

TOWN OF CINCO BAYOU
REGULAR MEETING
MAY 21, 1984

The Regular Meeting of the Town of Cinco Bayou Town Council was called to order at 7:00 P.M.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Usrey requested the Clerk call the roll.

ROLL CALL

Present: Mayor Usrey
Councilman Davis
Councilman Johnston
Councilwoman Kelley
Councilman Laginess

Absent: Councilman Perry

Also Present:	Attorney Powell	Linda Babiak
	Mike Plaster	Joyce Bryan
	Jo Ann Plaster	Tracy Wenzel
	John Brooks	Clerk Borchik
	Phil Babiak	Secretary Knox

MINUTES - Councilman Johnston moved to accept the minutes of April 9, and April 16 Town Council Meetings as written, seconded by Councilman Laginess. The motion was unanimously approved.

FINANCIAL REPORT - Councilwoman Kelley moved to accept the financial report for April, 1984, seconded by Councilman Johnston. The motion was unanimously approved.

REGULAR BUSINESS

1. Boat Dock Building Permit - Moorings I - Councilwoman Kelley made a motion to authorize the County to issue a building permit to Lancaster Development for the construction of boat docks at the Moorings, seconded by Councilman Johnston. The motion passed 3 to 1 on a roll call vote with Councilman Davis voting nay.

2. Building Permit - Moorings II - Mr. Plaster - Councilman Davis made a motion to authorize the County to issue a building permit to LMP Enterprises for the construction of a duplex townhouse and a triplex townhouse to be constructed adjacent to Moorings I, on Lots 13 and 14, Block 1, Cinco Bayou Subdivision, seconded by Councilman Laginess. The motion carried unanimously on a roll call vote.

3. Sewer - Delicia's Bakery - Mr. Gagnon - Councilman Davis made a motion to allow the continued use of the septic tank

for Delicia's Bakery thru September 1, 1984, seconded by Councilwoman Kelley. The motion was unanimously approved.

4. Sign Ordinance - Councilman Laginess - Mayor Usrey advised the Council that the proposed sign ordinance draft has been given to the Clerk and the Attorney for any corrections, additions or deletions needed to make it an ordinance. The Attorney advised the Council that he would welcome any input from the Council concerning the proposed sign ordinance.

5. Code of Ordinances - Review and Update - Councilman Johnston made a motion to accept the proposal from the Municipal Code Corporation to codify Ordinances No. 65 through No. 90, to prepare supplement number 3, and to review the current Code of Ordinances for compliance with current Florida State Statutes for an estimated total cost of \$2,700.00. The motion was seconded by Councilwoman Kelley and carried unanimously on a roll call vote.

6. Townhouse Lot Line Amendment - Councilman Laginess made a motion to amend the zoning ordinance to allow for a "0" foot lot line for townhouses where the units abut one another. The motion was seconded by Councilman Johnston and carried unanimously on a roll call vote.

7. Chamber of Commerce Membership - Councilwoman Kelley made a motion to renew the Town's membership in the Greater Fort Walton Beach Chamber of Commerce, seconded by Councilman Davis. The motion was unanimously approved.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME. None

COMMITTEE REPORTS

Standing Committees

1. Streets & Sidewalks - Councilman Davis. No report

2. Parks - Councilwoman Kelley. No report

3. Finance & Budget - Councilman Johnston. Councilman Johnston reminded the Council that it is budget preparation time and asked that each committee chairman review their areas of concern and submit their budget requirements to the Clerk prior to the next Council meeting. The first budget workshop is scheduled for June 11 immediately following the Council as Committee Meeting.

4. Waterfront - Councilman Perry. No report

5. Civil Defense - Councilman Perry. No report

6. Neighborhood Watch - Councilman Laginess. Councilman Laginess advised the Council that he would like to have some telephone stickers printed up with the telephone numbers of the Sheriff and fire department to be given to Town residents

along with Neighborhood Watch stickers. Councilwoman Kelley made a motion to purchase 1000 telephone stickers at a cost of approximately \$95.00. The motion was seconded by Councilman Davis and unanimously approved.

