

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING  
JUNE 5, 1990

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL Present: Mayor Laginess  
Councilman Broxson  
Councilwoman Buchanan  
Councilwoman Dumka  
Councilman Gage  
Councilman Skelly (Arrived 6:10 PM)

Also Present: Manager Borchik            Attorney McInnis  
Engineer King                            Secretary Dole  
Winston Walker                         John Wright  
Jane Pope

PUBLIC HEARING

1. Bid Opening - Bids on Kelly Avenue building and adjacent lot.- One sealed bid was received in the amount of \$52,000.00 from Winston Walker and James Ready. A check for \$5,200.00 was enclosed as a 10% binder with the balance to be paid on closing. Councilwoman Buchanan made a motion to accept the bid presented and waive the appraisal clause in Ordinance 132. Motion died for lack of second. After a short discussion, Councilwoman Buchanan made a motion to expressly waive the requirement that the property be sold for appraisal value and accept the bid as presented, seconded by Councilman Gage. (Councilman Skelly arrived at this point). During discussion, Mr. Walker agreed to assume all closing costs. Councilwoman Buchanan amended the motion to include the buyer paying all closing costs, seconded by Councilman Gage. The motion to amend the original motion was unanimously approved. The original motion was unanimously approved with a roll call vote.

2. Ordinance No. 137 - Second reading and proposed adoption of Ordinance No. 137 amending Ordinance No. 136, Code Enforcement Board. - Attorney McInnis read Ordinance No. 137 by title only. Councilman Skelly made a motion to accept the second reading of Ordinance 137, seconded by Councilman Broxson. The motion was unanimously approved. Councilman Gage made a motion to accept Ordinance No. 137, seconded by Councilwoman Dumka. The motion was unanimously approved.

3. Ordinance No. 138 - Second reading and proposed adoption of Ordinance No. 138 granting an exclusive franchise to Environmental Waste Systems to operate and maintain sanitary service for collection and disposal of garbage and trash within

3. Ordinance No. 138 (cont) the municipal limits of the Town for a period of three years. - Attorney McInnis read Ordinance No. 138 by title only. Councilman Skelly made a motion to accept the second reading of Ordinance No. 138, seconded by Councilman Broxson. The motion was unanimously approved. Councilwoman Dumka made a motion to adopt Ordinance No. 138, seconded by Councilman Gage. The motion was unanimously approved.

#### REGULAR BUSINESS

1. Minutes - May 1 and May 24, 1990 - Councilwoman Dumka made a motion to accept the minutes of May 1 and May 24, 1990, seconded by Councilman Skelly. The motion was unanimously approved.

2. Financial Report - May, 1990 - Councilman Skelly made a motion to accept the Financial Report of May, 1990, seconded by Councilwoman Buchanan. The motion was unanimously approved.

3. Proposed amendment to Ordinance No. 91 (Sign Ordinance)- Attorney McInnis read the proposed amendment to Ordinance No. 91 (concerning banners) by title only. Councilwoman Buchanan made a motion to leave the Ordinance intact as it stands now, seconded by Councilwoman Dumka. The motion was unanimously approved.

4. Employee Health Insurance - Manager Borchik stated that the Auditor had informed him that it was acceptable for the Town to pay the premiums on his insurance supplements as long as the premiums were paid directly to the insurance companies. (At this point, Councilwoman Buchanan asked to be excused due to a prior commitment.) Councilwoman Dumka made a motion to pay Mr. Borchik's supplemental insurance costs directly to the companies, seconded by Councilman Broxson. The motion was unanimously approved.

At this point, Mayor Laginess asked the Council to allow him to appoint the last alternate to the Code Enforcement Board so that a Special Meeting would not have to be called. Councilman Gage made a motion to give the Mayor authority to appoint to the Code Enforcement Board the remaining position of an alternate, seconded by Councilman Skelly. The motion was unanimously approved.

COUNCILMEMBERS REPORTS/COMMENTS - Councilman Skelly had these comments:

1. Requested the status of the crosswalk at Eglin Parkway and Yacht Club Drive. Manager Borchik advised the Council that he had contacted Mr. Kirkland, Chipley DOT and he indicated that the project's low priority, it would probably be another 6-8 months before the project is completed. DOT expects to receive additional funding during October and plans to put the project up for bids at that time.

