

MEETING MINUTES
TOWN OF CINCO BAYOU
PUBLIC HEARING
REGULAR COUNCIL MEETING
November 14, 2019 at 6:00 p.m.

MAYOR HOOD CALLED TO ORDER THE PUBLIC HEARING AND REGULAR COUNCIL MEETING.

ROLL CALL:

MAYOR JEAN HOOD	P	COUNCILMAN DILLARD	P
COUNCILWOMAN DRIVER	P	COUNCILWOMAN ABERNATHY	P
COUNCILWOMAN KUNZMAN	P	COUNCILMAN COLE	A

Also present was Town Manager Keith Williams, Town Attorney Jeff McInnis, Town Planner Jack Dorman, Town Engineer Crystal Weatherington, Town Staff: Linda Barringer and Kevin Kyser. Jimmy and Kecia Nichols, and Representing U-Haul Corp: Chad Rome, Brandon Poole and Madison Wilson. Also present was Parker Destin, Okaloosa County Deputy, April Audet, Miguel Casillas and resident Mike McInnis.

OPEN PUBLIC HEARING

1. Town Attorney McInnis stated for the record he would like to submit to the Council a report from the Town's LPA that includes findings and recommendations to the Council regarding the rezoning of 200 Irwin Ave. which is before the Council for consideration.
2. Town Attorney Jeff McInnis gave the 1st reading of Ordinance No. 245.

ORDINANCE NO. 245

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING THE ADOPTED ZONING MAP AND REZONING THE PROPERTY LOCATED AT 200 IRWIN AVENUE FROM COMMERCIAL (C-2) TO PLANNED MIXED DEVELOPMENT DISTRICT(PMDD); PROVIDING FOR AUTHORITY; PROVIDING FOR PURPOSE; PROVIDING FOR LEGISLATIVE FINDINGS OF FACT; PROVIDING FOR APPROVAL OF THE REZONING AND AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC COMMENT: NONE

COUNCIL COMMENT: Councilman Dillard stated he feels this piece of property is important to the Town and speaking as a representative of the residents he missed Kmart and hopes the U-Haul Company will continue to add a benefit to the community not just of a service but also be aesthetically pleasing. Mr. Rome, representing U-Haul, stated he too hopes that this new endeavor will be an asset to the community. Mayor Hood stated that since there are a lot of green spaces planned to be used throughout the property, the landscaping will be a huge impact on the visual streetscape and property. Councilwoman Kunzman added that the biggest concern is the visual aspect of what it's going to look like. Knowing that it's going to look good, is important to our residents.

Councilwoman Abernathy made a motion to approve the 1st reading of Ordinance No.245. Councilman Dillard seconded the motion. *The motion passed unanimously*

CLOSE PUBLIC HEARING

REGULAR BUSINESS:

1. **Council Approval of the Agenda:** Councilman Dillard made a motion to approve the Agenda. Councilwoman Driver seconded the motion. The motion passed unanimously
2. **Council Approval of the Consent Agenda:** Councilwoman Driver made a motion to approve the consent agenda which includes the Meeting Minutes for the October 10, 2019 Special Council Meeting and Regular Council

Meeting as well as the Budget and Financial Status as of October 31, 2019. Councilwoman Kunzman seconded the motion. *The motion passed unanimously.*

ACTION ITEMS:

1. Councilman Dillard made a motion to approve the Development Order for Jimmy Nichols Towing and Repair, LLC located at 7 Hughes Street. Councilwoman Abernathy seconded the motion. *Motion passed unanimously*
2. Parker Destin candidate for the Okaloosa County Commissioner introduced himself to the Council.
3. Town Manager Williams addressed the Council regarding the actual quote the Town received after the last Council meeting or repaving Hughes Street. The actual quote for repaving Hughes Street was \$70,194.00 which was more than the price approved at the meeting last month.

