

AGENDA

January 9, 1997

Council Meeting

6 P.M., Town Hall

Town of Cinco Bayou, FL

THE MAYOR AND COUNCILMEMBERS WELCOME YOU TO THIS MEETING

1. Mayor calls the meeting to order. Stand for silent prayer and Pledge of Allegiance.
2. Roll call of Councilmembers
 - Bryan Beard
 - Rene' Chamberlain
 - Jim Kendrick
 - Carolynn Leach
 - Joseph Skelly
 - Mayor Drabczuk
3. Council Approval of Agenda
4. Consent Calendar:
 - A. Minutes of December 12, 1996, Council Meeting
5. Action Items:
 - A. Introduction and First Reading of Ordinance No. 172
 - B. Prioritizing Capital Improvements
6. Engineer's Report
7. Attorney's Report
8. Manager's Report
9. Public Comments. Please limit individual presentations to three minutes.
10. Councilmembers Comments/Reports
11. Correspondence
12. Mayor's Announcements
13. Adjourn

Town of Cinco Bayou, FL
Regular Council Meeting Minutes
January 9, 1997

1. Mayor Drabczuk called the meeting to order at 6:00 P.M. this date. Following silent prayer and the pledge of allegiance to the flag, roll call was taken.

2. Present: Bryan Beard
Jim Kendrick
Carolynn Leach
Joseph Skelly

Absent: Rene Chamberlain

Also present: Town Manager Elvin C. Bell, Secretary Faye Payne, Counsel Jeff McInnis and Engineer Richard F. Griswold

3. Council Approval of Agenda

Councilwoman Leach made a motion to approve the Agenda, seconded by Councilman Skelly. The vote to approve was unanimous.

4. Consent Calendar

A. Minutes of December 12, 1996, Council Meeting

Councilman Kendrick made a motion to approve the Consent Calendar, seconded by Councilman Skelly. The motion carried by a unanimous vote. The Mayor reported that the Manager and the Town Accountant have scheduled a meeting to review the monthly finance report and will amend it as previously discussed.

5. Action Items

A. Introduction and First Reading of Ordinance No. 172.

Mayor Drabczuk opened the public hearing and called on Counsel McInnis to read the Ordinance. After the reading, the Mayor invited public discussion. There was no response from the public to discuss the item. The Mayor closed the public hearing. Councilman Kendrick made a motion to accept and approve the introduction and first reading of the Ordinance. the motion was seconded by Councilman Skelly and the vote was unanimous.

B. Prioritizing Capital Improvement.

Councilman Kendrick suggested the Council schedule a Workshop Session on the subject. After some discussion, the Mayor asked the Manager to schedule the Workshop.

6. Engineer's Report

The Manager introduced the Town's new Engineer, Mr. Richard F. Griswold from the firm of Smith and Gillespie Engineers, Inc. Mr. Griswold thanked the Council and the Manager for the opportunity to serve the Town. He expressed his desire to keep the Council informed of engineering projects along with timeframes.

7. Attorney's Report

There was no report.

8. Manager's Report

Mr. Bell reported that the Boy Scout Eagle Award Project has started at Glenwood Park. He also noted that about six tons of debris have been cleared off several rights of way in the Town. He then distributed a progress report on weed/trash/debris clean-up and abandoned vehicle removal. The report was commended by Councilmen Kendrick and Skelly.

9. Public Comments

None

10. Councilmembers Comments/Reports

Councilman Kendrick commented on a recent Letter To The Editor in the Daily News and voiced his opposition to the points alleged in the letter.

Councilwoman Leach distributed a memorandum regarding her thoughts on finance administration, including the monthly finance report.

Councilman Beard expressed his appreciation to the Manager for recent improvements in rights of way debris clearance efforts.

11. Correspondence

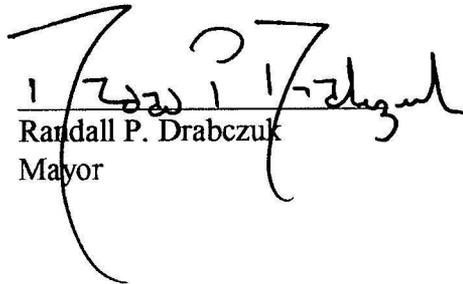
Manager Bell explained that all correspondence had been distributed to Councilmembers. Councilman Skelly reminded the Council of the letter the Manager distributed from Patricia M. Hollarn, Supervisor of Elections. Councilman Skelly noted that the item should be recorded in the Minutes, and he asked the Manager to report on Councilmembers whose seat will be up for election in March. The Manager reported the seats up for election will be Councilmembers Chamberlain, Kendrick and Skelly.