2. Requested the Council meetings in July and August be changed from the first Tuesday to the first Monday due to a class conflict. The Council unanimously agreed.

Attorney McInnis stated that the initial meeting of the Code Enforcement Board will be held at 7:30 PM this evening and would like as many of the Councilmembers as possible to attend.

Mayor Laginess announced that the Okaloosa County LOC dinner will be held June 28, 1990. Any Councilmembers planning to attend should inform the Town Manager as soon as possible.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME - Mr. John Wright inquired about any plans for painting and striping the streets. Manager Borchik stated the Town is in the process of trying to get the County to stripe Yacht Club Drive and resolve the turn lane problem.

#### COMMITTEE REPORTS

1. Administrative Committee - None
2. Finance & Budget Committee - None
3. Comprehensive Plan Committee -
  - a. Workshop - DCA ORC & Dorman replies - Councilman Gage stated that Mr. Dorman had attended a meeting with the DCA and a problem with mobile homes may have to be addressed.
  - b. Plan adoption schedule - The Local Planning Agency will hold a public hearing on June 11, 1990 and the Town Council will hold a public hearing to consider adoption on July 12, 1990.

#### CORRESPONDENCE

1. Ltr - Panhandle League of Cities Annual Summer Meeting
2. Ltr - Mr. R. Cochran, K MART, concerning signage

#### TOWN MANAGER'S REPORT

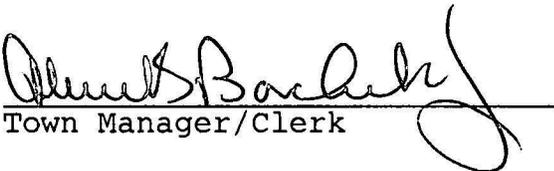
1. Reminded the Council that July 3, 1990, is the Town of Cinco Bayou's 40th birthday.
2. The Florida LOC Convention is October 10th through October 14th, 1990. Those planning to attend should submit their registrations and reservations forms as soon as possible.
3. TV and Video equipment quotes from a state contracting agency are: Magnavox 25" TV - \$325.00; Magnavox VCR - \$226.00; Video Camera - \$999.00. Councilman Gage made a motion to purchase the TV and VCR from the state contracting agency and the camera to be shopped for locally, seconded by Councilman Broxson. After discussion, Councilman Gage made a motion to amend the original motion to include the total price not to exceed \$1,400.00, seconded by Councilman Skelly. The amendment was unanimously approved. The main motion was then unanimously approved.

MAYOR'S ANNOUNCEMENTS - The monthly Town Picnic will be held Tuesday, June 19, 1990 at 6:30 PM.

There being no further business, the meeting was adjourned at 7:23 PM.

  
Mayor

ATTEST:

  
Town Manager/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 Manager/Clerk.



RECEIVED  
6/4/90  
ISS  
CT

Office Of The Mayor

June 1, 1990

Charles Laginess  
Mayor of Cinco Bayou  
#10 Yacht Club Drive  
Ft. Walton Beach, Florida 32567

Dear Charles:

The Town of Shalimar is please to host the Summer meeting of the Okaloosa County League of Cities, scheduled for Thursday June 28, 1990.

The dinner meeting will be held at Steven Laynes Restaurant at the foot of the Shalimar Bridge on Eglin Parkway beginning at 6:00 p.m. There will be a cash bar from 6:00 p.m. to 7:00 p.m. and dinner will be served at 7:00. The dinner will be a seafood buffet at the cost of \$19.95 per person.

Please advise Cornelia Taylor (651-5723) of the number of representatives from your municipality who will be attending the meeting of the League by no later than noon Tuesday, June 26, 1990.

We look forward to seeing all of you on June 28th.

Sincerely,

  
BART G. HUDSON  
Mayor

BGH/ct



**3223 Kmart s**  
200 IRWIN NE.  
FT. WALTON BEACH, FL 32548

May 8, 1990

CITY COUNCIL  
Cinco Bayou

Ref: Sign Law

Dear Sirs:

Please consider repeal of this law, especially where it concerns display of banners and otherwise inhibits promotion of business.

