

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
13 JUNE 2002

Mayor Carroll called the regular Town Council meeting to order at 6:00 P.M. on June 13, 2002. Following a silent prayer and the pledge of allegiance, roll call was taken.

Present: Mayor Carroll
Councilman Bainter
Councilman DesGranges
Councilman Farley
Councilman Frucci
Councilman Koch

A quorum was present. Also present were Town Attorney Michelle Anchors, Town Manager/Clerk Nell Webb, Community Officer Frank Hawley, and Assistant Monika Gillette. Members of the audience included Howard Kelly, William Sullivan, Jerry Carroll and Bryan Dumka.

REGULAR BUSINESS

1. **Council Approval of Agenda** - Mayor Carroll asked for acceptance of the agenda. Councilman Koch moved to accept the agenda. Councilman Farley seconded it. The motion passed unanimously.
2. **Consent Agenda**: Mayor Carroll asked for acceptance of the consent agenda. Councilman Farley moved to accept the consent agenda as submitted. Councilman Koch seconded it. The motion passed unanimously.

SPECIAL BUSINESS

1. Attorney Michelle Anchors read by title Resolution 2002-05: *A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; AMENDING RESOLUTION NO. 2002-02; ESTABLISHING THE BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AREA; AFFIRMING THE FINDING THE EXISTENCE OF BLIGHT CONDITIONS IN AN AREA OF THE TOWN; PROVIDING AN EFFECTIVE DATE.* Councilman Farley made a motion to accept the resolution as read. Councilmen Koch and Bainter simultaneously seconded the motion. During discussion Mr. Howard Kelly of 286 Kidd Street voiced his concern. Councilman Frucci stated he did not support the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - nay
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed.

PUBLIC HEARING

1. Attorney Michelle Anchors read by title Resolution 2002-06: *A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; MAKING FINDINGS; APPROVING A COMMUNITY REDEVELOPMENT PLAN; FINDING THE BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AREA; AUTHORIZING AND DIRECTING THE AGENCY TO IMPLEMENT THE PLAN; PROVIDING AN EFFECTIVE DATE.* Councilman DesGranges made a motion to accept the resolution as read. Councilmen Farley seconded the motion. During discussion Bryan Dumka of 243 Andalusia voiced his concern . Councilman Frucci stated he did not support the motion. A roll call vote was taken:

Councilman Bainter - nay
Councilman Farley - yea
Councilman Frucci - nay
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed.

2. Attorney Michelle Anchors conducted the first reading of Ordinance No. 192 by title: *AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, ESTABLISHING A REDEVELOPMENT TRUST FUND; PROVIDING FOR THE FUNDING OF A REDEVELOPMENT TRUST FUND FOR COMMUNITY REDEVELOPMENT WITHIN THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR ADMINISTRATION OF THE REDEVELOPMENT TRUST FUND; DETERMINING THE TAX INCREMENT TO BE DEPOSITED IN THE REDEVELOPMENT TRUST FUND; ESTABLISHING THE BASE YEAR FOR DETERMINING ASSESSED VALUES OF PROPERTY IN THE COMMUNITY REDEVELOPMENT AREA FOR TAX INCREMENT PURPOSES; PROVIDING FOR THE ANNUAL APPROPRIATION OF THE TAX INCREMENT BY TAXING AUTHORITIES IN THE COMMUNITY REDEVELOPMENT AREA; APPOINTING THE GOVERNING BODY OF THE COMMUNITY REDEVELOPMENT AGENCY AS THE TRUSTEES OF THE REDEVELOPMENT TRUST FUND; PROVIDING AN EFFECTIVE DATE.* Councilman Farley made a motion to accept the first reading of Ordinance 192 as read. Councilmen Koch seconded the motion. During discussion Councilman Frucci asked for an explanation for paying back the Town for the consultants fee. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - nay
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed.

