

TOWN OF CINCO BAYOU  
SPECIAL COUNCIL MEETING MINUTES  
24 FEBRUARY 2000

Mayor Drabczuk called the special 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, Mr. Norm Frucci, Mr. Jim Bratton and Mr. Lee Forst.

**1. NEW BUSINESS**

A. The Mayor asked Councilman Skelly to begin since he called the special Council meeting. Councilman Skelly said that he felt that the Council needed to establish some direction for filling the Town Manager position. Mayor Drabczuk asked Attorney McInnis if the Town could recreate the procedures used previously to hire a Town Manger and Mr. McInnis said that the Council could choose which method to use for hiring a new Town Manager.

B. Councilman Kendrick then made a motion that the Council action taken in accepting Mr. Turner's resignation be rescinded. Councilwoman Carroll seconded the motion. The motion failed to pass with a 3 to 2 vote with Councilman Skelly, Councilman Williams and Councilman Payne opposing.

C. Councilman Payne made a motion for the Council to direct the Town Attorney to implement proceedings for the acquisition of a new Town Manager. Attorney McInnis said that the Council has the discretion as to which process they follow in hiring a new Town Manager. Manager Turner then suggested that the Council advertise the position with the Florida League of Cities, the ICMA newsletter and possibly use a Range Rider to assist. Mr. Turner explained that each of these forms of advertisement are free and will produce qualified candidates. Councilman Skelly made a motion that the deadline for submission of resumes for the Town Manger position be March 31, 2000. Councilman Payne seconded the motion. The motion passed unanimously. Manager Turner said that he would forward applications once he received resumes.

D. Manager Turner then asked the Council for guidance on several subjects.

1. Laguna Landing requested a temporary certificate of occupancy from Okaloosa County. The County will hold them accountable until all work is completed and will require written approval from Cinco Bayou prior to issueing a Temporary CO. After a brief discussion, Councilwoman Carroll made a motion to allow Manager Turner to take whatever steps necessary to protect the Town before issuing a certificate of occupancy. The motion was seconded by Councilman Williams. Councilman Payne suggested that the Town Engineer investigate. After a brief discussion, the motion passed with a 4 to 1 vote with Councilman Skelly opposing.

2. Manager Turner suggested that two steel posts be installed at the entrance driveway of Laguna Park and a chain be hung from the posts with the signs stating the park hours from 8AM to 8PM. He suggested that the chains be locked each evening. The Council had no objections.

3. Mr. Turner informed the Council that Assistant Wagner had submitted her resignation. Her last day will be March 31, 2000. He told the Council about a candidate who was qualified for the position and offered to hire her if there were no objections. After a brief discussion, Councilman Williams made a motion to hire the new assistant. The motion was seconded by Councilwoman Carroll. The motion passed with a 4 to 1 vote with Councilman Kendrick voting nay.

4. Mr. Turner said, without objection, he would cancel the reservations that were made for the Hurricane's Conference in May. The Council agreed that the reservation should be canceled.

5. Mr. Turner told the Council that, without objection, he would turn both his and Ms. Wagner's keys into the Mayor at the proper time, cancel insurance, credit cards and alarm codes.

6. Mr. Turner informed the Council about the new Community Policing Officer, Frank Hawley. Deputy Hawley will be in Cinco Bayou for a 90 day evaluation period.

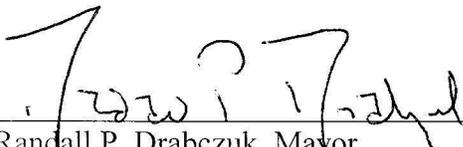
7. Mr. Turner informed the Council that Fort Walton beach is raising their cap on utilities from \$10 to \$50 and the Town may want to consider following suit.

8. Mr. Turner said that he would replace the copier with a new 9922DP model copier if there were no objections. There were no objections from the Council.

9. Florida estimates are in and the Town will receive the population waiver that they requested which will allow the Town to receive an extra \$5,000 this year.