Special Committees

1. Bicycle Path - Councilman Johnston. No report
2. Building Codes - Councilman Laginess. No report
3. Sign Ordinance - Councilman Laginess. No report
4. Comprehensive Plan Review - Councilman Perry. No report
5. Sea Way Boat Ramp - Councilman Perry. The Clerk advised the Council that the boat ramp has been completed, and the last voucher has been submitted to the County. The Clerk also advised the Council that a permanent sign needs to be erected and maintained, with the name of the project and how the funds were obtained.
6. TV Cable Franchise & Rate Increase - Councilman Davis. No report.
7. Glenwood Park - Councilwoman Kelley. No report

ATTORNEY'S REPORT. None

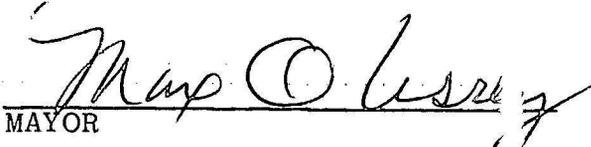
CORRESPONDENCE. None

CLERK'S REPORT

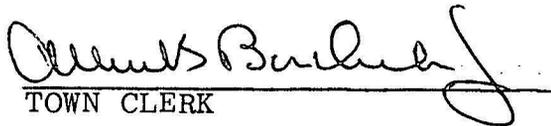
1. The Clerk advised the Council that the original 8 Christmas decorations are in need of repair. The Clerk has contacted Florida Display Service and they will come to the Town in August and replace the greenery and electrical wiring on the 8 decorations for approximately \$350. Councilwoman Kelley made a motion to have the Christmas decorations repaired at a cost of approximately \$350, seconded by Councilman Laginess. The motion was unanimously approved.

MAYOR'S ANNOUNCEMENTS. None

There being no further business, the meeting was adjourned at 7 36 P.M.


MAYOR

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.

OK

License No. EACH BUILDING ON SEPARATE APPLICATION BLANK
PLANS MUST BE FILED WITH THIS APPLICATION
OWNERSHIP AND DETAIL MUST BE COMPLETE

Building Permit No.

UNDER NO CIRCUMSTANCES WILL THE BUILDING OFFICIAL BE ALLOWED TO FILL OUT APPLICATION

OKALOOSA COUNTY, FLORIDA

OFFICE OF BUILDING OFFICIAL

Application is hereby made to the Building Officials of Okaloosa County, State of Florida, for the approval of the construction statement of the specifications and plans herewith submitted, for the erection of the building herein described. All provisions of the law shall be complied with in the erection of the said building whether specified herein or not.

Application For Erection of Building

(Sign Here) _____

OKALOOSA COUNTY, FLORIDA _____

Owner LMP Enterprises, Inc.

Address (Present) P. O. Box 1606, Destin, FL 32541

DESCRIPTION

Height 3 Story, Type of Bldg. Dwelling
(Dwelling Store, Garage, etc.)
If multiple dwelling, indicate number of family units 5

LOCATION

Lot No. 13 and 14 Block No. _____ Tract _____
Situated at No. 53 Street Yacht Club Drive
In the Cinco Bayou Section of Okaloosa County, Florida

STRUCTURAL DETAILS

Square Feet in Bldgs 13,912 FOUNDATION
Material Concrete Spot Piers _____ Continuous Footing Pilings/Concrete
(Indicate which)

Depth below grade _____ Size _____

Foundation wall thickness _____ Size Vents _____ Distance apart _____

Size of Piers or Pilasters _____ Distance apart (if spot piers) _____

BASEMENT N/A

Width _____ Length _____ Depth _____

Type of Floor _____ Type of Wall _____

FRAMING

Size of Exterior Sill 2 x 4 Interior Sill 2 x 4

Size of Studding 2 x 4 @ 12 "c. c. Height 92 5/8

In fire stopping provided? Yes Spaced 5/8" FR Are top plates doubled Yes

Are corners braced Yes Is Sheathing applied diagonally Yes

Floor Joint, 1st Floor—Size _____ Spaced _____ c. c. Greatest Span _____

Floor Joint, 2nd Floor—Size Factory 4x16" Spaced 16 c. c. Greatest Span 20

Floor Joint, 3rd Floor—Size 4/16" Spaced 16 c. c. Greatest Span 20

Over 3 blocks — Describe _____

Clearance above ground level to bottom of Sill 1 ft. plus Cross bridging distance apart _____

