

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
FEBRUARY 9, 1988

Mayor Laginess called the Regular Council Meeting to order at 6:02 PM.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL Present: Mayor Laginess
Councilwoman Buchanan
Councilman Davis
Councilwoman Dumka
Councilman Gage
Councilman Skelly

Also Present: Attorney McInnis Manager Borchik
Jim Shrine (PGDN) Secretary Kelley
Gary Grow W. E. Overstreet
Phil Babiak Jeff Prescott

REGULAR BUSINESS

Consent Agenda - Councilman Skelly made a motion to accept the Consent Agenda, specifically, agenda items 1, 5 & 6, seconded by Councilwoman Dumka. The motion was unanimously approved.

*1. Minutes - January 5 & January 12, 1988

2. Financial Report - Councilwoman Dumka made a motion to accept the Financial Report of January 1988, seconded by Councilman Davis. The motion was unanimously approved.

3. Laguna Landing - Mayor Laginess asked the Attorney to advise the Council of his findings relating to last week's discussion on the Laguna Landing project. Attorney McInnis stated that he had met with the Town Manager/Clerk and after reviewing the current codes pertaining to condemnation of hazardous and dangerous buildings, recommends that Chapters 4, 5 & 7 of the Code of Ordinances be updated and amended to include condemnation, specific options available and actions to be followed. Mr. Jeff Prescott was present representing the new developers and informed the Council that the new developers have indicated they planned to complete the project as planned and to begin construction as soon as they "closed" on the development loan. The Council agreed that they would like to have the developers present their plans and asked the Town Manager/Clerk to invite them to the next Council Meeting. Councilman Skelly made a motion to keep the Laguna Landing Project "red-tagged" until further notice, seconded by Councilman Davis. The motion was unanimously approved.

NOTE. At this point Attorney McInnis explained the necessity for adopting an ordinance pertaining to the maintenance and use of curbs, sidewalks, driveways and the right-of-way and the enforcement and manner for charging for any necessary repairs prior to any repairs being made or the new curb being put in place. It was agreed that there would be a workshop to review the amendments to chapters 4,5 & 7 and an ordinance pertaining to curbs, sidewalks and driveways on Tuesday, February 23, 1988 at 6 PM in the Town Hall

MEETING DAY CHANGE - At this point it was noted that the Town Hall would be closed on March 8, 1988 for the primary election. Councilman Gage made a motion to change the date of the regular Council Meeting to Wednesday, March 9, 1988 at 6 PM, seconded by Councilman Skelly. The motion was unanimously approved.

4. Yacht Club Drive Curb - Mr. Overstreet was present to review the plans for placing the curb along Yacht Club Drive. He indicated that the 6" "straight back" curb would require some additional designing in and around the driveway entrances for water control, however, no problems were expected. Final plans should be ready in about two weeks.

*5. Curb, Sidewalk & Driveway Repairs

*6. Clean-up Week - April 17 to April 23, 1988

7. Resolution 88-7 - "Walk for Hope" - Approval was received from the state to use the bridge in this march. Councilman Skelly made a motion to adopt Resolution 88-7, seconded by Councilman Gage. The motion was unanimously approved.

ATTORNEY'S REPORT - See item 3 and "NOTE" above.

COUNCILMEMBERS REPORTS/COMMENTS -

PUBLIC REQUESTS - Mr. Phil Babiak explained his reasons for using Laguna Park when placing additional sand along the waterfront behind the Moorings. He apologized for any damage done to the park and sprinkler system and agreed to repair any and all damage within the next six weeks.

COMMITTEE REPORTS

1. Administrative Committee - None
2. Finance & Budget Committee - None
3. Comprehensive Plan Committee - None

CORRESPONDENCE - None

TOWN MANAGER'S REPORT

1. The errors noted on the Okaloosa County Personnel Property Tax roll were passed on to the Property Appraiser's office, however, they have indicated that it is not possible to correct the errors in time for the Town to receive the taxes this year! The roll has been annotated with the correct taxing district to be used for next year's taxes.

2. The Auditor has informed the Town that IRS forms 1099 must be prepared for the annual amount of expense money given to the Mayor and Councilmembers. These will be prepared and mailed next week.

MAYOR'S ANNOUNCEMENTS - None

There being no further business, the meeting adjourned at 7:20 PM.



Mayor

Attest:



Town Manager/Clerk

NOTE: A mechanical recording has been made of the foregoing proceedings of which these minutes are a part and is on file in the Office of the Town Manager/Clerk.

RESOLUTION NO. 88-7

A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA PURSUANT TO HOUSE BILL 477 OF THE 1986 FLORIDA STATE LEGISLATIVE SESSION REQUIRING A RESOLUTION BY LOCAL GOVERNING AUTHORITIES TO ASSUME RESPONSIBILITY AND LIABILITY FOR STATE ROAD CLOSING BY THE PUBLIC ENTITY; PROVIDING THE EFFECTIVE DATE THEREOF.

WHEREAS, House Bill 477 of the Florida State Legislative Session became effective as law on July 1, 1986, and;

WHEREAS, House Bill 477 requires Public Entities desiring to close a State road for parade or other like purpose to submit a resolution or excerpts of the minutes in which the public entity assumes liability and responsibility for the foreseeable consequences of said closing.

NOW THEREFORE, on a motion duly made, seconded and unanimously approved, the following resolution is adopted by the Town Council of the Town of Cinco Bayou, Florida.

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

That the Town of Cinco Bayou, Florida, hereby expressly assumes responsibility and liability for all foreseeable consequences of the requested State Road closing for the "WALK OF HOPE" parade scheduled for Saturday, March 26, 1988.

This resolution shall become effective immediately upon its adoption.

Adopted this 9th day of February, 1988.

Approved:

Mayor

Attest:

Town Manager/Clerk