

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
14 June 2001

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

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

A quorum was present. Also present were Town Manager/Clerk Nell Webb, Assistant Monika Gillette, Attorney Michelle Anchors, Engineers Jason Autrey, Monica Autrey and Ed Stanford, Community Officer Frank Hawley, and residents Dutch Payne, Kim Payne and Perry Kirsch.

PUBLIC HEARING

Attorney Anchors read Ordinance 187 by title. Mayor Drabczuk asked if there was any public comment. No public input was given. Councilman Frucci verified that the fee structure was not changed as agreed by the Council at the last meeting.

REGULAR BUSINESS

1. Council Approval of Agenda: Mayor Drabczuk asked for acceptance of the agenda. Councilman Carroll made a motion to approve the agenda. Councilman Farley seconded the motion. The motion passed unanimously.

2. Consent Agenda: Mayor Drabczuk asked for acceptance of the consent agenda. Councilman Carroll made a motion to approve the consent agenda. Councilman Farley seconded the motion. During discussion, Councilman Koch said she was not listed in the minutes. Town Manager/Clerk Webb said that the minutes were changed in the notebooks, but were incorrect when they were sent in the packets. Councilman Frucci referenced Paragraph B on page 2, saying that while what was there was correct, it did not have the response from Attorney McInnis and wanted it included in the minutes. Councilman Carroll questioned check number 13894 to Private Mini Storage saying the amount was more than usual. Town Manager/Clerk Webb explained there was a late charge added. Councilman Frucci asked when the reimbursement for the shutter would arrive. Mrs. Webb indicated it could take up to 90 days. Councilman Frucci stated that during budget time that this money would need to be remembered as coming due. Councilman Koch questioned check number 13911 for \$430. Mrs. Webb explained that the check was for tree trimming around Town Hall. Councilman Koch asked if the job was sent out for bid. Mrs. Webb said that it was not and she used a company that had been doing work for the Town. The motion approving the consent agenda passed unanimously.

3. Action Items:

1. Rachel Manzelli of the American Red Cross requested to use Town Hall as a location for a blood drive. She stated that she could provide insurance and that she would need Town Hall for about six hours total with set up time. Councilman Koch asked if this was a one day event. Councilman Frucci asked if there was flexibility of dates. Both questions were answered affirmatively. Councilman Frucci made a motion to allow the American Red Cross to utilize Town Hall for a blood drive and that the date would be coordinated through the Town Manager/Clerk and Mrs. Manzelli. Councilman Koch seconded the motion. The motion passed unanimously.
- B. Attorney Anchors again read Ordinance 187 by title. Councilman Carroll made a motion to approve Ordinance 187. Councilman Farley seconded the motion, which passed unanimously.
- C. Town Manager/Clerk Webb stated that the Interlocal Agreement with Okaloosa County and the Town had been submitted in the Council's packet. She said the Agreement was for the distribution of a local government surtax (One-Cent Sales Tax) which may be on a future referendum. She also stated that Town Attorney McInnis had reviewed the Agreement and said that it was acceptable. Councilman Carroll moved to approve the Interlocal Agreement with Okaloosa County. Councilman Farley seconded the motion, which passed unanimously.

4. General Business – Council Member's Request:

- A. Councilman Frucci gave an update on the Drainage Ditch on Yacht Club Drive stating he had attended a meeting with Mr. McInnis, Mrs. Webb, and the property owner, Mr. Kirsch and that negotiations were ongoing. He stated he would put a copy of any research in the Council Member's mail baskets.
- B. Councilman Frucci approached the Council stating that one area he felt was remiss was the relationship between the Town Manager/Clerk and the Council Members. He said he would like a forum during which the Council would tell the good things the Town Manager has done and to review areas which could be better. He suggested a frank and open discussion on the Town Manager/Clerk's duties and the relationship with the Council Members.
- C. Councilman Farley submitted in writing four motions. He read his first motion, "I move that the Cinco Bayou Town Council establish a *"Town Vision" work group, consisting of the mayor, interested council members, town manager/clerk, community policeman and other members of the community that may be interested in participating. Their charter would be to develop and present to the council at the September meeting a general town vision for Cinco Bayou that looks out 15 years. It would also outline an action plan to implement that vision in town ordinances and regulations.*" Councilman Koch seconded the motion. During discussion Councilman Carroll questioned the time frame and suggested the deadline be moved to October. Councilman Frucci also stated he felt the timeframe was too narrow and that the council would end up passing items to reach a deadline. Councilman Frucci suggested November as a better deadline and said that the group could try to finish before then. Councilman Bainter stated that the first task of the work group would be to develop a vision

statement and questioned if the council had the expertise. Mayor Drabczuk stated that their may be a grant available to bring in a consultant to help with group. Councilman Farley suggested that the group invite people with expertise such as commercial owners and realtors. Councilman Farley accepted the friendly amendment to the motion to extend the deadline to November. The motion passed unanimously.