Ceiling Joint — Size 4x16" Spaced 24 c. c. Greatest Span 24

Rafters — Size _____ Spaced _____ c. c. Greatest Span _____

Are double studs and headers provided for openings? Yes

EXTERIOR

Will Sheathing be used Yes Type Thermoply

Wall finish Stucco Thickness 3/4" to 1"

ROOF COVERING

Type Membrane over 3/4" Weight per square N/A

HEATING UNIT

Type Total Electric Fuel _____ BTU. 3 1/2 Ton

Are there any other building erected on lot or Permit granted for one? No Since _____

Height, 3 Stories. How occupied? Residential

Are any buildings to be taken down? No How many? _____

What is the estimated cost of the building, exclusive of Lot? \$ _____

Architect Palmer Rice Address Destin, FL 32541

Builder LMP Enterprises, Inc. Address Destin, FL 32541

NOTE:—Plans must be drawn to scale complete, including a Plot Plan showing existing buildings and proposed buildings or buildings and space between buildings and between buildings and lot lines.

April 27, 1984

4/27/84

MSJ

Town of Cinco Bayou
35 Kelly Avenue
Fort Walton Beach, FL 32548

ATTN: Maj. Usrey

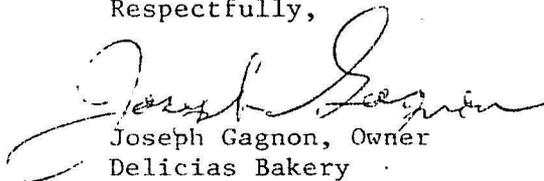
I am aware of letter to Mr. Tribble, your office dated April 18, 1984, concerning use of septic tank by my bakery, Delicias Bakery.

For information purposes, business has been very slow at the bakery. Mrs. Gagnon and myself decided better than a month ago to close Delicias Bakery effective September 1, 1984.

We have been on site there since before 1970. Sorry, but we were unaware the ordinance requiring tap on to sewer. The cost of \$300.00 tap on fee and most probably \$100.00 additional to connect on at this time would create a heavy cash flow problem on a business that is doing poorly and is scheduled to close September 1, 1984.

I hereby respectfully request that I be allowed to continue my present operation until September 1, 1984, at which time Delicias Bakery shall close.

Respectfully,


Joseph Gagnon, Owner
Delicias Bakery

JG/tlw

Municipal Code Corporation

4/27/84 1152

Law and Ordinance Codification

POST OFFICE BOX 2235
TALLAHASSEE, FLORIDA 32316

1700 CAPITAL CIRCLE S.W.
TELEPHONE (904) 576-3111

April 25, 1984

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

Dear Mr. Borchik:

Thank you for your letter of April 20, 1984, and the enclosed copies of Ordinance Nos. 76 through 89 to be considered for inclusion in Supplement No. 3 to the Cinco Bayou Code of Ordinances.

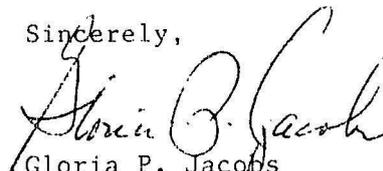
We have reviewed the ordinances listed above along with the material previously received and estimate that Supplement No. 3 will constitute approximately 150 pages. At the Town's current Supplement rate of \$13.00 per page for 50 copies, the estimated total cost for the publication of Supplement No. 3 will be approximately \$1,950.00.

The time required for completion of Supplement No. 3 would be approximately sixty (60) days. If desired, we would be happy to schedule partial payment for this Supplement upon shipment, with the balance payable after October 1, 1984.

