

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
10 FEBRUARY 2000

Mayor Drabczuk called the regular Town Council meeting to order at 6:00 P.M. Following a silent prayer and the Pledge of Allegiance to the flag, roll call was taken.

Present: Mayor Drabczuk
Councilwoman Carroll
Councilman Skelly
Councilman Williams
Councilman Kendrick
Councilman Payne

ALSO, PRESENT: Attorney Jeff McInnis, Town Manager Charles Turner, Assistant Nicole Wagner, Engineer Mark Schaeffer, Mrs. Kim Payne, Mr. Norm Frucci, Mrs. Deanna Frucci, Mr. Jim Bratton, Mr. Chuck Young and Mr. Bill Munkus.

PUBLIC HEARING

1. Ordinance No. 180. First reading of Ordinance No. 180, an ordinance amending Chapter 94 of the Code of Ordinances entitled metal buildings. Attorney McInnis read Ordinance No. 180 by title only. The Mayor asked for comments from the audience. Councilman Kendrick made a motion to approve the first reading which was seconded by Councilman Williams. The motion passed by unanimous vote.

2. Ordinance No. 179. Second reading and proposed adoption of Ordinance No. 179, an ordinance prohibiting overnight parking on commercial property. Attorney McInnis read Ordinance No. 179 by title only. The Mayor asked for comments from the audience. Councilman Payne made a motion to adopt the Ordinance and the motion was seconded by Councilman Kendrick. The motion was unanimously approved.

3. Ordinance No. 181. Second reading and proposed adoption of Ordinance No. 181, an ordinance amending Chapter 10 of the Code of Ordinances pertinent to animal control. Attorney McInnis read Ordinance No. 181 by title only. The Mayor asked for comments from the audience. Councilwoman Carroll made a motion to approve the second reading and Councilman Payne seconded the motion. The motion passed unanimously.

4. Ordinance No. 182. Second reading and proposed adoption of Ordinance No. 182, an ordinance amending the powers and duties of the Town Manager/Clerk. Attorney McInnis read Ordinance No. 182. The Mayor asked for comments from the audience. Councilman Skelly made a motion to accept which was seconded by Councilman Kendrick. The motion passed unanimously.

REGULAR BUSINESS

5. Council Approval of Agenda.: Manager Turner asked to modify the agenda by adding an action item. Councilwoman Carroll made a motion to approve the agenda. The motion was seconded by Councilman Payne. The motion passed with a unanimous vote.

6. Consent Agenda :Councilman Kendrick made a motion to approve the consent agenda. The motion was seconded by Councilwoman Carroll. The motion passed unanimously.

7. Action Items

A. Letter from Dept. Of Transportation regarding extension of contract- Mr. Turner presented the Council with a letter from the Dept. of Transportation which asked required a response for extension of the Town's contract with the State for State Road 85 maintenance. Manager Turner told the Council that he recommended the extension of the contract. Councilwoman Carroll made a motion to renew the contract. The motion was seconded by Councilman Kendrick and passed unanimously.

8. Engineer's Report- Mr. Shaeffer reported that he had inspected the curbs that Councilman Kendrick was concerned about. He said that it looked like the curbs had been replaced. He said that it did not appear to be a barrier for wheelchairs. Councilman Kendrick said that he did not think it was ADA compliant and Mr. Shaeffer said that he would look into what it would take to get it replaced. Mr. Turner said that there were other curbs with similar problems. Mr. Turner offered to inspect the problem and contact Mr. Shaeffer accordingly.

9. Attorney's Report- No report.

10. Town Manager's Report-

A. Manger Turner reported that Subway had purchased Rosa's Donuts and that they would like to put a Subway sign on three sides of the building. Mr. Turner asked the Council if there would be any objections to the three signs. After a brief discussion, Attorney McInnis said that they would need to apply for a waiver of variance.

B. Manger Turner explained that a Ms. Macille Ward, who is cleaning up Annie Griswald's house. had requested that her garbage fee for the past six months be waived. Mr. Turner explained that she was being charged for garbage pickup at that property but was not using the service. Councilman Kendrick made a motion to waive the garbage fee. The motion was seconded by Councilman Williams. The motion passed unanimously.

C. Manager Turner explained that the copier in Town Hall had quit and needed replacement parts. He suggested that the Town repair the copier and continue to use it as long as it will run and then buy a new one. Councilman Kendrick made a motion to approve Mr. Turner's suggestion. The motion was seconded by Councilwoman Carroll and passed with a unanimous vote.

11. Public Requests/Comments

A. Mr. Norm Frucci from the Kidd Bayou Oaks Homeowner's Assoc. made a request that the boating safety signs be replaced before the boating season began. Mr. Turner explained that the signs had been ordered and would be picked up as soon as they are ready. Mr. Turner also mentioned the concern for the buoy that had been struck by a boat and broken away from its correct position. Mr. Bill Sullivan, of Francis Park, expressed his concern about the floating buoy because it is a boating hazard. Councilman Skelly made a motion to allow Manager Turner to get estimates on the costs of replacing the buoy and the signs and putting them back where they belong. Councilman Payne seconded the motion. The motion passes unanimously.

