

TOWN OF CINCO BAYOU
SPECIAL MEETING
MARCH 10, 1986

The Special Meeting of the Town of Cinco Bayou Town Council was called to order by Mayor Pro Tem Laginess at 6 P.M.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Pro Tem Laginess requested the Clerk call the roll.

ROLL CALL

Present: Councilwoman Balsley
Councilman Davis
Councilman Gage
Councilman Laginess
Councilman Plaster
Absent: Mayor Perry

Also Present: Attorney McInnis Abbie Tyner
Bill Gregory Clerk Borchik
Jon Monteleone Secretary Horton
Sadie Robblee

1. Town Attorney Contract - After discussion, Mr. Gage moved to accept the attorney's contract with changes discussed - said retainer of \$250 is indicated for preparation time. The motion was seconded by Mr. Davis. The motion was unanimously approved on a roll call vote.

COUNCIL AS COMMITTEE MEETING

MINUTES - Mayor Pro Tem Laginess asked the Council to review the minutes of the February 10 and February 17, 1986 Town Council Meetings for approval at the next council meeting.

FINANCIAL REPORT - Mayor Pro Tem Laginess asked the council to review the financial report for February for approval at the next council meeting.

REGULAR BUSINESS

1. Tipping Fees/Landfill Use - Mr. Jon Monteleone - Mr. Bill Gregory, Environmental Waste, was present to explain the recently imposed tipping fees for the county land fill and their effect here in Cinco Bayou. The County is continuing to study the fees and the method for collecting them. For the present, residential customers in Cinco Bayou will be billed \$4.50 per three month period in accordance with the county ordinance.

2. Sign Ordinance Review - As a result of the Board of Adjustment recommendation to the Council, Mayor Pro Tem Laginess asked the Council to review the present sign ordinance in preparation for further discussion at the regular Council meeting.

3. Proposed Solicitation Ordinance - Following a discussion, the Council agreed to review the proposed county wide solicitation ordinance. The Town's current Occupational License Ordinance covers this topic but has not been challenged to date.

4. Francis Park Sprinkler System - The Clerk advised the Council that because of the close proximity of Francis Park to the bayou, there may be a problem obtaining fresh water for the park's irrigation system. The cost and feasibility of drilling a well as discussed along with the possibility of an irrigation tap into the water system. The Clerk will contact the local well driller for detailed information on a well.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME. None

COMMITTEE REPORTS

Standing Committees

1. Streets & Sidewalks - Councilman Davis, Chairman
Councilman Davis requested the installation of a sidewalk on the southside of Kelly Street. Councilwoman Balsley indicated that the budget would need to be reviewed before additional sidewalks could be constructed.

2. Parks - Councilman Gage, Chairman - No report.

3. Finance & Budget - Councilwoman Balsley, Chairman
No report

4. Waterfront - Boat Dock - Councilman Laginess,
Chairman - No report

5. Civil Defense - Councilman Plaster, Chairman
No report

6. Neighborhood Watch - Councilman Laginess, Chairman
No report

Special Committees

1. Bicycle Path - Councilwoman Balsley, Chairman
Councilwoman Balsley expressed the need for a pedestrian crosswalk signal at the corner of Yacht Club and Eglin Parkway. The Clerk will contact the Department of Transportation to see what criteria must be met in order to obtain a pedestrian signal.

2. Building Codes - Councilman Plaster, Chairman
No report

3. Comprehensive Plan - Councilman Gage, Chairman
Councilman Gage reported that he attended a Comprehensive Plan meeting held at the County Courthouse Annex on March 10, 1986. He informed the council that the Board of Commissioners wants to work with municipalities on the plan in order to produce coordinated plans. A discussion of the Comprehensive Plan followed.

4. Code of Ordinances - Councilmen Gage & Laginess
No report

ATTORNEY'S REPORT - Attorney McInnis reported that he will be out of town for three days as of the 20th of March.

CORRESPONDENCE

1. Letter - Okaloosa County Engineer - The Clerk advised the Council that the survey crew has examined the condition of the ditch in front of the Moorings and has looked into replacing the existing pipe. A cost estimate will be prepared for this project.

2. Letter - Mayor of Fort Walton Beach - Mayor Pro Tem Laginess informed the Council that Fort Walton Beach is hosting the League of Cities dinner, March 20, 1986 at Liollo's. Reservations must be in by March 17, 1986.

