

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
February 13, 1975

Town officials in attendance: Mayor Ken Smith, Councilmembers Irene Balsley, Phil Johnston, Harold Peek, Robert Powell; Marshal Ray Elliott; Town Attorney Rick Powell and Recorder Dee Rouse. Councilwoman Iva Booher was absent due to Hospitalization.

Therefore, a quorum being present, Mayor Smith opened the Meeting at 7:30 p. m. with silent prayer.

1. & 3. MINUTES, REG MTG 1/9/75 and MINUTES, SPEC MTG 2/6/75. On motion by Mr. Peek with second by Mrs. Balsley minutes were approved as presented unanimously by Council.
2. MINUTES, SPECIAL COUNCIL MEETING, JANUARY 24, 1975. Clerk asked Council to by pass this item as he did not have minutes complete because he was awaiting additional information from Mr. Joe Etheridge.
4. FINANCIAL STATEMENT - JANUARY. On motion by Mrs. Balsley with second by Mr. Peek, Statement was approved as presented unanimously by Council.
5. ZONING REQUEST - SECOND READING. Mayor Smith informed Council that the Attorney for the four property owners had withdrawn the request for rezoning of lots 2, 3, 4, 14 and 15, Block 11 and Lots 2, 3, 13, 14 and 15, Block 18. He asked the Clerk to clear up all the loose ends on this request. (Note: Requestors will be billed).
6. INSURANCE - PRESENTATION BY MR. PELHAM. Mr. Vivion Pelham representing Sam Lindsey Insurance Agency presented estimates of premiums and coverages for liability, workmen's compensation, property and bonding for Clerk. He indicated he could give Council a firm figure on all these items within two weeks after he had surveyed the town along with one of his Company's representatives. After discussion, Mayor Smith summed up the Council's feelings by request that Mr. Pelham make this survey with the assistance of the Clerk and appear at our next Council meeting with firm dollar amounts for the different catagories of insurance.
7. SEWER.
 - a. 2ND ADD TO SEWER SYSTEM - REQUEST FOR FINAL PAYMENT (Tabled last Meeting). Mr. A. L. Nabors and Mr. Dean Crowder were present representing the Contractor and our Engineer, Mr. Miller Burt was also present.

Mr. Johnston explained that he had gone around with Mr. Crowder and checked out the list of items in our letter of Feb 8, 1975. Regulatory signs had been permanently installed and debris cleaned up. Also, that Contractor had a verbal agreement with Mr. Winston Walker, Investment Unlimited, to store the dirt on Block 28. It was decided that Contractor had done all he could in reference to the problem on Yacht Club Drive (Mr. Henley's property). Mr. Burt stated that the Contractor had done a good job and should be paid in full.

Mr. Peek moved that we pay the final payment (\$8,258.26) to Kenneth Crowder & Son & A. L. Nabors, Joint Ventures, with Mr. Johnston seconding. Yea votes; Mrs. Balsley, Mr. Johnston and Mr. Peek. No vote; Mr. Powell.

On request for immediate payment, Clerk informed Mr. Crowder that the Check would be ready by 10 a. m. Feb 14th.

b. 3RD ADDITION TO SEWER SYSTEM - KELLY AVENUE & BALANCE OF TOWN. Mr. Burt informed Council he could give them an estimated figure for the 3rd addition and he could proceed as soon as Council made a decision. He discussed the need for easements across several pieces of property.

Clerk informed Council that he had a letter from Mr. Morris as well as five verbal request from persons in this area requesting sewer be made available to them. Clerk also indicated that he had spoken to Mr. C. C. Ryals, owner of property at the Beal Parkway end of Kelly and that he thought Mr. Ryals would sign an easement through his property at no cost to Town.

Council was of the opinion for Mr. Burt to present his estimate as soon as possible.

8. CHURCH'S CHICKEN - SEWER CONNECTION. Clerk informed Council of events from January 8th to present. He indicated he had not plugged the sewer connection on January 10th as directed at the meeting of the 9th after finding out that Mr. Buck Smith, Smith Plumbing, had been before the County Commissioners. On January 27th he delivered a letter to Church's Chicken Manager Bob Hogg, sent a copy to President, Church's Chicken in San Antonio, copy to Mayor Smith and Chairman, Board of County Commissioners. Letter requested Church's to answer back by February 12th. As of this meeting time no communications had been received from them.