12. Council-members Reports/Comments:

A.(1.) Councilman Skelly said he would like to have someone investigate the cat litter being dumped next door to Councilman William's house. The Mayor said that he had addressed the person doing the dumping. Mr. Turner said that he would send a letter over to the address concerning the dumping.(2.) Councilman Skelly also wanted to be sure that he had the correct information on who was running for office in March. (3.) Councilman Skelly asked what had happened with Deputy Sink and wanted to know why he had not been notified of the problems with the Community Policing program. Mr. Turner explained that Deputy Sink has increasingly began to act for the Township in an inappropriate fashion. Mr. Turner said that he had reported this to his Superior Officer and that Deputy Sink had been told that he was to keep Mr. Turner informed prior to taking action as stated in the contract with the Sheriff's Office. Mr. Turner gave some examples of Deputy Sink's actions. Mr. Turner said that he and Deputy Sink's Supervisors met and discussed the violations of the contract and they agreed that he should be replaced. Councilman Skelly said that he was upset because he was not kept informed about the situation.

Mr. Chuck Young, a local business manager, spoke about the improvements in the Town since Deputy Sink had arrived. He expressed that he would like for Deputy Sink to stay in Cinco Bayou.

B. Councilman Williams said that he felt that Deputy Sink should be given another chance.

C. Councilman Kendrick said that he felt that the Council should not get so heavily involved in the minute details in Town Hall. He expressed that this is the very reason that they hired a Town Manager.

D. Councilwoman Carroll expressed that the Council should be dealing with bigger issues and that personnel situations and minute details should be left for Manager Turner to handle.

E. Councilman Payne said that he had spoken with Deputy Sink's immediate supervisor, Corporal Lapee. He also felt that the Council should have been kept informed of this situation. Councilman Payne felt that he was receiving conflicting information regarding the situation with Deputy Sink from the Manager and Corporal Lapee and Deputy Sink. He said that this decision was unpopular with the people he had spoken to in the community.

Manager Turner said that he was informed in the first meeting with Major Coop and Mike Busbee that Corporal Lapee was a field commander and any discussion concerning the performance of Deputy Sink was to be directed to Deputy Busbee. After a brief discussion, Mr. Turner offered his resignation effective 11 April 2000 and offered to aid in the search for his replacement. Councilman Payne made a motion to accept Mr. Turner's resignation. Councilman

Williams seconded the motion. Councilman Kendrick then explained that the Town will have a hard time finding someone to come and work in Cinco Bayou. Councilmen Kendrick expressed that they were setting a dangerous position for the Town. After a brief discussion, Councilman Payne's motion passed by a 3 to 2 vote with Councilwoman Carroll and Councilman Kendrick opposing.

13. Correspondence

A. Manager Turner presented the Council with a sample letter of support of a Community Center Bill from Smith and Gillespie Engineers, Inc. Councilman Payne made a motion to accept the sample letter and support the bill. The motion was seconded by Councilman Kendrick and passed unanimously.

B. Manager Turner gave the Council a thank you letter from Celebration 2000.

C. Manager Turner gave the Council an invitation to a Workshop meeting in reference to Title Loan Companies from Fort Walton Beach.

Councilman Kendrick said that the street light on Yacht Club and Opp has been out for about 4 months. He also asked if a Cash Cow can legally be not permitted in Cinco Bayou.

Councilwoman Carroll reported on the EDC meeting she attended in Crestview with Mr. Turner. She reported that Okaloosa County will receive 39% of the grant money given out. She said that she had applications to a trip to Washington D.C. in May if anyone was interested.

Councilman Payne reported that he was unable to make the Okaloosa County League of Cities meeting this month.

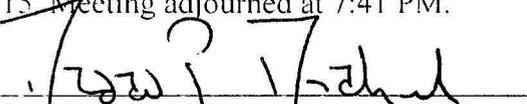
Manager Turner offered to assist the council in any way that he could until his replacement could be selected.

Councilman Payne made a motion to reinstate Deputy Sink. The motion was seconded by Councilman Williams. The motion failed to pass by a 3 to 2 vote with Councilwoman Carroll, Councilman Kendrick and Councilman Skelly opposing.

14. Mayor's Comments/Announcements

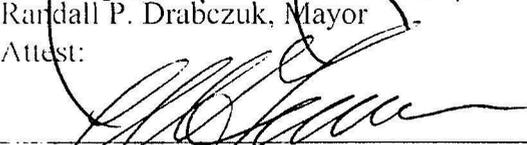
Mayor Drabczuk thanked Manager Turner for all of the things he had done for the Town, for getting things organized, functional and efficient in Cinco Bayou. The Mayor reminded everyone of the Picnic Tuesday, February 15, 2000 at 6:30 PM.

15. Meeting adjourned at 7:41 PM.



Randall P. Drabczuk, Mayor

Attest:



Charles W. Turner, Town Manager/Clerk

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