3. Letter - Okaloosa County Commission Chairman - This letter was discussed by Councilman Gage during the committee report on the Comprehensive Plan.

CLERK'S REPORT

1. The Clerk Advised the Council that an updated list of personnel and the new booklet on the Florida State Sunshine Law had been distributed to each member.

2. The Clerk advised the Council that because of the widening of Eglin Parkway, parking problems at First Federal Bank have increased and will become even more severe as the boating season begins.

3. The Clerk advised the Council that Mrs. Plaster had accepted her appointment to the Board of Adjustment.

4. The Clerk advised that the dues had been paid to the Panhandle League of Cities.

5. The Clerk advised that the No Parking signs had been posted at Laguna Park and appeared to be effective.

6. Councilwoman Balsley suggested that a letter of appreciation be prepared for Mrs. Knox. The Council agreed and asked the Clerk to draft a letter to be signed at the next meeting.

MAYOR'S ANNOUNCEMENTS

Mayor Pro Tem Laginess reminded everyone about the League of Cities dinner scheduled for March 20, 1986.

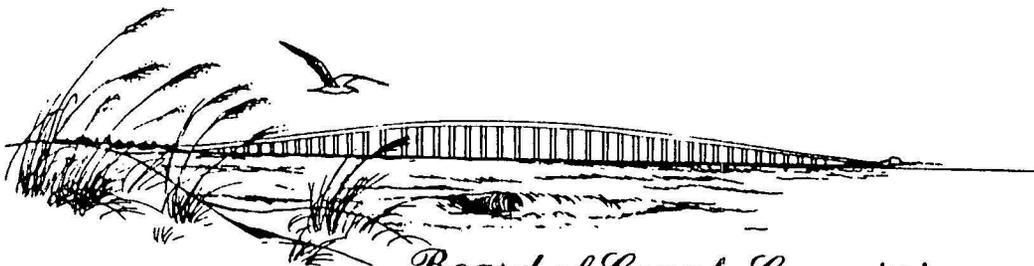
There being no further business, the meeting was adjourned 7:35.


MAYOR PRO TEM

Attest:


TOWN 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 Clerk.



Board of County Commissioners

County Seat
Crestview, Florida 32536
Tel. (904) 682-2711

Okaloosa County
Florida

Annex
Shalimar, Florida 32579
Tel. (904) 651-3710

9 January 1986

Environmental Waste Management
ATTN: Mr. Bill Gregory
P. O. Box 1120
Shalimar, Fla. 32579

Dear Mr. Gregory;

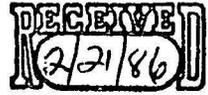
All roll-off/compactor containers will be charged \$25.00 to dump at the county landfills. The 20% commercial rate is to be added to all accounts other than the roll-offs and the areas where the \$1.50 residential rate applies.

If you have any questions regarding this matter please contact my office.

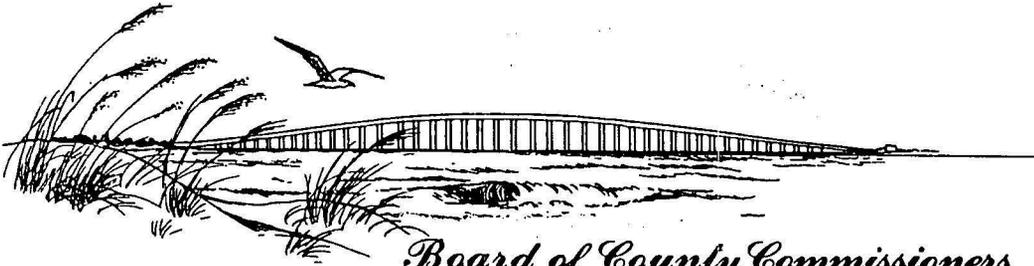

David F. Heinrich

County Engineer-Okaloosa County

Please Address Reply To:



1185
AGP



Board of County Commissioners

*County Seat
Crestview, Florida 32536
Tel. (904) 682-2711*

*Okaloosa County
Florida*

*Annex
Petaluma, Florida 32579
Tel. (904) 651-3710*

February 20, 1986

Town of Cinco Bayou
Mr. Albert S. Borchik, Jr.
Town Clerk
35 Kelly Avenue (Cinco Bayou)
Ft. Walton Beach, Florida 32548

Subject: Culvert Replacement
Yacht Club Drive @ Moorings

Dear Mr. Borchik:

A survey party will be scheduled to subject location very soon to spot utilities and gather data. A brief design followed by a cost estimate will then be necessary. We will look into the feasibility of a diagonal crossing; we will also look into the replacement of the existing pipe and a continuing pipe along the north ditch to the Usrey property.