We believe professional signing of good taste and appearance should be permitted, within reason. A review of the sign law or at least a modification at this time would be beneficial to the majority of businesses in Cinco Bayou.

Cordially,

A handwritten signature in cursive script that reads "R. Cochrane".

R. COCHRANE  
K-Mart Corporation

ORDINANCE NO. PROPOSED ~~91~~ AMEND. TO ORD. 91

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA ADDING A NEW SECTION 4(e)(26) EXEMPTING CERTAIN BANNER SIGNS FROM THE PROHIBITION OF THE ORDINANCE; AMENDING SECTION 7 OF ORDINANCE 91 OF THE TOWN OF CINCO BAYOU, FLORIDA PROVIDING FOR ENFORCEMENT OF THE ORDINANCE BY THE TOWN'S CODE ENFORCEMENT BOARD; DELETING SECTION 8(c) OF ORDINANCE 91 OF THE TOWN OF CINCO BAYOU, FLORIDA; AMENDING SECTION 8(b) OF ORDINANCE 91 OF THE TOWN OF CINCO BAYOU, FLORIDA TO RENUMBER SAID SECTION TO SECTION 8(c); PROVIDING FOR SEVERABILITY, REPEALING ORDINANCES INCONSISTENT WITH SAID ORDINANCE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA, AS FOLLOWS:

SECTION 1. That a new Section 4(E)(26) is hereby added to Ordinance 91 of the Town of Cinco Bayou, Florida as follows:

SECTION 4. GENERAL REGULATIONS

(E) Exempt Signs

26. Banner signs. A banner sign is defined as a sign made of fabric or any non-rigid material, string pennants, festoons, or wind blown attention-catching devices provided;

a. Method of attachment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Size of banner.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Duration of banner display.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. Maintenance of banner.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECTION 2. That Section 7 of Ordinance 91 of the Town of Cinco Bayou, Florida is hereby amended to read as follows:

SECTION 7. ENFORCEMENT AND PENALTY FOR VIOLATION

No sign shall be installed, erected, or constructed in violation of any of the terms of this Code. No sign shall be erected or maintained that is insecure, or in danger of

falling, or otherwise unsafe. Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resist the enforcement of any of the provisions of this Section of the Code shall be fined not more than Five Hundred Dollars (\$500.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 3. That Section 8(c) of Ordinance 91 of the Town of Cinco Bayou, Florida is hereby deleted.

SECTION 4. That former Section 8(d) of Ordinance 91 of the Town of Cinco Bayou, Florida is hereby renumbered as Section 8(c).

SECTION 5. 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 effect the validity of the remaining portion thereof.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS. All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the Town Council and signature of the Mayor.

ADOPTED this \_\_\_\_ day of July, 1990.

Approved:

BY: \_\_\_\_\_  
Charles R. Laginess  
MAYOR

ATTEST:

\_\_\_\_\_  
Albert S. Borchik, Jr.  
Town Manager/Clerk

RECEIVED  
5/31/90

KRB

THE

# PANHANDLE LEAGUE OF CITIES

c/o The University of West Florida  
The Center for State and Local Government  
11000 University Parkway  
Pensacola, Florida 32514-5751  
Larry Walker, League Coordinator

**NOTICE OF ANNUAL SUMMER DINNER MEETING**  
**Panhandle League of Cities**

**WHO:** Officials of all member cities, and their spouses and other guests

**WHAT:** Annual dinner meeting. For fellowship; a report on the legislative session; and election of 1990-91 officers.

**WHEN:** June 22, 1990. Reception at 6:00 p.m.; dinner at 7:00 p.m.

**WHERE:** Harbour House restaurant, Panama City (at the Ramada Inn, St. Andrews' Bay)

**HONORED GUEST:** Governor Bob Martinez has been invited.

**COST:** \$14.50 per person

**TO RSVP:** Please return enclosed form or call 904-474-2367  
(Suncom 680-2357)

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President	Vice-President	Vice President	Treasurer	Past President
John V. Lawson	Brenda Pollak	Dan Sewell	Roy Kingsmill	Bob Barnard
DeFuniak Springs	Gulf Breeze	Lynn Haven	Callaway	Panama City