Councilman Farley read the second motion he submitted, *"I move that the Cinco Bayou Town Council appoint Councilman Farley to chair the "Town Vision" working group."* Councilman Bainter seconded the motion. The motion passed unanimously.

Councilman Farley read the third motion he submitted, *"I move that the Town Vision Working Group meet Thursday evenings from 6 pm to 8 pm in the town hall when the Town Council is not in session. First meeting to take place 28 June 2001."* Councilman Koch seconded the motion. During discussion, Councilman Carroll stated that League of Cities meetings are held on Thursdays. Councilman Frucci stated that meeting once a week was not a good idea. Town Manager/Clerk Webb stated that minutes would be available to everyone. Councilman Carroll reminded the council that no votes could be taken at workshops. The motion passed with Councilman Frucci casting a nay vote.

Councilman Farley read the final motion he submitted, *"I move that the Town Council direct the Town Manager to make appropriate notification of the council's decision to comply with Florida sunshine laws."* Councilman Carroll seconded the motion. Councilman Farley accepted the friendly change to clarify the motion to *"I move that the Town Council direct the Town Manager to make appropriate legal notifications to comply with Florida Sunshine Laws."* The motion passed unanimously.

- D. Councilman Koch reported that the "No Wake" Buoys were not effective and stated one more buoy was needed off the point from Francis Park. Mrs. Webb reported that she had contacted Mr. Lancaster, who originally installed the buoys and he said the buoys were in the correct places. Councilman Koch stated there is quite a problem with jet skiers. Councilman Bainter questioned how the no wake zone could be enforced. Community Officer Hawley suggested residents call the Florida State Marine Patrol or the sheriff's dispatch. Councilman Frucci said that part of the problem was that the buoys were covered with bird excrement and they cannot be read. Mrs. Webb said she would research if the buoys were in the right place, but that the Town had no control of the buoys and that placement and number were mandated by the Corps of Engineers. Councilman Farley suggested that a sign be erected at the boat launch with a map of the no wake zones.
- E. Councilman Koch stated she received a letter from Doris McDonald of Cinco Bayou Baptist Church Grounds Committee requesting removal of two magnolias. Councilman Koch said she went to look at the trees and that one was very large and overhung the sidewalk. Councilman Carroll stated that the Town has ordinances in place in regards to trees. Mayor Drabczuk stated that there is a procedure in place and that the request could not be decided at tonight's meeting. Mr. Autry also stated that because it is along the roadside it might fall under DOT rules.
- F. Engineer's Report: Jason Autrey gave an update on Hughes Street stating that a letter had been sent to Jay Odom with no response to date. Councilman Carroll complimented the letter

sent to Mr. Odom. Mayor Drabczuk asked about the condition of the road and if was still driveable. Mr. Autrey stated that the road was still driveable.

Mr. Autrey also gave an update on the ditch on Yacht Club Drive. He said he attended a council meeting for the City of Fort Walton Beach to request help with the ditch. He was informed from Mr. Murray that storm water runoff was caused partly by Cinco Bayou and not all from Fort Walton Beach. Mr. Autrey said that perhaps Fort Walton Beach might be open to in-kind service but that the Fort Walton Beach Council did not make a motion during the meeting, but is willing to hear the request again when more specifics are known. Mrs. Webb stated that she, Mr. McInnis and Mr. Schaeffer met with Okaloosa County officials where they received a positive reaction for in-kind services. Councilman Carroll asked how we would be able to do the repair if the homeowner would not allow workers on his property. Mrs. Webb stated that she would meet with Mr. Kirsch again on Tuesday. Mr. Autrey stated without an easement it would be difficult to repair the ditch. Councilman Frucci said that Mr. Kirsch would grant an initial construction easement and that the issue was with maintenance. He said that there was potential for a small easement but that Mr. Kirsch was concerned that $\frac{1}{4}$ of his land was included in the easement. Mayor Drabczuk stated that the Town needed to be sure that there was access to maintain the ditch in the future. Councilman Frucci reminded the council that the owners of the Moorings requested that the ditch be cleaned.

