferred site chosen by the County; (2 & 3) it is adjacent to the Mims-Scottsmoor Library and Pinewood School; (4) it is the safest location for a community center; (5) it is the closest location to Scottsmoor; (6) there are already two community centers in Mims within walking distance of the Whitten property.
- Lee Bird, although a member of the Committee, spoke as a citizen of Scottsmoor for the Salib property, noting the cost of the sewer line would be reduced as others hooked up, and the school and library have their own systems. Barry Gainer noted he took a flight over the area and found that Lionel Road is basically centered over the population. Mr. Bird stated Scottsmoor has a lot of shy people and asked those supporting the Salib property to stand. About 16 people stood.
- Ron Bartcher noted the center is intended to be a hurricane shelter and there are a lot of trailers near S.R. 46 and U.S. Hwy 1. He also noted the Whitten property is on the trail and asked the board to please consider it.
- Fred Kusterer, from the Mims Community Group, asked Holly Pardi if the cost to develop a property is looked at before it goes to appraisal. Ms. Pardi stated that was not tasked, but the appraiser will have it as part of the appraisal process. Mr. Kusterer asked about

mitigating the wetlands or buying all 12 acres of the Whitten property to work around the wetlands. He noted the need for a sewer system at a hurricane shelter and stated that should be looked at before purchasing the Salib property.

- Sarah Woodring, a 29 year-old mother of a seven year old son and who works full time spoke for the Salib property as being more accessible for households like hers in Scottsmoor.
- Kate Perez of Scottsmoor spoke for the Salib property which she realizes will not be completed for her two teenagers but she would like it for children in the future. She noted the library is the only thing in the area and the hours are being cut; there are already two centers in Mims; the Salib property is closer to Mims than Scottsmoor; and she spoke against dragging it out further. Her husband, Thomas Perez, who was going to speak, had left to pick up their son.

Chairman Beck asked Bob Keller who represents the Whittens to speak about the wetlands. Mr. Keller reported some flagging was done about two years ago when a speculator was doing good diligence, but a complete report was not done.

In response to an inquiry from Barry Gainer about the 3.2 acres of wetlands on the Whitten property and sewer line to Salib property, Ms. Pardi stated that the wetlands are in the center of the property delineated and she doesn't know if it could be mitigated which would take awhile to determine, but it does diminish the usable area. As to the sewer cost to the Salib property, Ms. Pardi stated the cost is probably less as cost of materials has gone down, some grants could be obtained, some costs could be recouped, and package plants need to be checked out.

Jan Alwine noted the Committee came up with a recommendation which appears to her to be the right choice, and the people have spoken.

Rev. Dames stated he concurs with Mrs. Perez that there are two community centers in the Mims area, and that Sara Woodring made a very compelling case for children to enjoy, to feel a part of the community and to have something accessible to them. He commended the citizens of Scottsmoor for taking the initiative and standing up for what they believe in and for a safe place for children to play, grow, glow, and become productive citizens.

Chairman Beck noted any contract would have to be subject to due diligence. Ms. Pardi reported that after due diligence, it is still necessary to go through the

appraisal process and the contract accepted by the owner.

Terry Lane noted if the first choice does not come to fruition, staff would move to the second choice. He also reviewed the acreage of Salib and Whitten properties in response to an inquiry from Jan Alwine.

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**Motion by Barry Gainer, seconded by Jan Alwine, to accept the recommendations of the Mims-Scottsmoor Community Center Referendum Committee which were for the Salib property as first choice, the Whitten property as second choice, and that the other properties be eliminated.**

**AYE: Beck, Clay, Dames, Gainer, Gossett**

**NAY: Harris** **Carried 5-1**

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Mr. Newman left the meeting during the discussion and was not present at the time of the motion/vote.

Prior to the vote, Neta Harris noted that with no reflection on the Whitten property, she didn't believe it would be the best choice with the issues involved and asked how diligently the work would be with the Salib's to purchase their property. Ms. Pardi indicated staff would go by the direction given and if so desired, staff could check out both properties and costs, and then come back for a final decision. Terry Lane added it would take a super majority of the BoCC to go above appraised value.

Following the vote, the chairman called for a five-minute recess.

## VI. NEW BUSINESS

A. Fiscal Year 2009-2010 Preliminary Budget—Mr. Lane gave an overview of the budget noting it will be another challenging year and the budget process won't be complete until the second budget hearing in September. He announced there is a budget workshop on August 27 at 9 a.m. The total budget reduction is 19.43% and previous reductions were 9% and 13% so now it is cutting into flesh and bone. The MSTU reduction is over 11%. The Referendum reduction is 49.4%, and general fund reduction is over 18%. He reviewed the far right balance forward column on the summary page and reported this year the BoCC approved Parks Operations using balance forward to save nine full-time positions that would otherwise be on the September 2009 layoff list. If there is balance forward next year, it will be readdressed in that budget cycle. The total operating budget is almost \$11.2 million, and operating referendum is about \$2.6 million which leaves about \$9 million to run the operation.

Chairman Beck offered to represent the board at the budget workshops. Rev. Dames asked to know about

the workshops. Terry Lane stated there are opportunities at the workshops for citizens to voice their opinions of quality of life and what they would like in their communities.

