

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
9 MAY 2002

Mayor Carroll called the regular Town Council meeting to order at 6 pm. Immediately the meeting was adjourned to continue with the CRA meeting. At 6:35 pm, Mayor Carroll reconvened the regular Town Council meeting. Roll call was taken.

Present: Mayor Carroll
Councilman Bainter
Councilman DesGranges (absent)
Councilman Farley
Councilman Frucci
Councilman Koch

A quorum was present. Also present were Town Attorney Jeff McInnis, Town Manager/Clerk Nell Webb, Town Engineer Ed Stanford, Community Officer Frank Hawley, and Assistant Monika Gillette. Members of the audience included Betty Jordan, Joe Mittauer, Lee Forst, Jay Odom, Howard Kelly, William Sullivan, Duck Olsen, Jerry Carroll, Carol Moore, Bryan Dumka, Joyce Dumka, Thelma Kelly, Jimmy and Cory Henry and Lane Wright.

PUBLIC HEARING

Betty Jordon and Joe Mittauer opened the second public hearing as part of the Town's application for a CDBG grant. Mrs. Jordan and Mr. Mittauer gave an overall report of what could be done with the CDBG grant money. Mayor Carroll asked if anyone had questions. Mr. Odom stated he would love to see the lights chosen for Uptown Station continue down Eglin Parkway. Councilman Farley made a motion to have Mayor Carroll sign the CDBG application and have Betty Jordan submit it on the Town's behalf. Councilman Koch seconded the motion. The motion passed with Councilman Frucci casting a nay vote. Mayor Carroll closed the public hearing at 6:40 pm.

REGULAR BUSINESS

1. **Council Approval of Agenda** - Mayor Carroll asked for acceptance of the agenda with the addition of Action Item #4 – receipt of CRA recommendations and setting up future meeting for approval. Councilman Farley moved to accept the agenda with the change. Councilman Koch seconded it. The motion passed unanimously.
2. **Consent Agenda:** Mayor Carroll asked for acceptance of the consent agenda. Councilman Bainter moved to accept the consent agenda as submitted. Councilman Farley seconded it. The motion passed unanimously.

3. Visitors

1. Mr. Jay Odom approached the council and offered to mill Hughes Street and do curbing on his property in order for the road to be paved. He asked that the Town contribute \$12,000. Engineer Stanford stated that this pavement could last 3 to 5 years and is a good option for the Town until a funding source could be found for optimum paving. Councilman Bainter made a motion to proceed and allow Mr. Odom to work on the Town's right of way and to pay \$12,000 toward repaving of Hughes Street. Councilman Koch seconded the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea

The motion passed.

2. Mr. Lane Wright approached the Council with a request to build a cell phone tower in Glenwood Park. He said he would need a 35' x 55' piece of land with access from Opp Boulevard for ingress and egress of utilities. Mr. Wright said it would be a 130' single pole with no guide wires. Councilman Farley made a motion to research putting in the proposed cell tower and to hold a public hearing. Councilman Koch seconded the motion. The motion passed unanimously.
3. Resident Randy Drabczuk approached the council and asked for reconsideration of the Elm Tree Grant. Mrs. Webb explained the program again and answered questions from the Council. Councilman Farley made a motion to allocate funds for the Elm Tree Grant. Councilman Bainter seconded the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - nay
Councilman Koch - nay

The motion passed with Mayor Carroll casting the tie breaking vote.

4. Action Items

1. Mrs. Webb asked the Council for approval to purchase a new heat pump condensing unit for Town Hall. She stated she got 3 proposals, two from Cinco Bayou businesses. She stated her decision was to have Robert Redmond do the work based on the lowest price and comparable warranty. Councilman Koch made a motion to allow Mrs. Webb to purchase a new heat pump condenser unit. Councilman Farley seconded the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea

The motion passed unanimously..

2. Mrs. Webb asked for permission to have the Town participate in a DOT Traffic Signal Maintenance and Compensation Agreement. Councilman Bainter made a motion to allow participation. Councilman Farley seconded the motion. The motion passed unanimously.
3. Mrs. Webb asked for direction from the Council on whether or not to charge administrative fees to Mr. Morgan for abatement clean up of property. Councilman Frucci made a motion to charge the \$250 administrative fee. Councilman Koch seconded the motion. The motion passed unanimously.
4. Councilman Farley made a motion to receive the recommendation of the CRA and set a public hearing at the next council meeting. Councilman Koch seconded the motion. The motion passed with Councilman Frucci casting a nay vote.

Proclamations

1. A proclamation was submitted declaring May 12, 2002 as "Fibromyalgia Awareness Day" Councilman Farley made a motion to accept the proclamation. Councilman Bainter seconded the motion. Councilmen Frucci and Koch voted nay. The motion passed with Mayor Carroll breaking the tie with a "yea" vote.

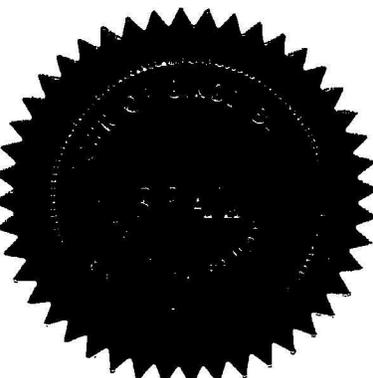
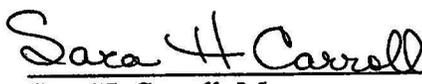
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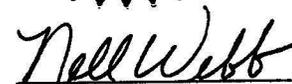
1. Engineer's Report. Engineer Stanford reported that the permit for the ditch had been received from DEP and that he was awaiting the permit from the Corps of Engineers. He also stated that the final drawings for Laguana and Glenwood parks were completed and would be available Tuesday, May 14 for review.
2. Attorney's Report. No report given.
3. Community Officer's Report. No report given.
4. Town Manager's Report - Town Manager/Clerk Webb submitted a written report.
5. Public Requests/Comments. None given.
6. Council Member's Comments/Reports: Councilman Farley stated that the bat house would be installed the week of May 24th and wants to have a ribbon cutting ceremony. He also asked that the Town recognize Mr. Jim Bratton at the next council meeting.
7. Mayor's Report – Mayor Carroll suggested that the Town participate in chartering a bus to the Florida League of Cities in Boca Raton in August. She said the cost would be about \$130 per person.