G. Attorney's Report. Mrs. Michelle Anchors stated that Mr. McInnis was at a meeting.

H. Community Officer's Report. Deputy Hawley told the council that a story on dogfight training in Cinco Bayou may be reported in the local newspaper. Councilman Frucci asked if other communities had barred certain dogs. He also asked if there was an improvement with the cat situation on Opp Boulevard and if PAWS was effective at all. Deputy Hawley stated that PAWS seems to be doing its job. Mayor Drabczuk agreed saying that PAWS has been responsive.

I. Town Manager's Report.

1. Mrs. Webb stated a need to change December's regular Council meeting as it conflicted with the Okaloosa League of Cities quarterly meeting sponsored by Cinco Bayou. Councilman Koch suggested meeting December 6th. Councilman Frucci suggested meeting Wednesday, December 12th. Councilman Farley made a motion to change the regular council meeting in December to the 12th. Councilman Carroll seconded the motion. The motion passed unanimously.
2. Mrs. Webb said that possible grant money was available to purchase available land in Cinco Bayou for a possible expansion of Winn Davis park and asked if the council wanted her to apply for it. Councilman Carroll motioned that Mrs. Webb consider the application for the grant money. Councilman Farley seconded the motion. During discussion Councilman Bainter questioned if taking a $\frac{1}{2}$ million-dollar property out of the tax rolls was prudent. Mayor Drabczuk stated that the application could be submitted and that the town could back out. Mrs. Webb cautioned that this would not be a good idea. Councilman Bainter stated that without a vision for the town it is hard to say what the best use for the property would be. Councilman Farley said that waterfront property is not available very often and that it could

be a legacy. Councilman Frucci questioned the amount of work generated by applying for the grant and maintaining the property by the maintenance staff if the grant were approved. Mrs. Webb stated that Nan Wheeler has offered her service, but was not sure of the cost, if any. The motion passed with Councilman Frucci casting a nay vote.

3. Mrs. Webb requested that the Town sponsor lunch for a Florida Association of City Clerks district meeting to be held August 14, 2001 at Town Hall. She estimated the amount would be \$50. Councilman Farley motioned that the Town sponsor the lunch. Councilman Carroll seconded the motion, which passed unanimously.
4. Mrs. Webb asked if any of the Council members were interested in attending a Communication Services Tax Simplification Act seminar. Councilman Frucci asked how much money per year is raised through this tax and if it made sense to send someone. Councilman Farley stated that education was important and that almost any seminar is worth going to as it gains exposure for Cinco Bayou. Councilman Farley made a motion to allow Mrs. Webb to attend the workshop. Councilman Carroll seconded the motion. The motion passed with Councilman Frucci and Councilman Koch casting nay votes.
5. Mrs. Webb updated the council on the FACC conference she attended and submitted her calendar with meeting dates.
- J. Public Requests/Comments: Mayor Drabczuk stated he received a letter from James Austin which stated his disappointment with the new fence surrounding the maintenance shed. Councilman Carroll suggested that the fence be painted gray. Councilman Frucci said it should be painted the same color as the building. Mayor Drabczuk instructed Mrs. Webb to address the problem and that no motion was needed.

Mr. Perry Kirsch of 55 Yacht Club addressed the council to offer his assistance and stated that he wants to work with the Town regarding the drainage ditch on Yacht Club Drive. He stated he would like to be involved with the design of the ditch and that he has expertise in that area. He said if he agreed to an easement he would want to be considered in any decision. Mr. Kirsch stated that he purchased the property as an investment and was concerned that a new easement may impede a future sale.

K. Council Member's Comments/Reports:

Councilman Carroll reported that she and Councilman Koch presented a wreath at Beal Memorial Cemetery and that she and Councilman Bainter attended a very informative meeting for the Strategic Planning Initiative. She said she would leave a packet of information with Mrs. Webb if any of the council members were interested. Councilwoman Carroll also stated there was an abandoned boat by the boat launch. Deputy Hawley said he would check on it.

Councilman Bainter agreed with Councilman Carroll that the meeting was beneficial. He referenced storm water management and the need to meet requirements for the national pollution discharge elimination system. Mr. Autrey said that new requirements would be coming but that Cinco Bayou may be able to buy into Okaloosa County's plan and that substantial funding sources may be available through grants and loans.

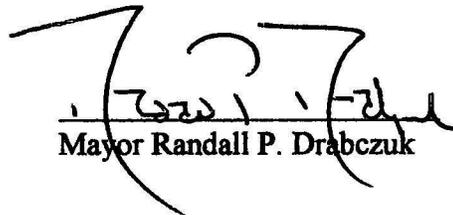
Councilman Farley stated he attended a one-cent sales tax citizen oriented committee meeting. He said "A Penny for Progress, Inc." committee was established to publicize the benefits of putting on a referendum in October. Councilman Farley said that the county would provide funding for education of the referendum. Councilman Frucci ended the discussion by saying, "Give me a break!"