12. Mayor's Announcements.

The Mayor announced that the next potluck dinner would be on January 21st at 6:30 P.M.

13. Adjourn

The Mayor asked if there was any further business to come before the Council, and hearing none, adjourned the meeting at 6:55 P.M.


Randall P. Drabczuk
Mayor

Attest:

Elvin C. Bell
Manager/Clerk



ORDINANCE NO. 172

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF CINCO BAYOU, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

Section 1. The Code entitled "Code of Ordinances, Town of Cinco Bayou, Florida" published by Municipal Code Corporation consisting of chapters 1 through 94, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before April 11, 1996, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not to exceed \$500.00, or by imprisonment for a term not to exceed 90 days, or by both such fine and imprisonment. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the

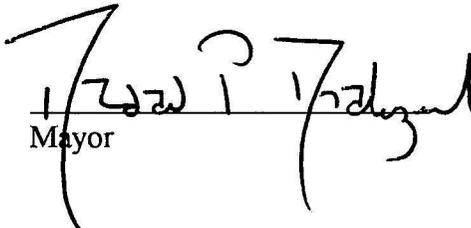
penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in the form as to indicate the intention of the town council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after April 11, 1996 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

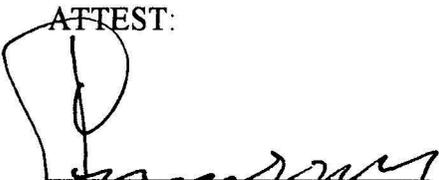
Section 7. This ordinance shall become effective as provided by law.

Adopted by the Council this 13 day of February, 1997.



Mayor

ATTEST:



Town Manager/Clerk

TOWN OF CINCO BAYOU

Capital Improvement Listing

20-May-96

1. Francis Park:

- | | |
|--|----------|
| a. Enlarge parking area from 6 to 12 spaces & stripe | \$2,000 |
| b. Sea Wall repairs | \$10,000 |
| c. New Park Sign | \$2,000 |
| d. Repair fence between Kidd Bayou Oaks and Park | \$750 |
| e. Maintenance of retention pond | \$500 |

2. Laguna Park:

- | | |
|--|----------|
| a. Replace fences on both sides | \$10,000 |
| ✓ b. Repair irrigation system/pipes/sprinklers | \$3,000 |
| c. Replace zone valve | \$1,000 |
| d. New Park Sign | \$2,000 |

3. Leyenda Park: *Winn Davis*

- | | |
|------------------------------|---------|
| a. Paint Town Hall | \$5,000 |
| b. Paint railing around deck | \$480 |
| ✓ c. Repair drainage pipe | \$2,000 |
| ✓ d. Replace columns | \$800 |
| ✓ e. Replace front door | \$800 |

4. Street Paving

- | | | | |
|----------------|--------|-----|----------|
| a. Opp Blvd | 3520 | 4.5 | \$15,840 |
| b. Opp Rd | 1619.2 | 4.5 | \$7,286 |
| c. Troy Street | 3520 | 4.5 | \$15,840 |
| d. Kelly | 1760 | 4.5 | \$7,920 |
| e. Luverne | 3520 | 4.5 | \$15,840 |

5. Stripe all streets

\$20,000

6. Street Repair

- | | |
|---|----------|
| ✓ a. Repair drainage under Yacht Club Dr., then repair street | \$10,000 |
| b. Replace drains on Opp Blvd | \$5,000 |
| c. Cost of redesigning triangle at Opp/Garnett/Troy | \$2,500 |

7. Boat Ramp

- | | |
|--|---------|
| a. Sea Wall repairs, East and West of ramp | \$2,000 |
|--|---------|

TOTAL

\$142,556

January 3, 1997

STREET	DESCRIPTION	STATUS
7 Hughes St	Weeds/trash	In process of cleaning
21 Kelly St	Weeds/trash	In process of cleaning
25	Buildings/weeds	Abated
27A&B	Weeds/trash	Abated
36	Vehicles/weeds	Abated
37	Vehicles/weeds	In process
30	Boat parts	Abated
205	Vehicles	Abated
40	Weeds/trash	Abated
90 Yacht Club Dr	Weeds/trash/Unsafe Bldg.	In Process
92	Weeds/Debris	In Process
26	Weeds/trash	Abated
23	Trash/debris	Abated
10	Town Hall Fence Drainage/culvert	Abated On CI list*
Laguna Park	Sprinklers/fences	On CI List
55	Debris/weeds	Abated
254 Sea Way Ave	Vacant house/weeds	Abated

