

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
13 APRIL 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 Frucci
Councilman Kendrick
Councilman Payne

ALSO, PRESENT: Attorney Jeff McInnis, Town Manager Charles Turner, Assistant Nell Webb, Engineer Mark Schaeffer, Mr. Joe Napier, Mrs. Marie Napier, Mrs. Kim Payne, Mr. Larry Foster, Mr. Jerry Carroll, Mr. Jim Bratton, Mr. Rod DesGranges, Mrs. Ginger Lewis and Mr. Clay Lewis.

REGULAR BUSINESS

1. Council Approval of Agenda: Councilman Payne made a motion to approve the agenda. Councilman Skelly seconded the motion. The motion passed unanimously.

2. Consent Agenda: Councilwoman Carroll made a motion to approve the consent agenda. Councilman Kendrick seconded the motion. The motion passed unanimously. Councilwoman Carroll proposed to move some funds from the regular operating checking account to a short-term account. Manager Turner explained advantages of a money market account. Councilwoman Carroll made a motion to move funds to a money market account. Councilman Payne seconded the motion. The motion passed unanimously.

3. Action Items:

A. Selection of New Town Manager/Clerk: Councilman Payne read the letter of clarification of requirements referencing education for the Town Manager/Clerk position. Councilman Payne made the motion for the Town Council to select Nell Webb as the new Town Manager/Clerk. Councilman Kendrick seconded the motion. The Mayor asked for discussion. Councilmen Skelly requested Councilman Payne explain his thoughts on the qualifications of the candidates. Councilman Payne stated that he felt Mrs. Webb had the best qualifications based on Municipal Government experience. Councilman Frucci stated his concern was that Mrs. Webb lived 17 miles from the Town Hall. He felt that since the other candidates only lived five minutes from Town Hall they would be better able to serve the town. Councilman Kendrick noted that the position was an eight hour a day job and not required to be on call twenty four hours a day. Councilwoman Carroll said she did not recall the position description stating the twenty-four hour on call duty. Councilman Payne noted that the Town had a Deputy from the Sheriff's Department to take care of many of Councilman

Frucci's fears. Councilman Skelly stated that this was a difficult decision. With all things considered he felt that Mrs. Webb had more small town experience. He asked to hear more from the other Council members on their views. There was no more discussion. The motion to select Nell Webb as the new Town Manager/Clerk was passed with a four to one vote with a nay from Councilman Frucci.

B. Attorney McInnis asked for direction to negotiate the employment contract for the New Town Manager/Clerk. Councilman Payne made the motion for Attorney McInnis to negotiate the contract. Councilman Kendrick seconded it. The motion passed unanimously. Councilman Frucci stated that although he didn't vote for Mrs. Webb that he would give her his support 100%. Mayor Drabczuk thanked the other candidates for their interest in the Town Manager/Clerk position.

C. Election of the Mayor Pro-Tem: A motion was made by Councilman Kendrick to elect Councilman Skelly. Councilman Skelly respectfully declined. Councilman Skelly made a motion to elect Councilman Frucci. Councilman Frucci declined due to his lack of experience and personal issues that require much of his time. Councilman Kendrick motioned to nominate Councilman Payne as Mayor Pro-Tem. It was seconded by Councilman Skelly and passed unanimously.

4. Engineer's Report:

1. Reported on the ADA compliance of the curbs in Cinco Bayou. He said he had done an inventory and would follow up with the Town Manager. He will provide a completed report at the Council meeting on getting a contractor to do the work and the cost.

2. Reported on the site approval of Rub-A-Dub Car Wash. He said they had given him another set of plans with the corrections he had recommended to them and all were addressed except one. It was the storm water discharge rate. He recommended that we give a conditional approval based on them revising the current storm water calculations to comply with the code. Councilman Kendrick asked what the zoning was. Manager Turner stated that it was C-1. Councilman Kendrick noted that the car wash would be classified as a filling station and the car wash would be within 1200 feet of an existing filling station. He stated the classification needed to be clarified. He asked where the water from the car wash would come from. Engineer Shaeffer said the water would be connected to Ft. Walton Beach water system. Manager Turner said that Ft. Walton Beach had drilled under Eglin Parkway with a 6" drain. Councilman Skelly asked which items if any would require a variance. Mr. Shaeffer stated that none of the items would require a variance. After much discussion it was decided that a variance would need to be requested. Councilman Payne felt there needed to be more facts and figures on where the water would go. Mr. Shaeffer said the water would be going into the sewer system. Councilman Kendrick said he would do some more study on the requirements of the oil separator. Councilman Skelly moved that the Rub-A-Dub car wash be treated under the designation of service station and, as a service station be required to request a variance. The motion was seconded by Councilman Kendrick and passed unanimously.

5. Attorney's Report: No report.

6. Town Manager's Report:

1. Mr. Landcaster has picked up the no wake signs and is putting them on poles and replacing the buoys. He stated that Mr. Landcaster was to replace the buoys back to their original position.

3. Deputy Hawley has made arrangements to have two dumpsters delivered for Pride Week with no cost to the Town or the citizens. Councilwoman Carroll requested that fliers be distributed to the residents to inform them of the locations of the dumpsters.