The "mini-memo" based on a cursory review of the Town's Code should be forwarded to you within the next few weeks.

We trust the above information will be of interest and will look forward to receiving your authorization to proceed with the publication of this Supplement. Should you have any questions or require additional information, please do not hesitate to telephone us collect.

Sincerely,



Gloria P. Jacobs
Corporate Secretary

CPJ:gd

Municipal Code Corporation

5/31/84

Law and Ordinance Codification

POST OFFICE BOX 2235
TALLAHASSEE, FLORIDA 32316

1700 CAPITAL CIRCLE W.
TELEPHONE (904) 576-3711

May 2, 1984

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

Dear Mr. Borchik:

We trust the information submitted in our letter of April 25, 1984 was of interest. We would like to take this opportunity to outline our Code Analyzation and Ordinance Drafting services for the Town's consideration.

We offer to subject the Code to a detailed analyzation with current state laws. This comprehensive review, by a member of our law editorial staff, who is an attorney, would point out conflicts, inconsistencies and obsolete provisions in conjunction with current state laws. An editorial memorandum would be submitted to the Town Attorney for evaluation of all recommendation.

The Town Attorney could either draft amendatory ordinances or authorize us to draft recommended provisions which could be incorporated into the Code through the Looseleaf Supplement Service. Based on the Town Attorney's advice, the Code, as supplemented, may be readopted in its entirety, if specific amendatory ordinances are not adopted by the Town. This analyzation procedure would update the Code where necessary and would not affect provisions which do not require revision. In addition, all state law citations throughout the Code would be updated.

The analyzation service would be based on an hourly cost of \$50.00 per hour, not to exceed five (5) hours. The time required for the drafting service, an estimated ten (10) hours, would be charged at the same hourly rate as the analyzation service, if desired. The cost of incorporating any desired changes or amendatory ordinances would be based on the regular Supplement rate.

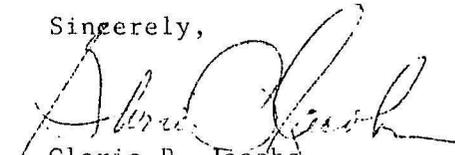
Based on a cursory review of the Code, we are pleased to enclose a brief memorandum which highlights areas of the Code that should be reviewed and possibly updated. Under the analyzation process, a more detailed memorandum would be submitted for use by the Town.

Mr. Albert S. Borchik, Jr.
May 2, 1984
Page 2

It is our desire to provide a total service to the Town of Cinco Bayou and we will be happy to work with you in every respect to ensure that the Code meets the requirements of the Town.

If you have any questions or need additional information, please feel free to telephone us at our new toll free number (1-800-342-CODE).

Sincerely,



Gloria P. Jacobs
Corporate Secretary

GPJ:gd

enc.

MEMORANDUM

TO: Sales Department

FROM: Alyce Whitson, Editor, Code Department

SUBJECT: Code of Ordinances, Town of Cinco Bayou, Florida

DATE: April 30, 1984

The following is based on a cursory review of the 1973 Code of Ordinances of the Town of Cinco Bayou, Florida, supplemented through an amendment dated May 18, 1978.

<u>Section</u>	<u>Comments</u>
1-2	Eastern standard time should be changed to central standard time in the definition of official time.
2-18	Registration of electors is done by the county. (F.S. § 98.041)
2-35	Section 2-16 states the town clerk shall be elected.
4-2	The edition of the Standard Building Code needs to be updated to the latest edition.
4-18, 4-27	The code adopted should be stated in the Code of Ordinances.
5-16	The edition of the Fire Prevention Code needs to be updated.
14-19	Occupational license <u>taxes</u> based on gross receipts was struck down in the case of Birdsong Motors v. Tampa, 261So.2d 1 (Fla. 1972) unless bonded. If it is a franchise <u>fee</u> , it is permitted.

The entire Code should be reviewed for obsolete provisions which would require consultation with the Town. It would take approximately five (5) hours to analyze the Code of Ordinances in detail. This figure does not include the time required for drafting amendatory provisions.