I will be in touch with you prior to making a final decision on the pipe routing.

Sincerely,

DAVID F. HEINRICH
Okaloosa County Engineer

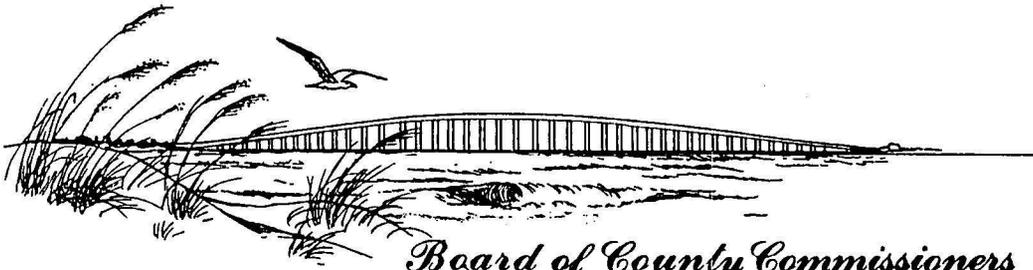
DFH/jk

cc: Lamar Booker/Rick Cosson
Engineering Department

Please Address Reply To:

RECEIVED
3/7/86

MSB
RJP



Board of County Commissioners

County Seat
Crestview, Florida 32536
Tel. (904) 682-2711

Okaloosa County
Florida

Annex
Shalimar, Florida 32579
Tel. (904) 651-3710

March 6, 1986

Honorable Ralph Perry
Town of Cinco Bayou
35 Kelly Ave. (Cinco Bayou)
Ft. Walton Bch., FL 32548

Dear Mayor Perry:

Although all of us have been making varying degrees of efforts in the planning process, a formal and concerted effort will be required to meet the Local Government Comprehensive Plans that will be required during the next few years.

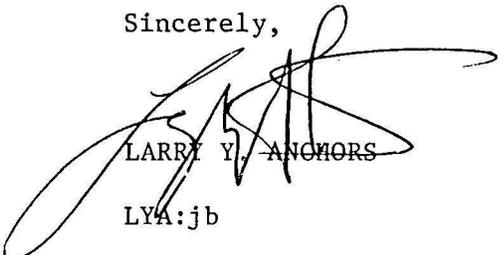
The Board of County Commissioners is required to have their plan completed by December of 1987. They are committing the county to meeting that date with a plan of superior quality that will not only meet the requirements of the law, but will also be a usable document that helps solve growth management problems.

The Board of County Commissioners feels that a better plan can be done at a lower price if the municipalities joined with the county in this effort.

A combined effort would not eliminate the need for a local plan, but would eliminate duplication of efforts and resolve commonality of boundary problems.

If your council would like to join in this effort please have a representative at the Shalimar Annex for discussion on Monday, March 10th at 9:30 AM. A briefing on the county's efforts will follow at 10:00 AM.

Sincerely,



LARRY Y. ANCHORS

LYA:jb

Please Address Reply To:

City of Fort Walton Beach

RECEIVED
3/3/86

MS
AGP

— Office of the Mayor

P. O. Box 4009 • Fort Walton Beach, Florida 32549

Telephone (904) 243-3141

March 3, 1986

The Honorable Ralph J. Perry
Mayor of Cinco Bayou
35 Kelly Avenue
Fort Walton Beach, FL 32548

Dear ^{Ralph} Mayor Perry:

The City of Fort Walton Beach is pleased to host the Spring Quarter meeting of the Okaloosa County League of Cities, scheduled for March 20, 1986.

The dinner/meeting will be held at Liollio's on Miracle Strip Parkway. Beginning at 6:00 p.m. there will be a cash bar and dinner at 7:00 p.m. The dinner will be a choice of two entrees, New York Strip Steak and Broiled Grouper.