In response to an inquiry from Rev. Dames, Terry Lane reported although nine positions are being saved with the balance forward, all vacant positions are being eliminated and one filled position will be a layoff candidate, but it is not a position that would leave staff limitless in the operation.

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**Motion by Neta Harris, seconded by Barry Gainer, to approve the proposed fiscal year 2009-2010 budget.**

**AYE: Alwine, Beck, Dames, Gainer, Gossett, Harris**

**NAY: None** **Carried 6-0**

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## B. Recreation Partner Applications

1. Progressive Action Society, Inc.—Terry Lane reported that this non-profit organization has been working with the community at Gibson Complex for 32 years and the County is looking to pass on more direct costs such as electricity to all organizations. The organization has been under a lease agreement that is being changed to a recreation partner agreement to streamline the process and tighten up requirements for the organization such as background screening, maintaining a non-profit status, and to benefit the community.

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**Motion by Neta Harris, seconded by Glenn Dames, to approve the Progressive Action Society, Inc., as a recreation partner.**

**AYE: Alwine, Beck, Dames, Gainer, Gossett, Harris**

**NAY: None** **Carried 6-0**

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2. Titusville Area Model Railroad Club, Inc.—Terry Lane reported this organization is also changing from a lease agreement to a recreation partner. Bill Gillespie, president, reported this recreational organization promoting model railroading has been at Gibson for several years and currently the club has three operating layouts: one large O (Lionel) gauge scenic, one rather large HO scenic, and one N gauge is about 40-50% scenic and still under construction, but operating. He invited all to drop by Mondays from 7-9 p.m. The meetings are open to all and they are constantly recruiting new members.

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**Motion by Dick Gossett, seconded by Barry Gainer, to approve the Titusville Area Model Railroad Club, Inc., as a recreation partner.**

**AYE: Alwine, Beck, Dames, Gainer, Gossett, Harris**

**NAY: None** **Carried**

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C. East Central Regional Rail Trail Management Plan  
Barbara Meyer reported that on December 2007 the state purchased the abandoned 52-mile FEC rail corridor, 11 miles of which are in Brevard. In December 2008 the state leased the corridor to Volusia and Brevard Counties for development and subsequent management that requires a management plan. Over the years promises have been made and the plan does include equestrian use. This is a draft of the 10-year plan and does not obligate the County to achieve all or any of the goals and it can be amended. The state has funded a preliminary development and environmental study that is being wrapped up. There will be a presentation to the Titusville City Council on August 25 and a second public meeting on September 21 at City Council Chambers. The maintenance schedule was prepared by Volusia County and is being revised to more accurately reflect costs for Brevard County and there will be inter-local agreements with the County's Public Works Department, Parks and Recreation, and the City of Titusville. The goal is to have citizens' support organizations similar to friends of the trail as public/private partnerships. Laurilee Thompson will be working on this to minimize maintenance costs.

In response to an inquiry from Barry Gainer about security and the trail becoming a homeless highway, Ms. Meyer indicated it is being addressed and experience with other trails is that most problems are prior to development. She noted a program called Crime Prevention through Environmental Design that promotes ways to control this environmentally with things such as hostile vegetation like rose thorn bushes to stop undesired use.

Neta Harris asked about equestrian use and if those funds would be co-mingled with the trail funds. Terry Lane responded the equestrians want access to the rail trail. Staff has been working with EEL for a possible trail head at the north end of Blounts Ridge adjacent to the trail and Referendum funds could be used for that, not for trail development. Ms. Meyer indicated they are looking for partnerships to maximize existing facilities, there would be no co-mingling of funds and no County funds have been identified for development or construction. Staff was tasked with securing state and federal funding and grants.

In response to an inquiry from Dick Gossett as to how involved the NBCPR will be in the development and construction of the trail, Terry Lane responded they would be just as involved as they are with other parks, similar to the trail at Wuesthoff off Barna. Ms. Meyer indicated she will come to meetings as needed and reported this trail will be a gem for economic

development, will provide great access to the beach and is part of the larger River to Sea Loop Trail that is a joint effort of five counties and is over 250 miles long from St. Augustine to the Space Center.

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**Motion by Neta Harris, seconded by Glenn Dames, to accept the East Coast Regional Rail Trail Management Plan as presented.**

**AYE: Alwine, Beck, Dames, Gainer, Gossett, Harris**  
**NAY: None** **Carried 6-0**

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## VII. REPORTS

A. Advisory Board Members on Assigned Parks—  
Barry Gainer asked about glass bottles on the fishing pier. Mr. Lane responded there will be restrictions and signage for safety reasons and stated there will be food and beverages on the deck at the concession.

B. City of Titusville—Councilmember Eigenmann stated his appreciation for everything the board is doing and for allowing him to attend.

C. North Area Parks Operations Staff—Mr. Lane drew attention to information on the Brewer Bridge and US 1 improvements in Titusville.

Chairman Beck thanked Judy Inman for keeping the advisory board informed.

The meeting adjourned at 6:50 p.m.

Respectfully submitted,

Ted M. Beck, Chairman

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