Adjourn – There being no further business, the meeting adjourned at 7:45 pm

ATTEST:

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Sara H. Carroll, Mayor


Nell Webb
Town Manager/Clerk

MANAGERS REPORT – MAY 9, 2002

1. **STATUS OF HUGHES STREET FUNDING:** *(See Agenda VISITOR Jay Odom Item #1)* Jay Odom, myself, the engineer and Councilman Bainter will meet on Monday at 1:30 to discuss Mr. Odom's proposal for repairs on Hughes Street. Mr. Odom has offered via phone call to fund the milling and replacement of curbs along his properties. County Manager Chris Holley via phone call has offered to resurface the street for \$12,000. These proposals do not include crack relief layer or aggregate cover layer, curb and gutter or rebuilding of curb inlets. Please see Exhibit A attached for the engineer's breakdown. The engineer will comment on the Pros and Cons of these proposals.
2. **CONSIDERATION OF PUTTING A TOWER IN GLENWOOD PARK:** *(See Agenda VISITOR Verizon Representative Item #1)* Verizon has offered to lease a portion of land in Glenwood Park 50' X 30' to put in a cell tower. The tower is a telescopic type pole (flagpole type) that has no guide wires and is made to collapse within itself rather than falling like the traditional type. It will be camouflaged to blend with the surrounding landscape. The revenue from this could be no less than \$10,000 a year. Maybe more depending on negotiations. Attorney McInnis has a copy of their basic contract as well as copies of FWB and Santa Rosa County School Board's to review for comparison. I am requesting that the council authorize Attorney McInnis and I to negotiate the terms of this contract contingent upon Attorney McInnis's approval of findings. The representative will be able to answer any questions you may have.
3. **RECONSIDERATION OF ELM TREE GRANT:** *(See Agenda VISITOR Randy Drabczuk Item #1)* Mr. Drabczuk has asked that this item be reconsidered. The Tree Committee voted to apply for the grant and made recommendations to the Council last year. The money was budgeted in this fiscal year. We budgeted \$1500 and have spent \$49.71. See general ledger number 579.630 – TREE/BEAUTIFICATION on page 4 of your Budget Report. The funds are still available. We need to match \$700.
4. **HEAT-PUMP CONDENSING UNIT:** *(See Agenda ACTION ITEMS Town Manager/Clerk Item #1)* The heat pump for the conference room has a leak in the coil that cannot be repaired. We have had freon added three times for a total cost of \$270 since the 11th of April. I have had three different vendors check the unit and all have said the leak is not repairable and recommend a new unit. Each have given a proposal. They are \$1580, \$1573, and \$1375. The \$1573 and \$1375 offer the best warranty and all three propose the same units. I have chosen to go with the \$1375.
5. **PARTICIPATION IF DOT TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT:** *(See Agenda ACTION ITEMS Town Manager/Clerk Item #2)* This is a new program being offered for next fiscal year by DOT. At first I didn't think we qualified because Okaloosa County Maintains our two traffic lights, but because we pay for the power for the lights, we do qualify for up to \$500. The agreements are late getting to the cities, but we may have ours by the council meeting. Attorney McInnis will have to review it and if it meets his approval we will be able to participate. I am requesting the council approve our participation in this program and give Attorney McInnis and myself authorization to execute the agreement once it meets Attorney McInnis' approval. The deadline to return the agreement has been extended to June 15th. Please see copy of letter from DOT.
6. **ABATEMENT OF MORGAN PROPERTY ON KELLY STREET:** *(See Agenda ACTION ITEMS Town Manager/Clerk Item #3)* The abatement cleanup process has begun on this property and should be finished by this week. I need direction from the Council whether to charge Mr. Morgan the \$250 administration fees in addition to the fee for cleanup or to charge him just for the cleanup.
7. **STATUS DRAINAGE DITCH:** All additional request have been submitted to and received by DEP. Per a phone conversation on Thursday, May 2nd with Mary Jean Yon, Director of District Management, all request have been received and Cinco is at the top of their priority list. This phone call came to me after several phone calls placed by me to DEP and after numerous unreturned calls from Ms Yon. This is in direct contrast with comments from several DEP staff members that said earlier in the week that they had been pulled off all projects to work on rushing permits to the Governor for his signature for temporary docks for a \$30,000,000 boat show soon to take place. The Assistant Director also confirmed the comments from staff and stated that the boat vendors knew months in advance that the permits were going to be needed and waited until the last minute to request them. They all have including Ms Yon, confirmed that all items requested have been received. I would like to suggest that a letter/letters from the entire Council be sent to the Governor expressing concerns for these actions. These types of delays have caused several hundred dollars in unnecessary engineering fees.
8. **CRA:** *(See Agenda for CRA Actions A & B)* Resolution No. 2002-05 is an amendment to Resolution 2002-02 establishing the boundaries (which was basically the whole town). This Resolution redefines the boundaries. Resolution 2002-06 is adopting the Redevelopment Plan. Exhibits referenced in these Resolutions, if not included with your packets, will be available later along with a copy of the Plan. These items were not available at the time of this report.
9. I will be on vacation May 24th through May 31st.