Mr. Mike Zeigler, WFRPC, Director of Transportation, will be our guest speaker. His presentation will be on the Metropolitan Planning Organization and its impact on the local communities. There will be ample time for questions and answers following Mr. Zeigler's presentation.

Please advise Helen Spencer (243-3141 ext. 72) or Dixie MacDonald (243-3141 ext. 73) of the number of representatives from your municipality who will be attending the Spring Quarter meeting of the League, and your choice of dinner entree, by no later than noon March 17, 1986.

We look forward to seeing you on March 20th.

Sincerely,



JOHN L. SHORTALL, JR.
Mayor of Fort Walton Beach

JLS/ks



AMERICA'S MOST PATRIOTIC CITY

ORDINANCE NO. _____

AN ORDINANCE REGULATING SOLICITORS, CANVASSERS, PEDDLERS, DOOR-TO-DOOR SALES PERSONS, ITINERANT MERCHANTS OR TRANSIENT VENDORS OF MERCHANDISE IN AND ABOUT _____, FLORIDA, BOTH UPON THE PUBLIC STREETS AND PRIVATE RESIDENCES AND DECLARING THE SAME TO BE A NUISANCE: AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE _____, FLORIDA

ARTICLE I. DEFINITIONS

- 1) Peddlers or door to door vendors shall mean any person whether a resident of the _____ or not, traveling by foot, automotive vehicle, or any other type of conveyance, from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits or provisions, offering and exhibiting the same for sale or making sales and delivery of articles to purchase or who, without traveling from place to place, shall sell or offer the same from an automotive vehicle, wagon or other conveyance.
- 2) Canvasser/Solicitor means any person moving from place to place of business taking or attempting to take orders for the sale or purchase of goods, wares or merchandise for future delivery, or for services to be furnished or performed in the future. It shall include any person who, for himself, or others, for a period of less than _____, hires, leases, uses or occupies any building, structure, or room thereof, motor vehicle, or any other place within the _____ for the purpose of exhibiting samples or taking orders for future delivery of goods, wares, and merchandise.
- 3) Itinerant Merchants or Transient Vendors means any person who sells or offers for sale merchandise at any place in the _____ temporarily and who does not intend to become and does not become a permanent merchant at such place, and who for the purpose of carrying on such business, hires, leases or occupies, either in whole or in part a business location whether a structure, lot or parcel of land in _____ for exhibition and sale of any goods, wares, foods, or merchandise.
- 4) Religious Institutions shall mean churches and ecclesiastical or denominational organizations or other established physical places or worship.
- 5) Educational Institutions shall mean state tax-supported or parochial, church and nonprofit private schools and colleges conducting regular classes of study for accreditation within Okaloosa County.
- 6) Charitable Institutions shall mean only established nonprofit corporations, civic or fraternal organizations which provide charitable services within Okaloosa County.

ARTICLE II. COMMERCIAL PURPOSES

SECTION 1: Soliciting, peddling, door-to-door selling, exhibiting goods, wares, merchandise or magazines upon private property or the public streets without authorized permission is declared a public nuisance punishable as a misdemeanor. Solicitors, canvassers, door-to-door sales persons, itinerant merchants or transient vendors may be authorized to conduct commercial activity after complying with the terms and conditions set forth in this ordinance.

SOLICITOR'S PERMIT (NON-PROFIT)

Location: _____

Name of the organization: _____

Address: _____ City: _____ State _____

Business phone: _____

Name of the principal officers:

President: _____

Vice-President: _____

Secretary/Treasurer: _____

* If school organization, name of the faculty member in charge of the organization:

Name: _____ Phone number: _____

The receipts derived from this solicitation are to be used for the purpose of:

Name/s of those persons who will be in direct control/charge of conducting the solicitation (this section pertains to group leaders or "captains" that will actually be directing solicitors in the field.)

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____
* Attach addition list if more than five.

Outline the method to be used in conducting the solicitation: _____

List the dates and times the solicitation will take place:

Begin: _____ to _____

From (time): _____ to (time): _____

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§: Such persons or solicitors shall obtain from the _____ a solicitor's permit authorizing and permitting such person to carry on such solicitation said solicitor shall carry such certificate on his person and present same to and police officer, county/city official or any citizen on demand. The permit required by this ordinance shall be valid only within the hours of 10:00 a.m. and 4:00 p.m. on weekdays. Solicitation on weekends or at any other hour than specified is prohibited.