4. Need ideas on July 3rd 50th Anniversary celebration.

5. Informed the Council that he would be deposed on the Connor's claim on April 25, 2000 at Town Hall with the Florida League of Cities attorneys in attendance.

7. Public request/Comments: Mr. Bratton said that he felt the citizens had been misled during the election. He said he had read the Florida Status and there was nothing that required the Town to have a six month reserve cash on hand at all times as had been told to him by Councilwoman Carroll. He said Councilwoman Carroll had misinformed him and possibly the voters. Councilwoman Carroll responded that she had only made the statement that the Town was required to have six months reserve at the Town picnic on March 14th, which was after the election and that was the information she had been given.

8. Council-members Reports/Comments:

A. Councilman Skelly:

1. Need to hire a secretary providing the contract negotiations go okay with Nell Webb, the newly appointed Town Manager/Clerk.

2. Asked if the Town was permitted to schedule the Community Officer hours. Manager Turner said yes that is was coordinated through the Town Manager. Councilman Skelly said he would like to meet with the new Town Manager/Clerk and the Community Officer to go over some complaint letters and phone calls that he had received. Mrs. Webb asked Attorney McInnis if the letters should be public record and if they should be kept on file at Town Hall. Attorney McInnis said that all correspondence is public record. Mr. Kendrick stated he was concerned that the matters of general interest to the Town and the people should be brought before the Council and did not want to see any one Council member set himself up as the point of contact. Attorney McInnis stated that the people had a right to use any one or all five Council members as sounding boards.

B. Councilman Frucci: No report.

C. Councilman Kendrick:

1. Had concerns about what the procedures are in issuing building permits. Mayor Drabczuk stated that the procedure is up to the Town Manager/Clerk and the engineer and the attorney if needed. Attorney McInnis stated the codes are considered first to decide whether it is a major or minor development. Depending on which one it is will determine if it has to go before the Technical Review Committee. This committee is made up of Town Manager, engineer and the Attorney when needed. Councilman Kendrick would like for the council to be allowed to see the plans. Councilman Skelly said he thought the Technical Review Committee brought the plans on developments to Council after their review. Mayor Drabczuk asked if the Council would like the Town Manager to come up with a plan or procedure for development. Councilman Skelly asked that the Technical Review Committee bring plans to the Council regardless if the development is major or minor. Councilman Frucci expressed his concerns on issuing variances.

2. Requested the Council come up with a resolution not to support the one-cent tax proposed by the state and a resolution not to support the intangible tax.

D. Councilwoman Carroll:

1. Stated she was concerned about boaters launching their boats at Seaway and bringing their cars and parking them in Francis Park and beaching their boats there to pick up additional passengers. Councilwoman Carroll made a motion to revise the park code to disallow boat trailers in the Town parks and beaching boats in Town Parks. Councilman Payne seconded it. Councilman Frucci stated that with the boaters using the park for parking there would be no room for park users to park. Councilman Skelly stated his concern that if the ordinance is revised who would enforce the revision, do we need additional signs. Attorney McInnis said we may not need an ordinance that there may be some language already in the code book to take care of this problem. The motion was made to table Councilwoman Carroll's motion by Councilman Skelly. It was seconded by Councilman Payne and passed unanimously.

2. Made a motion that each Council member appoint a committee member to serve on the 50th anniversary party committee and the Town Manager be the Chair of the committee. Councilman Payne seconded it. Attorney McInnis recommended that the Town Manager be a resource member rather than an actual committee member due to the Sunshine Law. Councilwoman Carroll amended her motion not to have the Town Manager as the chairperson. After discussion the motion passed unanimously.

3. Requested that a budget analysis be prepared by Mrs. Webb for the first six months of the fiscal year to be presented to Council.

E. Councilman Payne:

1. Reported he met with the Okaloosa County League of Cities. He stated he was sending his nomination, (Hayward Strong) to the Northwest Florida League of Cities for the 2000-2001 Florida League of Cities Representative District 1 Director.

2. Reminded the Council about the Summer Dinner to be held in Panama City on June 9th.

3. Asked to have the new Town Manager present some figures on the sprinkler system at Laguna at the next town meeting.

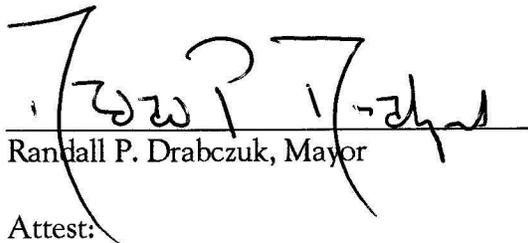
4. Asked if there had been any response on the underground utilities from the County or the City of Fort Walton Beach. Manager Turner stated there had been no response.

8. Councilman Skelly:

1. Moved that May 7th through May 13th be designated be kind to animals week by the American Human Association and the proclamation to be kind to animals be completed by the Mayor. It was seconded by Councilwoman Carroll and passed unanimously.

9. Mayor's Comments/Announcements: Reminded the Council to get their nominations for the Anniversary party ready for the next Town meeting. The Potluck Dinner is on April 18th at 6:30. All are welcome.

10. Adjournment: There being no further business, the meeting adjourned at 7:25pm.


Randall P. Drabczuk, Mayor

Attest:


Charles W. Turner, Town Manager/Clerk