

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
MAY 9, 2013 – 6:00 PM

Mayor Farley called the Regular Council meeting to order at 6:00 P.M. on Thursday, May 9, 2013. Roll call was taken:

ROLL CALL:

MAYOR FARLEY	COUNCILWOMAN HOOD
COUNCILMAN CHUBB	COUNCILMAN BRATTON
COUNCILMAN MYERS (ABSENT)	COUNCILMAN SIEVERS (ABSENT)

Also present at the meeting were: Town Manager/Clerk Nell Dykes, Asst. Town Manager/Clerk Monika Carnicle, Town Attorney Jeff McInnis, Town Engineer Joe Rector, Hammond Engineering representatives and resident Bill Frye.

Regular Business:

1. **Council Approval of Agenda:** Mayor Farley asked for approval of the agenda. Councilwoman Hood made a motion to approve the agenda. Councilman Chubb seconded the motion. The motion passed unanimously.
2. **Council Approval of Consent Agenda:** Mayor Farley asked for approval of the consent agenda: Regular Council Meeting Minutes, April 11, 2013, Special Council Meeting Minutes, April 25, 2013 and Budget Status as of April 30, 2013. Councilman Bratton made a motion to approve the consent agenda. Councilwoman Hood seconded the motion. The motion passed unanimously.

ACTION ITEMS:

1. Attorney McInnis read by title the second reading of Ordinance 228: *ORDINANCE 228: AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING CHAPTER 3, PURCHASING, SECTION 3-2. PURCHASE OF COMMODITIES AND SERVICES, SECTION (B), PURCHASING LIMITATIONS, SUBSECTION (2), SUBSECTION (3), AND SECTION (D), OPEN MARKET PURCHASING PROCEDURE, SUBSECTION (1) OF THE CODE OF ORDINANCES; ESTABLISHING \$35,000 AS THE THRESHOLD AMOUNT REQUIRING COMPETITIVE BID PROCEDURES; PROVIDING FOR AUTHORITY; PROVIDING LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR A PURPOSE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.* Councilwoman Hood made a motion to accept the second reading and adoption of Ordinance 228. Councilman Chubb seconded the motion. There was no public input. A roll call vote was taken:

Councilman Hood	Yes	Councilman Bratton	Yes
Councilman Chubb	Yes		

The motion passed unanimously.

2. Attorney McInnis read by title Resolution 2013-02: *INTERLOCAL AGREEMENT AMONG OKALOOSA COUNTY AND THE MUNICIPALITIES OF CINCO BAYOU, CRESTVIEW, DESTIN, FORT WALTON BEACH, LAUREL HILL, MARY ESTHER, NICEVILLE, SHALIMAR, AND VALPARAISO FOR THE DISTRIBUTION OF THE SIX CENTS LOCAL OPTION GAS TAX.* Councilman Chubb made a motion to adopt Resolution 2013-02 as read. Councilman Bratton seconded the motion. The motion passed unanimously.

Councilman Hood	Yes	Councilman Bratton	Yes
Councilman Chubb	Yes		

The motion passed unanimously.

3. Councilman Chubb made a motion to accept the Maintenance Supervisors recommendation for concrete repairs at Sea Way Boat Launch until the next grant cycle. Councilwoman Hood seconded the motion. The motion passed unanimously.
4. Representatives from Hammond Engineering lead by Ryan Sieg approached the council to introduce

themselves and tell the council they would be applying for a variance for a new car wash planned for 161 Eglin Parkway. Mr. Seig stated that he had met with DOT and to meet their requirements the car wash would need a variance to the town's landscape buffer code. A meeting Planning and Zoning meeting was set for Wednesday, May 22, 2013 at 5:30 pm with a Special Council meeting to follow.

5. Councilman Bratton volunteered to represent the Town at the annual Memorial Day celebration. Councilwoman Hood said she would be able to fill in if Councilman Bratton found himself unable to attend.

Discussion Items:

1. CDBG Update: Engineer Rector updated the council on the Eglin Parkway CDBG Project stating that the poles would be removed soon.

Reports:

Town Manager's Report – Ms. Dykes submitted a written report and announced that Assistant Carnicle would be leaving at the end of the month..

Attorney's Report – nothing additional

Town Planner – Mr. Dorman submitted the remaining chapters of the LDC to the Town and passed out draft copies of the Land Development Code. He suggested that the draft be reviewed in a workshop prior to submitting the draft to the state. The workshop was set for 5:15 June 13, 2013 which is prior to the regular council meeting.

Engineer's Report – Engineer Rector submitted a written report which he reviewed for the Council.

Public Request / Comments: Resident Bill Frye of Laguna Landing approached the council to voice his concern with dive companies using Laguna Park to conduct business. He stated that they were meeting and large groups and were disruptive. Attorney McInnis stated there was nothing in the Town's code to not allow commercial businesses but any group larger than 20 was required to obtain a permit for use of the park. Ms. Dykes was tasked to check with other municipalities to see what rules they have for commercial use of parks.

Council Members Comments / Request:

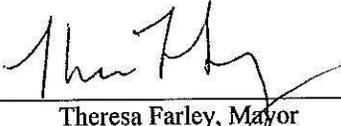
- Councilwoman Hood stated she was still concerned with the boat moored at Francis Park although Fish and Wildlife did not find any violations.
- Councilman Bratton reported that one "no wake" sign was still missing.
- Councilman Chubb reported that he thought the sailboat at Francis Park was tied to the Town's seawall. Attorney McInnis recommended calling the Sheriff's Department if the boat was tied to the seawall .

Mayor's Comments / Announcements: Mayor Farley announced upcoming meetings.

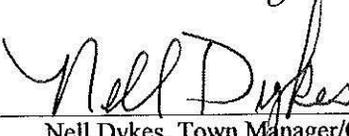
Adjourn – There being no further business, the meeting adjourned at 6:55 pm.

ATTEST:





Theresa Farley, Mayor



Nell Dykes, Town Manager/Clerk