SECTION 3: Before any solicitor's permit shall be issued, a written application for such permit shall be sworn to and filed with _____ and said application shall contain the following information:

- (a) Name and description of applicant.
- (b) Permanent home address and full local address of application.
- (c) A brief description of the nature of the business and the goods to be sold.
- (d) If employed, the name and address of employer, together with the credentials establishing the exact relationship.
- (e) The dates and hours the solicitation are planned.
- (f) If vehicle is to be used, a description of same, together with license number or other means of identification.
- (g) In the case of solicitors, the place the goods or property proposed to be sold by order of future delivery or manufactured or produced, where such goods or products are located at the time said application is filed and the proposed method of delivery.
- (h) Two identical photographs of the applicant taken within sixty days immediately prior to date of filing of the application, which picture shall not be larger than 2" x 2" and not smaller than 1" x 1", showing the head and shoulders of the applicant in a clear and distinguishing manner.
- (i) The Social Security number of the applicant and any other information necessary for the municipal police department of County Sheriff's Department to conduct a criminal records check.
- (j) A statement of a reputable physician of the county, dated not more than 10 days prior to submission of the application, certifying the applicant to be free of contagious, infectious or communicable diseases. Such a statement shall be submitted also upon the renewal of any license hereunder.
- (k) An authorization for release of information and for conducting the criminal records check referenced in Subparagraph (i) and for the verification of other information submitted pursuant to this ordinance.

ARTICLE III. CHARITABLE, RELIGIOUS, EDUCATIONAL, AND FRATERNAL SOLICITATIONS

SECTION 1: Who must obtain a permit:

- (a) The provisions of this section shall not apply to any not-for-profit established society, association or corporation organized and operated for charitable purposes, where collection of moneys at their respective meetings or premises is for charitable purposes only.
- (b) All other persons, organizations, corporations, etc. are required to obtain a permit authorizing the public or private solicitation and/or canvass, whether or not such solicitation or canvass is performed in a public or private place. See Section 5 for permit application procedures.

SECTION 2: A written application for a permit to solicit for any cause whatever, as provided in Section 4, shall be sworn to and filed with the _____ and said application shall contain the following information:

Original document is skewed

Attach a full statement as to the character and the extent of the charitable, religious, educational or philanthropic work being done by the applicant organization.

I hereby understand that any false information made on this application are grounds for revocation of this PERMIT, not only within the jurisdiction where originally filed, but within any other jurisdiction within OKALOOSA COUNTY, FLORIDA where this organization may apply for a SOLICITOR'S PERMIT.

I hereby swear that all the information contained within this application are true and correct to the best of my knowledge:

Date: _____ Signature of person representing the organization: _____

Sworn and subscribed before me this _____ (date)

(NOTARY PUBLIC) My commission expires: _____

Date approved: _____ Name: _____

Title: _____

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- (a) Name of the organization applying for permit to solicit and the address of its headquarters
- (b) Names and addresses of its principal officers and management.
- (c) The purpose for which any receipts derived from such solicitations are to be used.
- (d) The name and address of the person/s who will be in direct charge of conducting this solicitation.
- (e) An outline of the method to be used in conducting the solicitation.
- (f) The time when such solicitations shall be made, giving the proposed dates for the beginning and ending of such solicitations.
- (g) If applicable, a full statement of the character and extent of the charitable, religious, educational or philanthropic work being done by the applicant or organization within the _____.
- (h) Such other information as may be required by the _____ in order for such _____ to fully determine the kind and character and worthiness of the proposed solicitations and as to whether or not such solicitation is in the interest of protecting the health, life and property and enforcing good government and security.

ARTICLE IV. IN GENERAL

SECTION 1: At the time of the filing of an application for a solicitor's permit under the provisions of this ordinance, except as for Section 1a, a fee of \$50.00 shall be paid to the _____ to cover the cost of administration of the facts stated herein.

SECTION 2: Upon receipt of such application, the original shall be referred to the _____ (Chief of Police) who shall make the following type investigations:

- (a) COMMERCIAL PURPOSES-
The _____ (Chief of Police) shall cause such investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public welfare.
- (b) CHARITABLE, RELIGIOUS, ETC.
The _____ (Chief of Police) shall investigate to determine to his satisfaction that such cause for which such solicitation is to be made is in fact for a worthy charitable, educational, religious, philanthropic or patriotic purpose.