10. Mr. Turner informed the Council that new Bayou signs have been ordered and will be picked up soon.

E. Meeting adjourned at 12:53PM.

  
\_\_\_\_\_  
Randall P. Drabczuk, Mayor

Attest:  
  
\_\_\_\_\_  
Charles W. Turner, Town Manager/Clerk

ORDINANCE NO. 180

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES OF THE TOWN BY ADDING NEW SECTIONS 94-114(g) AND 94-115(f), TO BE ENTITLED METAL BUILDINGS; PROVIDING FOR PROHIBITED ACTS; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cinco Bayou, Florida that:

**Section 1.** New Sections 94-114(g) and 94-115(f), Chapter 94, of the Code of Ordinances of the Town of Cinco Bayou, Florida are adopted as follows:

CHAPTER 94  
ZONING AND LAND USE CONTROLS

Sec. 94-114(g)

(g) **Metal Buildings.** Metal buildings that will front on a street within the town limits shall have either brick veneer, stone, stucco, or any other similar decorative materials added to the facade on the front of such building that faces the street and on the side of such building if the side faces a street. The decorative siding shall be optional on all other sides of the building not facing a street.

Sec. 94-115(f)

(f) **Metal Buildings.** Metal buildings that will front on a street within the town limits shall have either brick veneer, stone, stucco, or any other similar decorative materials added to the facade on the front of such building that faces the street and on the side of such building if the side faces a street. The decorative siding shall be

optional on all other sides of the building not facing a street.

**Section 2. Severability.** If any word, sentence, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 3. Repeal of Conflicting Ordinances and Resolutions.** All Ordinances and Resolutions of the governing body in conflict herewith are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall apply prospectively and shall become effective immediately upon its final passage and adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_,  
2000.

ATTEST:

THE TOWN OF CINCO  
BAYOU, FLORIDA

BY: \_\_\_\_\_  
Charles W. Turner  
Town Manager/Clerk (Seal)

BY: \_\_\_\_\_  
Randall P. Drabczuk  
Mayor

ORDINANCE NO. 179

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE TOWN BY ADDING NEW SECTION 90-67, TO BE ENTITLED PROHIBITION OF OVERNIGHT PARKING ON COMMERCIAL PROPERTY; PROVIDING FOR PROHIBITED ACTS; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cinco Bayou, Florida that:

**Section 1.** New Section 90-67, Chapter 90, of the Code of Ordinances of the Town of Cinco Bayou, Florida is adopted as follows:

CHAPTER 90  
TRANSPORTATION AND OFF-STREET PARKING AND  
LOADING

**Sec. 90-67. Prohibition of overnight parking on commercial property; penalty.**

(1) There shall be no overnight parking of any recreational or commercial vehicle, including a camper, trailer, pop-up camper, slide-in camper, camper shell, camper cabin, travel trailer, motor or mobile home, converted bus, car trailer, light-duty utility trailer, all-terrain vehicle trailer, raft, raft trailer, semi-trailer, truck trailer, truck tractor, or truck of three-quarter-ton capacity or greater, on any commercial property or public property, within the Town Limits, unless such vehicle or trailer is owned by the property owner, the property is owned or leased by an individual or entity in the business of selling, buying or leasing recreational vehicles, or the business on the property is operated as an overnight camping facility.

(2) Any person convicted of violating the provisions of Section 90-67 of this Chapter shall be punished as provided in Section 1-7 of Chapter 1 of this Code and in Section 2 - 107 of this Code.

**Section 2. Severability.** If any word, sentence, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 3. Repeal of Conflicting Ordinances and Resolutions.** All Ordinances and Resolutions of the governing body in conflict herewith are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall become effective immediately upon its final passage and adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

ATTEST:

THE TOWN OF CINCO  
BAYOU, FLORIDA

BY: \_\_\_\_\_  
Charles W. Turner  
Town Manager/Clerk (Seal)

BY: \_\_\_\_\_  
Randall P. Drabczuk  
Mayor

ORDINANCE NO. 181

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING SECTION 10-2, ENTITLED APPLICABILITY OF COUNTY ORDINANCE; PROVIDING FOR THE APPLICATION OF THE COUNTY ORDINANCE PERTINENT TO ANIMAL CONTROL; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cinco Bayou, Florida that:

**Section 1.** Section 10-2, Chapter 10, of the Code of Ordinances of the Town of Cinco Bayou, Florida shall be replaced in its entirety with the following language:

CHAPTER 10  
ANIMALS

**Sec. 10-2. Applicability of county ordinance.**

Okaloosa County Code Chapter 5, entitled Animals and Fowl, as may be amended from time to time, and any successor ordinance thereto dealing with animal control, shall apply and be enforced within the Town.