Councilman Dillard made a Motion to approve the new quote for \$70,194.00 for repaving of Hughes Street. Councilwoman Abernathy seconded the motion. Roll call was taken:

Councilwoman Driver	Y	Councilwoman Abernathy	Y
Councilwoman Kunzman	Y	Councilman Cole	A
Councilman Dillard	Y	<i>Motion passed Unanimously</i>	

4. Town Manager Williams addressed the Council and stated he and Town Attorney Jeff McInnis have been in contact with the cell tower company Cellco Partnership DBA Verizon Wireless, who currently have a ground lease for the tower site in Glenwood Park, through it's agent American Tower for several months regarding a potential renewal of the existing tower site lease. As conditions for approval of the renewal the company has agreed to replace the fencing and the landscaping around the tower site as well as paid to the Town an early renewal/ renegotiation bonus. Mr. McInnis stated the Town entered the original lease agreement in August of 2004 and the agreement is set to expire in November 2024 so the Cellco Partnership DBA Verizon Wireless Company came in early to renegotiate. Part of the proposed first amendment to the Land Lease Agreement is that in return for renewing and extending the lease they will pay the Town a onetime renewal payment of \$40,000 and they will continue to pay the Town the rental payments that are called for in the original lease with annual increased adjustments to the rental fee as outlined in the original lease agreement. Under the lease renewal they will have the option to extend for another 8 additional 5 year terms. The Town has the ability to terminate the lease in the event there is a default of nonpayment or any other nonmonetary default that is not cured within the time frames as set forth in the land lease first amendment. The rent payments and annual escalation of rents will continue as well as the duty of the tenant to maintain the landscape and new fence. The recommended approval by the Council would be for the 1st amendment to the land lease agreement, a Memorandum of the Land Lease and a Resolution and Consent Affidavit that needs to be signed by all of the Council members.

Councilman Dillard asked about the timeline for the improvements. Mr. McInnis outlined the terms in the agreement that provide they have 12 months from the date of the renewal, to complete the improvements. Councilwoman Driver commented that as long as they maintain the fence and landscaping, it seems this is the biggest part that has been lacking. Attorney McInnis confirmed that they have to install an 8 ft tall security privacy fence and 6 foot vegetation.

Public Comment: NONE

Council Comment: Councilman Dillard made a motion to renew the land lease agreement and approve the 1st Amendment to the land lease agreement with Cellco Partnership DBA Verizon Wireless, through American Tower. Councilwoman Driver seconded the motion. Roll call was taken:

Councilwoman Driver	Y	Councilwoman Abernathy	Y
Councilwoman Kunzman	Y	Councilman Cole	A
Councilman Dillard	Y	<i>Motion passed Unanimously</i>	

Councilwoman Driver made a motion to approve the Resolution and Consent Affidavit by the Town of Cinco Bayou Town Council and the Mayor and to authorize the Mayor to execute the transaction documents.

Councilman Dillard seconded the motion: Roll Call was taken:

Councilwoman Driver	Y	Councilwoman Abernathy	Y
Councilwoman Kunzman	Y	Councilman Cole	A
Councilman Dillard	Y	<i>Motion passed Unanimously</i>	

DISCUSSION ITEMS:

Reports:

1. Town Manager's Report – Keith Williams – Written Report
2. Attorney's Report – Jeff McInnis
3. Town Planner's Report – Jack Dorman:
4. Engineer's Report – Crystal Weatherington: The Glenwood Park Project bill that we submitted to the house of representatives was filed with the sub-committee and the number if you want to follow this is: HB3207

Public Comments: NONE

Council Member's Comments/Request: Councilwoman Driver noted that there are some pretty big pot holes in front of Dollar General. Town Manager Williams confirmed that town staff has backfilled them but they need to be refilled.

Councilwoman Kunzman commented that she had visited the Mercy's Play and Stay and it is a very nice facility. Councilman Dillard commented that we probably need to put on our radar as more and more businesses open in the town, we may need to at some point talk about increase law enforcement.

Mayor's Comments/Announcements: We thank the Okaloosa Sheriff's Office for being at the Council Meetings. Also, she has received a lot of great feedback on the banners of the Okaloosa Public Arts.

DATES TO REMEMBER:

December 12, 2019 at 6:00 p.m. Regular Council Meeting followed by our Holiday Gathering,
(Please join us and bring your favorite dish)

December 24th and 25th, 2019 Town Hall will be closed for the Christmas Holidays.

January 1st, 2020 Town Hall will be closed for New Year's Day.

January 9, 2020 at 6:00 p.m. Regular Council Meeting.

January 16, 2020 the OCLOC Dinner hosted by the Town of Cinco Bayou.

ADJOURN: After no further business the Regular Council Meeting adjourned at 6:41 p.m.

ATTEST:




 Mayor Jean Hood

 Keith Williams, Town Manager/Clerk