3. Attorney Michelle Anchors conducted the first reading of Ordinance No. 193 by title: *AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA PROVIDING FOR A DECLARATION OF TOWN POLICY TO PROHIBIT DISCRIMINATION IN HOUSING ON THE BASIS OF RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, RELIGION, SEX, MARITAL STATUS, FAMILIAL STATUS, HANDICAP, OR AGE; PROVIDING DEFINITIONS, DESIGNATING AS UNLAWFUL CERTAIN DISCRIMINATORY HOUSING PRACTICES IN THE SALE OR RENTAL OF HOUSING AS WELL AS IN ADVERTISING IN CONNECTION THEREWITH, IN THE FINANCING OF HOUSING, AND IN BROKERAGE SERVICES*

RELATED TO HOUSING; PROVIDING FOR CERTAIN EXEMPTIONS AND EXCEPTIONS; PROVIDING FOR AN ADMINISTRATOR TO BE DESIGNATED BY THE CHIEF ELECTED OFFICIAL AND PRESCRIBING THE GENERAL POWERS AND DUTIES OF SUCH ADMINISTRATOR; PRESCRIBING ACTION UPON A DETERMINATION OF PROBABLE CAUSE, AND AUTHORIZING THE PROMULGATION OF FORMS AND REGULATIONS; MAKING PROVISION FOR THE FILING OF COMPLAINTS AND RESPONSES THERETO, AND THE PROCESSING THEREOF BY THE ADMINISTRATOR; PROVIDING FOR ADDITIONAL REMEDIES; INFORMATION; PROHIBITING UNTRUTHFUL COMPLAINTS OR FALSE TESTIMONY; AND PROVIDING FOR PENALTIES FOR VIOLATION OF SUCH ORDINANCE. Councilman Bainter made a motion to accept the first reading of Ordinance 193 as read. Councilmen Farley seconded the motion. During discussion Councilman DesGranges and resident Brian Dumka stated this ordinance was redundant. Town Manager/Clerk Webb explained that it was needed to qualify for the CDBG grant. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed unanimously.

Action Items

1. Attorney Michelle Anchors read by title Resolution 2002-07: **A RESOLUTION OF THE TOWN OF CINCO BAYOU ADOPTING AN ANTI-DISPLACEMENT POLICY AND RELOCATION PLAN AS PART OF ITS PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.** Councilman Farley made a motion to accept the Resolution 2002-07 as read. Councilman DesGranges seconded the motion. There was no discussion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed unanimously.

2. Attorney Michelle Anchors read by title Resolution 2002-08: **A RESOLUTION OF THE TOWN OF CINCO BAYOU ADOPTING A PURCHASING POLICY AS PART OF ITS PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.** Councilman Farley made a motion to accept the Resolution 2002-08 as read. Councilman Bainter seconded the motion. After discussion, a roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed unanimously.

3. Attorney Michelle Anchors read by title Resolution 2002-09: *A RESOLUTION OF THE TOWN OF CINCO BAYOU ADOPTING A CITIZEN PARTICIPATION PLAN AS PART OF ITS PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.* Councilman Farley made a motion to accept the Resolution 2002-09 as read. Councilman DesGranges seconded the motion. After discussion, a roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed unanimously.

4. Attorney Michelle Anchors read by title Resolution 2002-10: *A RESOLUTION OF THE TOWN OF CINCO BAYOU ADOPTING A COMMUNITY DEVELOPMENT PLAN AS PART OF ITS PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.* Councilman Farley made a motion to accept the Resolution 2002-10 as read. Councilmen DesGranges and Bainter seconded the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - nay
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed.

5. Attorney Michelle Anchors read by title Resolution 2002-11: *A RESOLUTION OF THE TOWN OF CINCO BAYOU ADOPTING AN AFFIRMATIVE ACTION POLICY AS PART OF ITS PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.* Councilman Farley made a motion to accept the Resolution 2002-11 as read. Councilman Bainter seconded the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed unanimously.

Town Manager/Clerk Nell Webb Request

1. Town Manager/Clerk Nell Webb requested the council set a date for abatement of 21 Kelly Street. She recommended the date of July 11, 2002 during the next regularly scheduled council meeting. The Mayor and Council agreed to the date.

General Business

1. Councilman Farley submitted a proclamation proclaiming resident Jim Bratton as the "Bat Man" of Cinco Bayou. Councilman Koch made a motion to accept proclamation. Councilman Farley seconded the motion. The motion passed unanimously.
2. Councilman Koch made a motion to not charge citizens of Cinco Bayou a duplication fee for audio or written copies of council meetings or workshops. Her motion included limiting it to one copy per citizen. Councilman Frucci seconded the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed unanimously. The council requested a cost estimate of fixing or replacing current equipment to duplicate tapes.