22 Lucile St	Rusty mailbox/Debris	Abated
81 Beal Pkw	Trash/debris	Abated
91A	Trash/debris	Abated
81A	Trash/debris	Abated
79	Trash/debris	Abated
83	Trash/debris	Abated
85-B	Trash/debris	Abated
91	Trash/debris	Abated
85-A	Trash/debris	Abated
89-B	Trash/debris	Abated
79	Trash/debris	Abated
89-A	Trash/debris/damaged fence	Abated
184 Eglin Parkway	Trash/debris	Abated
188	Trash/debris	Abated
181	Hedge needs trimming	Abated
180	Furniture Dumped	Abated
150	Permit Reroofing/Fence Const.	Abated
178	Trouble with hobos	Abated
226 & 200 Troy St	Trash/Debris/Appliances	Abated
216	Trash/Debris/Weed	Abated
237	Right of Way/Sign	In Process
200	Appliances/Debris	Abated
290 Kidd Street	Weed/Trash/Storm Debris	Abated
Francis Park	Sprinklers/Parking/Landscaping	CI

Andalusia Street	Car Port	Abated
Eglin Parkway	Compass Bank sign on South side	Deleted
Hardee's Restaurant	Banner on post on E side Property	Abated
Amoco Svc Station	Barrels of Sod and water	Abated
Bellissimo	Hobos	Abated
Luverne Street	Abandoned Vehicles	Deleted
Cinco Bayou Bridge	Graffiti on Bridge	Abated
Opp Blvd	Culvert (if approved)	Abated
197	Vacant Building	Abated
Opp Street	Dumped Furniture on vacant lot	Abated

*Capital Improvement List

January 3, 1997

TO: Mayor and Councilmembers
SUBJECT: Innovative Revenue Sources (Informational Item)
FROM: Elvin C. Bell

During the past several months I have occasionally discussed with realtors and others in residential/commercial development the possibility of in-filling some of the available open land or vacant properties in Cinco Bayou. We talked about the kind of orderly and progressive development that would be compatible with the Town. Either directly or indirectly, those discussions may prove to be fruitful. Within the past two weeks I have been approached by developers, representatives of developers and a property owner who have expressed strong interest in new construction and/or expanding their present operations here in Town.

Preliminary discussions point to separate development packages for two, maybe three, different sites. The acquisition and construction costs for the sites are about \$4 million. It is my understanding that plans are being drawn now for one of the proposed sites. Hopefully, it will be before the Council in the near future. It is my further understanding that another construction site will follow shortly thereafter.

The sites are the slab and all adjoining vacant property at the foot of the bridge, and two different locations on Eglin Parkway.

Commercial, multi-unit residential, professional offices and warehousing sites, such as those being considered in our jurisdiction, offer various forms of new revenue for the Town. For your consideration, the following innovative revenue sources are offered as near-term or long-term informational items:

I. Charges For Services

A. Interim Services Fee

1. This fee charges new development for its portion of the costs of general services (code enforcement, etc). It can also be specific to only one service such as fire protection.
2. Interim services fees offset some of the government's operating expenses that are incurred from the time a Certificate of Occupancy (CO) is issued until the property improvement is included on the tax rolls.
3. If a property improvement is given a CO on January 1 of any given year, it can take up to 27 months before a tax bill related to the improvement is paid.
4. The fee cannot be related to the valuation of the property, but must be linked to the benefits received by the property owner. It is calculated by identification of the service demands for different land use categories.
5. The fee is pro-rated based on the actual number of days between the date of the CO and the following January 1.

B. Transportation Utility Fee

1. The logic for this fee is similar to the reasoning used for an interim services fee or an impact fee.
2. The fee structure is developed based on trip generation rates and local traffic counts to charge certain land uses for their impact on roadways.

C. Public Works Services

1. A small fee (\$25.00) can be charged to developers for establishing each new street address.

2. In addition to fees for use of the government's right-of-way, fees can be charged to recover the costs of engineering services when streets are closed. A typical fee to close a street for a special event is \$300.00. The same fee can be applied to close a street for construction purposes.
3. There can also be a penalty for work in a government right-of-way without a permit. Double the amount of the permit fee can be charged.

D. Stormwater Utility Fee

1. This fee is charged based on each land parcel's contribution to stormwater runoff.
2. Fees are calculated based on lot size (equivalent residential unit).