Clerk was redirected to plug their connection on February 14th. (Note: This was accomplished with assistance from Mr. Dean Crowder). (Copy of all correspondence to be attached to master copy of Council minutes).

9. CETA - COUNCIL'S APPROVAL OF PROGRAM AND AUTHORIZATION FOR MAYOR TO SIGN AGREEMENT WITH COUNTY. Mr. Powell moved to approve the CETA Program and authorize Mayor Smith to sign the Agreement with the County; with a second by Mrs. Balsley. Motion carried unanimously.

10. EQUIPMENT PURCHASE - PANASONIC TAPE RECORDER - \$129.95. Mr. Peek moved that purchase of subject recorder be approved, with a second by Mrs. Balsley. Motion carried unanimously.

11. EQUIPMENT PURCHASE - UNITREX "1200" CALCULATOR - \$49.99. Council had previously approved purchase of a calculator (Minutes, Nov 14, 1974). Clerk indicated this item being placed in minutes as a matter of record.

12. CLOSING LAGUNA PARK. Mrs. Balsley moved that the Park be closed until it has been cleaned out and refurbished for the public's use, with a second by Mr. Powell. Motion carried unanimously. (Note: Park was officially closed February 24th).

13. MUNICIPAL FINANCE OFFICERS ASSOCIATION MEMBERSHIP. Clerk informed Council he had received a letter from the State Chairman of MFOA inviting our Town to join the Association with a service fee of \$30.00 annually. Mayor Smith indicated he did not think we were ready for this and directed the Clerk to table the letter.

14. INVITATION TO COUNTY AIRPORT DEDICATION - FEBRUARY 22, 1975. Mayor Smith informed Council that all were invited to the dedication to be held at the Airport at 2:00 p. m.

15. CHANGE IN STATE REVENUE SHARING EFFECTIVE FEBRUARY 1975. Clerk informed Council that there was a projected decrease in revenue sharing fund but did not think it would effect Cinco as we were on a "guaranteed level" due to our size.

16. REQUEST FROM OWNER OF PONDEROSA STEAK BARN FOR BEER & WINE LICENSE. Clerk read the following letter from Mr. Richard G. Bixby:

Attached are two copies of Department of Business Regulation Form DBR 7122 requesting a beer and wine license for my restaurant. Would you please place this on the agenda for the city council's consideration.

I am planning this change in my operation in order to follow a proven trend in my industry and to maintain my competitive position. It is our plan to offer draft beer and wine by the glass or carafe. They are to be served with food only.

I will be happy to answer any question you or any member of the city council may have and appear before them at a future meeting.

Attorney Powell informed council current ordinance forbid sale within 2500 feet of a church. Mr. Johnston explained why the ordinance was written in the first place. Clerk questioned Attorney if Council legally could approve "tonight" Mr. Bixby's request; his answer was no he didn't think so.

Mr. Johnston moved that the ordinance be abolished. Motion died for lack of a second.

After a great deal of discussion, it was determined that the Attorney was to come up with an appropriate amendment to our ordinance for first reading at our next Council meeting.

17. LETTER - DOT - NEW ROAD FUNDS. Clerk informed Council of a letter from the Chipley DOT office pertaining to new road funds.

18. JIM KENDRICK - APPRECIATION TO COUNCIL. Mr. Kendrick indicated he came to the Council last Spring and thanked them for getting Fire Protection and now he wanted to thank them for getting the sewer in.

19. ANNUAL CONFERENCE FOR CITY OFFICIALS AND CITY ATTORNEYS. Mayor Smith informed Council of this conference, March 10, 11, 1975 to be held in Tallahassee. Asked council their feeling on sending Attorney Powell and paying his expenses.

Mr. Peek moved that his expenses be paid, seconded by Mr. Powell. Motion carried unanimously.

20. ADJOURNMENT. On motion by Mr. Peek with second by Mr. Powell meeting was adjourned at 9:30 p. m.

RESPECTFULLY SUBMITTED AS TRUE AND CORRECT TO BEST OF MY KNOWLEDGE.


JAMES O. GODWIN SR.
Town Clerk