3. Councilman Desgranges submitted a list of programs to implement as a Council. He said that from the original list submitted at the April regular council meeting items 4, 5 and 6 were already implemented and initiated discussion of item 2 which established 3 to 5 goals of the council. Councilman Desgranges made a motion to adopt 3 to 5 goals that were in line with the budget. Councilman Farley seconded the motion. The motion failed with 2 yea votes and 3 nay votes. Councilman Desgranges suggested putting together a volunteer list and to look into low interest loans for road repairs stating that a maintenance schedule should be put together. Councilman Desgranges also suggested that the Council consider identifying major functions of government and these areas be divided up between each of the Council members. Each Councilperson would become the Council's Point of Contact/subject matter expert for a specific area. The Council would look to that particular Councilperson for purposes of understanding, recommendations, advice and guidance. Mayor Carroll stated that the Town Manager was charged with such responsibilities. No action was taken on Councilman Desgranges' recommendations.

Reports

1. Engineer's Report. Engineer Stanford submitted a written report stating that bids for repair of drainage ditch on Yacht Club Drive would be opened at 2 pm on June 27, 2002. Town Manager/Clerk Webb stated that she would be relying on the engineer to help determine the best bid. Councilman Frucci questioned when the Town Manager and Engineer got authorization to award the bid.
2. Attorney's Report. No report given.
3. Community Officer's Report. No report given.
4. Town Manager's Report - Town Manager/Clerk Webb submitted a written report. In addition she updated the council on the status of her computer stating that the hard drive had crashed. Councilman Frucci made a motion to authorize the Town Manager/Clerk to either purchase or lease a new computer up to \$1,000. Councilman Koch seconded the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea

Councilman Frucci - yea
Councilman Koch - yea
Councilman DesGranges - yea

The motion passed unanimously.

Town Manager/Clerk Webb initiated a discussion on the Florida League of Cities annual conference. She said she had researched the cost and that it would be approximately \$1,350 per person. Councilman Farley made a motion to only allow 1 member to attend at the Town's expense. Councilman Koch seconded the motion. A roll call vote was taken:

Councilman Bainter - yea
Councilman Farley - yea
Councilman Frucci - yea
Councilman Koch - yea
Councilman DesGranges - yea

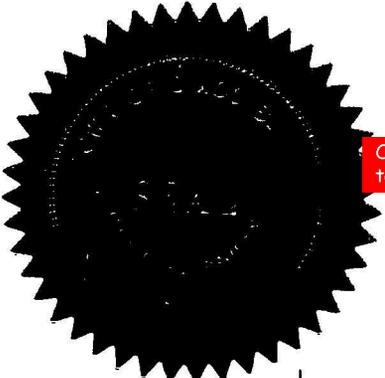
The motion passed unanimously.

5. Public Comments/Requests. None given.

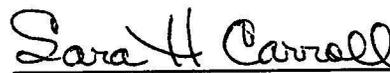
6. Council Member's Comments/Reports: Councilman Frucci asked if the semi annual review of the Town Manager/Clerk was due. Town Manager/Clerk Webb confirmed that it had been six months. Councilman Desgranges recommended that only one report be submitted. Councilman Farley suggested individual feedback. Mrs. Webb stated that nothing had been done with the previous evaluations. Councilman Bainter complimented Mayor Carroll to her letter to the Editor.

7. Mayor's Report – Mayor Carroll stated that the Okaloosa League of Cities are discussing the library co-op program trying to get the small cities of Cinco Bayou, Shalimar and Laurel Hill involved at the non-incorporated rate for its citizens. Mayor Carroll asked Councilman Bainter for an update on the EDC. He stated he attended the April 23rd meeting and gave an update. Mayor Carroll announced dates of upcoming meetings. It was the consensus of the Council to move the 2001-2002 budget workshop from July 3 to July 2 at 6 pm.

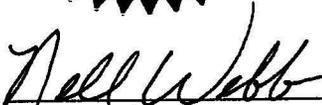
Adjourn – There being no further business, the meeting adjourned at 8:20 pm



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Sara H. Carroll, Mayor



Nell Webb
Town Manager/Clerk

REGULAR TOWN MEETING SIGN IN SHEET

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