II. Franchise Fees

A. "Roll-Off" Refuse Collection Service

1. This fee can be collected from a refuse company operating within the government's jurisdiction.
2. The following should be included in a franchise agreement to enhance revenues:
 - a. Franchise charge for each container pick-up (\$20.00).
 - b. Inspection and administration late fee for every container placed in service but not reported to the local government (\$50.00).
 - c. Penalty fee (10% first month) and interest fee (1% each month until paid).

B. Cable TV Service

1. This fee is levied on a company for its right to construct, operate, and maintain a cable TV system within a local government right-of-way.
2. Federal deregulation of the industry has made it possible for telephone companies to also offer this service.

3. Standard features for new revenue are:

- a. Require a \$10,000 application fee.
- b. Maximize the revenue percentage at 5%.
- c. Identify all possible types of revenue (advertising fees from parent company, leasing fees, internet charges).
- d. Require payments based on gross revenues, not receipts.

III. Other Fees

A. Personal Communication Services Lease

1. Governments are being approached by cellular communication providers to lease government property, including space on existing buildings, for antennas to provide personal communication services, a new form of cellular service.
2. A government is entitled to reimbursement for the use of its right-of-way.
3. The agreement should include base rent, an annual escalation factor and penalties and interest for late payment.
4. The agreement can also include free cellular phones and cellular phone service to government officials during the term of the contract.
5. If the phone company subleases space to another party, the government should receive a percentage of all such rents.

B. Concurrency Management Reservation Fees

1. The concurrency requirement means that needed public facilities will be in place "concurrent" with the impacts of new growth. It effectively regulates new growth based on available infrastructure.

2. Concurrency management reservation fees can be charged to developers for reserving capacity for their projects up to three years, at which time a building permit must be obtained.
3. Fee structures generally include an administration fee and a traffic impact fee (based on number of square feet).

Town of Cinco Bayou, FL
Workshop Meeting, Town Council
January 23, 1997

The Mayor called the meeting to order at 6:00 p.m.

Councilmembers Present: Rene' Chamberlain
Carolynn Leach
Joe Skelly
Mayor Randall Drabczuk

Absent: Bryan Beard
Jim Kendrick

Staff Present: Manager Elvin C. Bell, Counsel Jeff McInnis and Engineer
Richard Griswold

1. The Mayor opened the meeting at 6:00 P.M. this date by announcing the purpose of the Workshop Session was to prioritize the list of Capital Improvements that had been developed by the Manager and submitted to the Council in May 1996. The Mayor then called on the Manager to provide background and any current information on the list.

2. The Manager reviewed the documents he had sent to Councilmembers. The documents contained the Manager's draft guidelines on prioritizing the list. He then distributed a memorandum from Councilman Kendrick who was out of the state on business and could not attend the Workshop. The memorandum, as distributed, outlined Councilman Kendrick's views on prioritizing the Capital Improvement list.

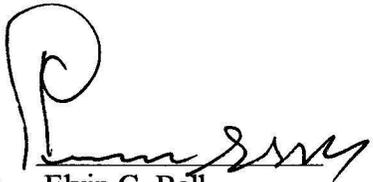
The Council discussed the merits of the Capital Improvements list and agreed through consensus to a priority for funding. The Council concurred with Mr. McInnis that the consensus agreement shall be placed on the next regular Council meeting agenda for discussion and action. The consensus for Capital Improvements was agreed to as follows: (1) The paving of Opp Boulevard; (2) The paving of Opp Road; (3) Repair of the Sea Wall at Francis Park; (4) The paving of Troy Street; (5) Replace/Repair the front columns at Town Hall; (6) Paint deck railing around Town Hall, and, (7) Replace the front door at Town Hall.

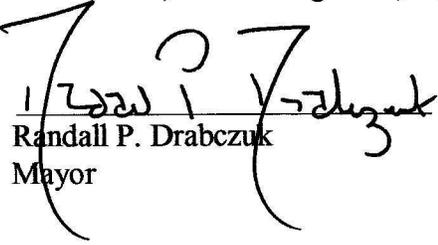
It was also agreed by consensus that should funding for a priority item exceed expectations, supplemental funding to cover the costs will be deducted from the next lower priority-rated item. Funds to accomplish the Capital Improvements shall be deducted from the

Town's reserve accounts, however, the net balance of such reserve accounts shall not be debited lower than \$100,000.00.

The Manager and Engineer briefed the Council on preliminary work now underway to repair the drainage system under Yacht Club Drive, as previously approved by the Council.

3. The Mayor asked for any additional comments, and hearing none, adjourned the session at 6:51 P.M.


Attest: Elvin C. Bell
Manager/Clerk


Randall P. Drabczuk
Mayor