

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
May 13, 2010 – 6:00 PM

Mayor Pro Tem Koch called the Regular Council meeting to order at 6:00 P.M. on Thursday, May 13, 2010. Following the Pledge of Allegiance and a silent prayer, roll call was taken:

Roll Call:	Mayor Farley (absent)	Mayor Pro Tem Koch
	Councilman Artabasy	Councilman Chubb
	Councilman Bratton (absent)	Councilman Driver

Also present at the meeting were: Town Manager/Clerk Nell Dykes, Asst. Town Manager Monika Gillette, Attorney Jeff McInnis, Engineer Ryan Christensen and Deputy Jim Welch. Guests were Jonah Bonner, Bob Bennett, Ursel Behnken and John Behnken.

Special Business:

1. Mayor Pro Tem Koch presented Monika Gillette a plaque in recognition of 10 years of service.

Regular Business:

2. **Council Approval of Agenda:** Mayor Pro Tem Koch asked for acceptance of the agenda. Councilman Artabasy made a motion to approve the agenda. Councilman Chubb seconded the motion. The motion passed unanimously.
3. **Council Approval of Consent Agenda:** Mayor Pro Tem Koch asked for acceptance of the consent agenda: Regular Council Meeting Minutes of April 8, 2010, Special Council Meeting Minutes of April 27, 2010 and Budget Status as of April 30, 2010. Councilman Chubb made a motion to approve the agenda. Councilman Driver seconded the motion. The motion passed unanimously.

ACTION ITEMS:

1. Discussion Item 1 – Backwater Development Property adjacent to Town Hall was moved to accommodate the speakers. Jonah Bonner of Prudential Commercial approached the Council to offer the sale of the property to the Town for \$885,000 but would entertain offers. Bob Bennett of First City Bank stated it was working with Backwater Development on the sale of the property and that the bank would consider financing the sale for the Town. Mr. Bonner stated there was no lien on the property and that there was an easement in place for access by the owner on Sleepy Oaks Drive. The Council asked for Town Manager Dykes to check on possible grants. Councilman Artabasy stated that he would not recommend the purchase by the town at that price.

2. And 3.

Attorney McInnis explained the need of obtaining the final utility easements to begin the Eglin Corridor project. He stated that he had talked with the owners of the Brown property and they were willing to grant an easement for the sum of \$3,000. He also stated the same offer was extended to the owners of Dan Findley Salon property but that town had received no reply by the Council meeting. Councilman Artabasy made a motion to authorize the expenditure of \$3,000 to both property owners for granting the required easements. Councilman Chubb seconded the motion. A roll call vote was taken:

Councilman Chubb	yes
Councilman Driver	yes
Councilman Artabasy	yes

The motion passed unanimously.

4. Attorney McInnis explained the need to provide a pledge to allocate annual funding for repayment of a loan to complete the Eglin Parkway Corridor project in order to obtain financing. He stated that all motions regarding the project are contingent on each other. Councilman Artabasy made a motion to have the Bond Attorney, Town Attorney and Town Manager prepare all required documentation for a loan with SunTrust in the principal amount \$200,000 for the Eglin Parkway Corridor Project in accordance with the banks letter of proposal as they submitted the best financing option in response to the Town's Request for Funding contingent on the determination by the Town Manager of the Bank's fees for banking services are reasonable. Councilman Chubb seconded the motion. A roll call vote was taken:

Councilman Chubb yes
Councilman Driver yes
Councilman Artabasy yes

The motion passed unanimously.

5. The Town Manager stated that two bids were submitted for the Eglin Parkway Corridor Project. Florida Construction and Development Corporation submitted a base bid of \$1,063,300 and NWF Contractors, Inc. submitted a base bid for \$1,257,757. Councilman Artabasy made a motion to award the bid to Florida Construction and Development Corporation in conjunction with and contingent on other motions passed for the Eglin Parkway Corridor project financing and easement acquisition. Councilman Chubb seconded the motion. A roll call vote was taken:

Councilman Chubb yes
Councilman Driver yes
Councilman Artabasy yes

The motion passed unanimously.

Councilman Chubb made a motion to authorize the Mayor and Town Manager to execute a contract with Florida Construction and Development Corporation contingent on confirmation that Gulf Power costs are within bid allowance, loan closing and attorney review. Councilman Artabasy seconded the motion. The motion passed unanimously.

6. Mayor Pro Tem Koch referenced a letter of concern from DCA regarding the CDBG Grant and the Eglin Parkway Corridor project. Councilman Artabasy made a motion to have the Town Manager and Attorney draft a letter to DCA in response to their concerns and to report on project status and such and ask for an extension for project completion. Councilman Driver seconded the motion passed unanimously.

7. Councilman Chubb made a motion to authorize the Town Manager to research and purchase new Certificates of Deposits with the best interest rates and terms. Both Councilman Driver and Artabasy seconded the motion. A roll call vote was taken:

Councilman Chubb yes
Councilman Driver yes
Councilman Artabasy yes

The motion passed unanimously.

DISCUSSION ITEMS:

1. **CRA/CDBG – Easement Update:** Nothing additional.
2. **Glenwood Park Drainage Culvert:** Engineer Christensen stated that the Corps of Engineers has flagged the wetlands and his surveyors would transfer the locations to the drawings. Councilman Driver voiced her concern over teens in the park and possible vandalizing. The council requested that Deputy Welch arrange to have pictures taken of the flag locations.
3. **Memorial Day Ceremony –** Councilman Artabasy stated if Mayor Farley was not able to attend he would represent the Town at the ceremony.

REPORTS:

Town Manager's Report: Ms. Dykes submitted a written report. Monika Gillette updated the council on the flooding of the bathrooms and carpet in town hall. Ms. Dykes congratulated Mayor Pro Tem Koch on being recognized for the Okaloosa County's Women's Wall of Honor.

Engineer's Report: nothing additional

Attorney's Report: nothing additional

Community Officer's Report: Officer Welch submitted a written report and added there had only been two accidents on Eglin Parkway which was lower than normal.

Public Comments/Requests: None given.

Council Member's Comments/Reports:

- Councilman Driver stated there was a light out at the boat launch.
- Councilman Chubb stated that Martin Automotive was closing.
- Councilman Artabasy stated he appreciated the work done for the Eglin Parkway Corridor Project.
- Mayor Pro Tem Koch announced upcoming meeting/closure dates.

Adjourn – There being no further business, the meeting adjourned at 6:55 pm.

ATTEST:



Carol Koch, Mayor Pro Tem



Nell Dykes
Town Manager/Clerk