**Section 2. Severability.** If any word, sentence, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 3. Repeal of Conflicting Ordinances and Resolutions.** All Ordinances and Resolutions of the governing body in conflict

herewith are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall apply prospectively and shall become effective immediately upon its final passage and adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

ATTEST:

**THE TOWN OF CINCO  
BAYOU, FLORIDA**

BY: \_\_\_\_\_  
Charles W. Turner  
Town Manager/Clerk (Seal)

BY: \_\_\_\_\_  
Randall P. Drabczuk  
Mayor

ORDINANCE NO. 182

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING SECTION 2-72, ENTITLED POWERS AND DUTIES; PROVIDING FOR POWERS AND DUTIES OF THE TOWN MANAGER/CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cinco Bayou, Florida that:

**Section 1.** Section 2-72, Chapter 2, of the Code of Ordinances of the Town of Cinco Bayou, Florida shall be replaced in its entirety with the following language:

CHAPTER 2  
ADMINISTRATION

**Sec. 2-72. Powers and duties.**

The town manager/clerk shall be responsible to the town council for the proper administration of all administrative and fiscal affairs assigned to him/her. To that end he/she shall have the responsibility for and be required to:

- (1) Manage, supervise and direct the day to day operations of the town and the work of the town's employees to include establishing work priorities and schedules.
- (2) Appoint and, when necessary for the good of the town, suspend or remove any employee of the town, subject, however, to compliance provisions of general law, the town Charter and ordinances.
- (3) Keep the town council advised of the financial condition

and future needs of the town, and make such recommendations as he/she may deem desirable. Prepare and present any financial reports requested by the town council.

- (4) Prepare and present the annual operating budget and estimates of revenues and expenditures to the town council and be responsible for the proper administration of the operating budget after its adoption.
- (5) Recommend to the town council the adoption of such measures as he/she may deem necessary or expedient for the health, safety or welfare of the community, or for the improvement of the administrative and financial services.
- (6) Attend all meetings of the town council and furnish pertinent information on matters coming before the council.
- (7) Establish purchasing procedures for the purchase of all materials, supplies, services and equipment and supervise all purchases for which funds are provided in the budget or by vote of the council.
- (8) Insure that all franchises, permits, licenses and privileges granted by the town are faithfully observed.
- (9) Make regular inspections of the physical properties of the town and if necessary, initiate appropriate maintenance work within the limits of the town budget, not to exceed five hundred dollars (\$500.00) per occurrence.
- (10) Insure that all state statutes, ordinances, resolutions or motions of the town council are duly enforced to the best of his/her capabilities.
- (11) Prepare and maintain the minutes of the town council meetings and all other official records and files in accordance with the procedures and practices established by the Secretary of State.

- (12) Prepare and maintain financial records in accordance with state statutes, Rules of the Auditor General and the Uniform Accounting System as presented by the Office of the Comptroller.
- (13) Prepare and cause to be published all public notices required by state statutes, ordinances, resolutions and motions of the town council.
- (14) Perform such other duties as may be required by the town council, not inconsistent with the town Charter, state statutes, ordinances or resolutions.
- (15) Provide the mayor and town council members with all requested information and assistance.

**Section 2. Severability.** If any word, sentence, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 3. Repeal of Conflicting Ordinances and Resolutions.** All Ordinances and Resolutions of the governing body in conflict herewith are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall apply prospectively and shall become effective immediately upon its final passage and adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

ATTEST:

THE TOWN OF CINCO  
BAYOU, FLORIDA

BY: \_\_\_\_\_  
Charles W. Turner  
Town Manager/Clerk (Seal)

BY: \_\_\_\_\_  
Randall P. Drabczuk  
Mayor

Next mtg - COMES

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1-19-00

MS

**SMITH AND GILLESPIE ENGINEERS, INC.**

910 Airport Road, Suite A3  
Destin, Florida 32541  
(850) 837-2843  
FAX (850) 837-5938

P.O. Box 235  
Destin, Florida 32540

January 17, 2000

Mr. Charles W. Turner  
Town of Cinco Bayou  
10 Yacht Club Drive  
Fort Walton Beach, FL 32548

RE: Sample Letter

Dear Mr. Turner:

Enclosed is a sample letter to be sent to your State Senator and State Representative to show your support for the Community Center Bill. Hopefully enough support will be expressed so that the benefits from this grant program can be used to improve the Town of Cinco Bayou.