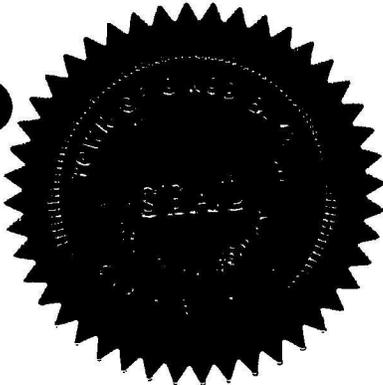
L. Mayor's Report – The Mayor announced the upcoming picnic and quarterly dinner meeting of the Okaloosa League of Cities.

M. Adjourn – There being no further business, the meeting adjourned at 7:45 p.m.

ATTEST:


Nell Webb
Town Manager/Clerk


Mayor Randall P. Drabczuk



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MANAGERS REPORT – JUNE 14, 2001

1. VOTE NEEDED - NEED TO CHANGE DECEMBER TOWN COUNCIL MEETING FROM DECEMBER 13TH TO DECEMBER 20TH - (OR OTHER DATE IF DESIRED) WILL NEED TO ADVERTISE CHANGE.

THE OKALOOSA COUNTY LEAGUE OF CITIES QUARTERLY DINNER WILL BE CINCO BAYOU'S RESPONSIBILITY IN DECEMBER. THE 20TH, WHICH WOULD BE THE NORMAL SCHEDULED DATE, IS TO CLOSE TO CHRISTMAS AND WOULD NOT LIKELY GET MUCH ATTENDENCE.

RESERVATIONS HAVE BEEN MADE AT HURLBERT FIELD – WE NEED THIS DECISION MADE DUE TO CANCELLATION DATE DEADLINE IS JULY 1ST.

2. VOTE NEEDED – POSSIBLE GRANT MONEY AVAILABLE FOR LAND AQISITION THROUGH DEP – DEPT. OF PARKS & RECREATION. DO WE WANT TO PURSUE POSSIBLY BUYING LOT NEXT DOOR TO EXPAND WINN DAVIS PARK? THE DEADLINE FOR SUMISSION OF APPLICATIONS IS JUNE 18 TO JULY 18, 2001.

3. VOTE NEEDED – REQUEST TOWN SPONSOR LUNCH FOR FACC NW FL DISTRICT MEETING – AUGUST 14, 2001 AT TOWN HALL – APPROX. \$50.00

4. ATTENDENCE NEEDED – THE FLORIDA ASSOCIATION OF COUNTIES AND THE FLORIDA LEAGUE OF CITIES HAVE SCHEDULED FOUR REGIONAL SEMINARS TO EXPLAIN THE COMMUNICATION SERVICES TAX SIMPLIFICATION ACT. THE TWO-HOUR SEMINARS WILL EXAMINE THE NEW RATE STRUCTURE, PRESENT A MODEL RESOLUTION, OUTLINE THE PERMIT FEE OPTIONS, AND ANSWER QUESTIONS. THE OBJECTIVE IS TO ARM EACH LOCAL GOVERNMENT WITH ENOUGH INFORMATION AT THE REGIONAL SEMINARS SO THAT THE GOVERNING BODIES CAN ADOPT RESOLUTIONS TO MEET THE JULY 16TH DEADLINE.

THERE WILL BE TIME FOR BREAKOUT SESSIONS TO PROVIDE TECHNICAL ASSISTANCE TO INDIVIDUAL CITIES AND COUNTIES THAT HAVE SPECIFIC CONSIDERATIONS.

*JUNE 22, 2001 – 10:00 A.M. TO NOON
LEON COUNTY COMMISSION CHAMBERS
301 S. MONROE STREET
TALLAHASSEE, FL 32301*

REGULAR TOWN MEETING SIGN IN SHEET

Name:	Ed Stanford		
Address:	Jones, Edwards & Assoc.		
Phone:	850-837-7860	Email:	estanford@jca.net

Name:	Marissa Autrey		
Address:			
Phone:	850-837-7860	Email:	mautrey@jca.net

Name:	Jason Autrey		
Address:			
Phone:	850-837-7860	Email:	jautrey@jca.net

Name:	Dutch Payne		
Address:			
Phone:		Email:	

Name:	Kimberly Payne		
Address:			
Phone:		Email:	

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