SECTION 3: If, as a result of such investigation, the applicant is found to meet the requirements of this ordinance then the _____ shall affix on the application his approval, execute, an identification card and return said identification card along with the application to the _____ who shall determine from such facts as may appear in the application the period for which such permit shall be approved and granted, providing that such period shall not exceed thirty days after approval of permit; providing, however, that upon further application, information or report as he may deem necessary to safeguard the interest of the public in carrying out the _____ purpose of this ordinance, the _____ may renew and extend such permit for additional periods not exceeding thirty days. No more than one additional permit per year shall be granted.

SECTION 4: The _____ may require from any permittee hereunder any reports or information at any time and at such intervals as in the discretion of the _____ shall be necessary for the provisions of this ordinance and the protection of the health, life and property of the citizens.

SECTION 5: Any permit approved and issued under this ordinance shall be non-transferable.

PHOTO

1. Name and Address of the Applicant

Permanent Home Address:

2. Personal data:

Sex: M F , DOB: __/__/__, Race: _____, Height _____,
Weight _____, Color Hair: _____, Color eyes: _____,
Social Security Number: __/__/__

3. Have you ever been arrested for a crime? Y N (Exclude minor traffic violations.) If YES, explain below:

4. If a vehicle is to be used in soliciting or to transport solicitors to a particular area, please describe:

Make: _____ Year: _____ License number: _____ St. _____
Make: _____ Year: _____ License number: _____ St. _____
Make: _____ Year: _____ License number: _____ St. _____

5. References as to the character and business responsibility of the applicant. These references should preferably be property owners in Okaloosa County, Florida.

Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____

6. Name and the address of the business/firm/organization the applicant will be representing. (If the applicant is representing him/herself then put self employed):

Name: _____
Address: _____ City: _____ ST: _____
Phone number: _____ - _____
 area phone number

7. Outline the method to be used in conducting solicitation: (door to door, vehicle, telephone, etc.)

SECTION 6: Should any section, clause or provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8: Any person who shall violate the provisions of this ordinance shall be subject to a fine not exceeding the sum of \$500.00 or imprisonment not exceeding a period of sixty (60) days, or both at the discretion of the _____.

SECTION 9: This ordinance shall become effective immediately upon its adoption according to law.

Adopted in regular meeting of _____
this _____ day of _____, 1986.

County of Okaloosa
By: _____
ATTEST:

County Clerk

City of Crestview
By: _____
ATTEST:

County Clerk

City of Destin
By: _____
ATTEST:

County Clerk

City of Fort Walton Beach
By: _____
ATTEST:

County Clerk

City of Mary Esther
By: _____
ATTEST:

County Clerk

City of Niceville
By: _____
ATTEST:

County Clerk

City of Valparaiso
By: _____
ATTEST:

County Clerk

Town of Shalimar
By: _____
ATTEST:

County Clerk

Town of Cinco Bayou
By: _____
ATTEST:

County Clerk

8. List the dates and hours between _____ and 4 p.m. when solicitation will begin and end:

Begin: _____ to _____

9. State in full the character and extent of any charitable, religious, educational or philanthropic work being done by the applicant within the (jurisdiction): _____

I, _____, hereby authorize the _____ to conduct any investigation necessary to determine that the information contained within this application is true and correct to include any criminal records checks and hereby authorize _____ to release the results of this investigation to any other jurisdiction/official within Okaloosa County, Florida where I may file for a SOLICITOR'S PERMIT.

I hereby understand that any false statements made on this application are grounds for revocation of this PERMIT, not only within the jurisdiction where I originally filed, but within any other jurisdiction within OKALOOSA COUNTY, FLORIDA where I may apply for a SOLICITOR'S PERMIT.

I hereby swear that the information contained within this application is true and correct to the best of my knowledge:

DATE: _____ Applicant's seal: _____

Sworn and subscribed before me this _____ date

_____ My commission expires: _____

NOTARY PUBLIC

10. A criminal record check of this applicant has been made and based on the information provided on this application there IS NOT a record on file. Name of law enforcement agency making the investigation:

Date: _____ Chief of Police: _____