

MINUTES
Special Meeting
January 23, 2017
5:00 P.M.

The Special Meeting of the Crestview City Council was called to order at 5:00P.M. Members present were: President Joe Blocker, J B Whitten, Shannon Hayes, Bill Cox, and Doug Faircloth. Also present were, Mayor David Cadle, City Clerk Elizabeth Roy, and the City Attorney Ben Holley, Department Heads and members of the press.

1. Call to Order

This meeting was called to order by Mr. Blocker at 5:30 p.m.

2. Pledge of Allegiance

The pledge was led by Mayor Cadle.

3. Open Policy making and legislative session

4. Public Opportunity on Council propositions

5. Items for Discussion

a. Radio Tower Lease- Chief Traylor

Chief Traylor presented Council a contractual agreement between Lessor Whitaker Communications Company and the City of Crestview. For years Mr. Whitaker has allowed the City free access to the space at 7th Avenue and Highway 85, allowing the City to house equipment there, he has paid for the utilities and provided an emergency generator all at no expense to the City of Crestview. Mr. Whitaker notified the City in the fall of 2016 that there would have to be reimbursement for that space. After research and negotiating terms a contract was formulated for the review and approval of Council.

Mr. Faircloth stated that the lease and the amount is a reasonable but he has concern about Section 4 of the lease and asked if the City has any recourse or protection being that if the property becomes mortgaged to another lessor.

Mr. Holley, City Attorney answered that he could not adequately advise because he did not have any knowledge of the presented lease due to a conflict of interest. Mr. Holley informed Council that in the past he has drawn up leases for Mr. Whitaker.

Discussion ensued.

Mr. Jerry Milligan, stated that if there was a mortgage it does not affect the rights of the use of the property.

Discussion ensued relative to Mr. Faircloth's question.

Mr. Hayes asked Chief Traylor who prepared the lease.

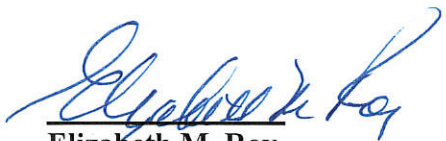
Chief Traylor answered that the City's land attorney Mr. Shirley and his partner in Tallahassee reviewed the lease.

A motion by Mr. Hayes to approve the radio tower lease presented with the change that the City Clerk will strike out the last line of Section 3. Seconded by Mr. Cox with 5 yeas from Mr. Hayes, Mr. Cox, Mr. Blocker, Mr. Whitten, Mr. Faircloth with 0 nays, motion carried.

6. Comments from the Audience

7. Adjournment

This meeting was adjourned by Mr. Blocker at 5:14 p.m.



Elizabeth M. Roy
City Clerk



Joe Blocker
Council President

Minutes approved this 13 day of MAY, 2017.