State Senator:

The Honorable Charles Clary  
Florida Senate, District 7  
Room 205, Senate Office Building  
404 South Monroe Street  
Tallahassee, Florida 32399-1100

State Representative:

The Honorable Jerry G. Melvin  
Florida House of Representatives  
District 4  
Plaza Level 1301, The Capitol  
Tallahassee, Florida 32399

Sincerely,

SMITH & GILLESPIE ENGINEERS, INC.



Mary L. Sperry  
Office Manager

Sample letter of support for:

COMMUNITY CENTER BILL

Send the following letter on your city/town letterhead to members of the Florida Senate and the House of Representatives.

The City/Town of \_\_\_\_\_ requests your support for Senator Kurth's Community Center Bill (SB 80) and the identical bill in the House co-sponsored by Representative Minton and Fasano (HB 481).

This proposed grant program would be helpful to our community in providing new construction or restoration of current facilities for a center to be used by all city/town residents. Many cities and towns would benefit greatly from the implementation of this bill - but especially small or rural communities which can least afford this expenditure.

Thank you for your past efforts on our behalf.

Sincerely,

Signed by appropriate elected official or designee.



P.O. Drawer 1209  
Crestview, FL 32536  
Telephone (850) 682-3812  
Fax (850) 682-4336

Mayor → File  
copy in courses  
Next mtg  
RECEIVED  
1/20/00  
MM

January 14, 2000

Mayor Randy Drabczuk  
Town of Cinco Bayou  
10 Yacht Club Drive  
Fort Walton Beach, FL 32548-4436

RE: Celebration 2000

Dear Mayor and Councilmembers:

On behalf of the Celebration 2000 committee, we would like to thank you for your contribution to our event on December 31, 1999. Without your participation we would never have been able to make this a successful event.

Many citizens of Okaloosa County have shown their gratitude that our group took the initiative to provide a family oriented millennium celebration.

Again, we greatly appreciate your support of Celebration 2000.

Sincerely,

A handwritten signature in cursive script that reads 'George H. Whitehurst'.

GEORGE H. WHITEHURST  
Mayor



# City of Fort Walton Beach

*America's Most Beautiful Beaches*

107 Miracle Strip Parkway, SW • P.O. Box 4009 • Fort Walton Beach, FL 32549

(850) 833-9509 • Fax (850) 833-9640

*Mtg File*  
*Copies in*  
*Prokuts*

January 27, 2000

**Helen Spencer**  
City Clerk

Mayor Randy Drabczuk  
Town of Cinco Bayou  
10 Yacht Club Drive  
Fort Walton Beach, FL 32548-4436

RECEIVED  
1/28/00  
*[Signature]*

Dear Mayor Drabczuk:

Fort Walton Beach Mayor and Council would like to invite you and your Council to a Workshop meeting in reference to Title Loan Companies. The workshop is scheduled for Monday, February 28, 2000 at 5:30 p.m. in our Council Chambers.

The Fort Walton Beach Title Loan Companies have been invited to attend this workshop. Mr. Bob Milligan, Comptroller, State of Florida and Kenneth Stanley, Jr. from his Pensacola office will also be in attendance as well as official from the Salvation Army, Eglin Air Force Base, Okaloosa County Manager, Chris Holley, and Okaloosa County Commissioners. There will be an official notification in the legal section of the NW FL Daily News on February 25, 2000 to notify other interested citizens.

We hope that the Town of Cinco Bayou will be represented and look forward to seeing you at the workshop on February 28<sup>th</sup>. Please call or contact this office should you need any further information.

Sincerely,

*Helen Spencer*  
Helen Spencer  
City Clerk