

TOWN OF CINCO BAYOU
SPECIAL COUNCIL MEETING
JULY 10, 1980

AGENDA

1. First reading of ordinance - Regulatory License Fees.

COUNCIL AS COMMITTEE MEETING

AGENDA

1. Minutes - Regular Council Meeting - June 19, 1980.
2. Minutes - Special Council Meeting - June 23, 1980.
3. Financial Statement - June, 1980.
4. Proposed Construction - Mr. Buchanan and Mr. Spain.
5. Board of Adjustment Nominations.
6. Resolution 76-1 : Civil Defense Director.
7. Committee Reports:

Streets - Councilman Davis

Bicycle Path - Councilman Johnston

Health/Waterfront/Bayou - Councilman Johnston

Finance - Councilman Peek
Financial Statement
Budget Status
Certificates of Deposit

Parks - Councilman Perry

Utilities - Councilman Usrey
Sewer Billing
Water Franchise

8. Announcements: Meetings & Events.

SPECIAL NOTE

On July 3, 1950 the Charter of the Town of Cinco Bayou was adopted by the citizens residing within the proposed corporate limits of the town.

HAPPY 30th BIRTHDAY TO CINCO BAYOU!!

MINUTES OF SPECIAL MEETING
TOWN COUNCIL

July 10, 1980

The Special Meeting of the Town of Cinco Bayou Town Council was called to order by Mayor Balsley at 7:00 P.M.

ROLL CALL: Present: Councilman Johnston Councilman Perry
Councilman Davis Councilman Usrey

Also Present: Town Clerk Borchik Mr. Callahan
Town Attorney Powell Mr. Kelley
Town Engineer Burt Mr. Buchanan
Town Recorder Hembree Mr. Spain
Steve Chew - PGDN Adelia Robblee
Mr. Bixby Abbie Tyner

Absent: Councilman Peek

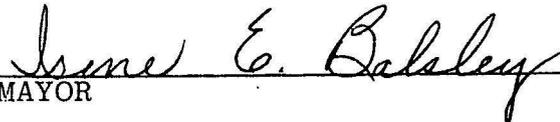
SILENT PRAYER

PUBLIC HEARING: ORDINANCE PROVIDING FOR REGULATORY LICENSE FEE

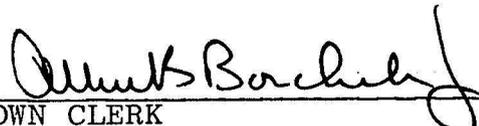
Attorney Powell performed the first reading by title only: "An Ordinance providing for regulatory license fees to be imposed on businesses, professions, and occupations doing business within the corporate limits of the Town of Cinco Bayou, Florida; repealing all ordinances in conflict herewith; providing for violations hereof; and providing for an effective date."

Motion made by Councilman Perry to approve the first reading of the ordinance, seconded by Councilman Davis. In the discussion period, Mr. Kelley of Kelley's IGA and Mr. Callahan of Cinco Standard voiced objections to the ordinance and the manner in which regulatory fees are to be determined, further stating that gross income/sales were not a fair and equitable basis for establishing the license fee. After a lengthy discussion, Council advised each to become more familiar with the proposed ordinance and invited them to appear at the July 17, 1980 Regular Council Meeting when the second reading and vote will be conducted. Councilman Davis also voiced objections to the method used for computing regulatory fees. Following the discussion, the Mayor called for a vote on the motion to approve the first reading. The motion carried 3-1, Councilman Davis voting nay.

ADJOURNMENT: The Council adjourned at approximately 7:30 P.M. on Thursday, July 10, 1980.


MAYOR

ATTEST:


TOWN CLERK

NOTE: A mechanical recording has been made of the foregoing procedures of which these minutes are a part, and is on file in the office of the Town Clerk.

Playground Daily News

July 10, 1980

Leg: 9387
NOTICE OF PROPOSED ENACTMENT OF ORDINANCE

The Town Council of the Town of Cinco Bayou, Florida proposes to enact an ordinance providing for regulatory-license fees to be imposed on businesses, professions and occupations doing business within the town limits. Such ordinance may be inspected by the public at the Town Hall of Cinco Bayou, Florida, and it is proposed that the ordinance shall be considered for first reading by the Town Council at a special council meeting to be held at 7:00 o'clock P.M. on July 10, 1980, at the Town of Cinco Bayou, Florida, and shall be considered for second reading and enactment by the Town Council at the Regular council meeting to be held at 7:00 P.M. on July 17, 1980, at the Town Hall of the Town of Cinco Bayou, Florida. Interested parties may appear at each council meeting and be heard with respect to the proposed ordinance.

ALBERT S. BORCHIK, JR.
TOWN CLERK

July 4, 10, 17, 1980.

Complaints Greet Cinco Fee Ordinance

By STEVE CHEW

Daily News Staff Writer

Despite complaints by two Cinco Bayou businessmen that a proposed ordinance levying a registration fee on businesses is unfair, town councilmen Thursday night okayed the measure 3-1 in its first reading.

Howard Kelley of Kelley's Supermarket, 246 Eglin Parkway, and Ed Callahan of Cinco Chevron, 245 Eglin, said the manner in which the ordinance determines a business's registration fee was not equitable.

"That to me sounds a little unjust," Kelley said. "It's not a fair indication of profits. Why should I be taxed for the money I'm losing?"

According to the ordinance, a business would be required to pay a percentage of its gross receipts in order to be legally registered with the town. A business with yearly gross receipts of up to \$50,000 would pay \$50 a year, while a business with

gross receipts of more than \$15 million could expect a \$7,000 fee.

Kelley told council members his gross receipts don't reflect his profits and he would be forced to pay a fee of about \$3,000. He added that the tax had "inflationary aspects."

"Nobody can expect us to afford a \$3,000 tax without it being reflected in pricing," Kelley said.

Kelley also opposed the ordinance because financial institutions pay a flat rate instead of gross receipts. Barnett Bank, located in Cinco Bayou, would pay a flat \$500-a-year fee, council members said.

But Cinco Bayou Mayor Irene Balsley said the tax was needed to pay for the maintenance of town streets, as well as sewage and water costs the town has or will have in the future.

"We can't run the town on

nothing," Balsley said. "We have to do what we need to do."

Callahan repeated Kelley's complaint, saying his gross receipts aren't the same as his profits.

"I would hate to see the city go under," Callahan said, "but I'm merely a caretaker for Chevron Oil. Most of the money in my gross receipts goes to Chevron Oil."

Callahan told council members that "if you see fit to levy a license fee, I'll be first at the counter to pay it. But if you start taxing gross receipts, I'll get mad."

Callahan estimated he would be required to pay a \$700 fee if the ordinance is passed.

Final action on the ordinance is expected at the town council's July 17 meeting, following a public hearing.

FRIDAY MORNING

July 11, 1980