

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING  
JUNE 21, 1979

1. APPROVAL OF MINUTES-REGULAR COUNCIL MEETING-MAY 17, 1979.
2. APPROVAL OF FINANCIAL STATEMENT-MAY 1979.
3. CONSIDERATION OF EMPLOY OF CREEL, BRYAN & GALLAGHER TO CONVERT ACCOUNTS TO COMPLY WITH STATE MANUAL.
4. DETERMINE DISPOSITION OF APPLICATION FOR HUD 701 FUNDS.
5. FIRST READING OF ORDINANCE RELATIVE TO RESTAURANTS SERVING ALCOHOLIC BEVERAGES.
6. RECONSIDER MEMBERSHIP IN OKALOOSA INDUSTRIAL DEVELOPMENT COUNCIL.
7. CONSIDERATION OF RESOLUTION RE DITCH UNDER YACHT CLUB DRIVE.
8. DISCUSSION OF CITIZENS ADVISORY COMMITTEE FOR COMPREHENSIVE PLANNING.
9. AUTHORIZATION FOR CLERK TO NEGOTIATE WITH COUNTY COMMISSIONERS RE PAVING END OF KIDD STREET AND SOME INTO FRANCIS PARK.
10. CLERK'S REPORT.

TOWN OF CINCO BAYOU  
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Town officials in attendance: Mayor Pro-Tem Max Usrey, Council members Irene Balsley, Phil Johnston, Harold Peek and Ralph Perry; Attorney Fred Estergren, Town Manager Ken Espy and Recorder Dee Rouse. Absent: Jim Kendrick and Rick Powell.

Also present were: Brenda Watson-PGDN, Miller Burt, Dick Bixby, Abbie Tyner, Adelia Robblee and Jimmy Messick-Creel, Bryan and Gallagher.

Therefore, a quorum being present, Mayor Pro-Tem Usrey opened the meeting at 7:00 p.m., with a silent prayer.

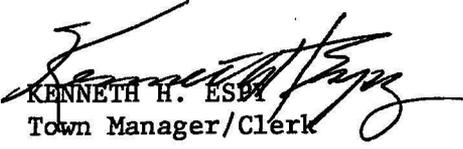
1. APPROVAL OF MINUTES-REGULAR COUNCIL MEETING-MAY 17, 1979. Motion by Mr. Peek to accept as printed, seconded by Mr. Johnston. Motion carried unanimously.
2. APPROVAL OF FINANCIAL STATEMENT-MAY 1979. Motion by Mrs. Balsley to accept as presented, seconded by Mr. Peek. Motion carried unanimously.
3. CONSIDERATION OF EMPLOY OF CREEL, BRYAN & GALLAGHER TO CONVERT ACCOUNT TO COMPLY WITH STATE MANUAL. Mr. Peek moved that the Town employ Creel, Bryan and Gallagher to convert the Town's accounting system to comply with the State Accounting Manual at a cost of \$350 and also prepare the print out of the Monthly General Ledger at a cost of \$55.00, seconded by Mr. Perry. Motion carried unanimously.
4. DETERMINE DISPOSITION OF APPLICATION FOR HUD 701 FUNDS. Motion by Mr. Peek to take no further action on any application for the HUD 701 Funds, seconded by Mrs. Balsley. Motion carried unanimously.
5. FIRST READING OF ORDINANCE RELATIVE TO RESTAURANTS SERVING ALCOHOLIC BEVERAGES.

Attorney Estergren performed first reading of ordinance to amend Zoning Ordinance adopted in 1964. Motion by Mr. Peek to accept first reading of the amending ordinance, seconded by Mrs. Balsley. Motion carried unanimously. (NOTE: Amending ordinance will be numbered 66).

6. RECONSIDER MEMBERSHIP IN OKALOOSA INDUSTRIAL DEVELOPMENT COUNCIL. Motion by Mrs. Balsley to release check to the Chamber of Commerce for the Okaloosa Industrial Development Council membership at a cost of \$250 per year, seconded by Mr. Johnston. Motion carried unanimously.
7. CONSIDERATION OF RESOLUTION RE DITCH UNDER YACHT CLUB DRIVE. Motion by Mr. Peek to adopt the Resolution requesting the Town's share of gasoline tax (5th and 6th cent) be used as funding to correct the drainage ditch on Yacht Club Drive, seconded by Mrs. Balsley. Motion carried unanimously. Mr. Burt recommended to Council that a copy of the resolution be sent to Mr. W. W. Ray, District Engineer of the Department of Transportation. Council agreed. (NOTE: Resolution to be numbered 79-4).
8. DISCUSSION OF CITIZENS ADVISORY COMMITTEE FOR COMPREHENSIVE PLAN. Clerk informed Council of the meeting with Mark Gill to be held on July 2 at 6:30 p.m., at the Town Hall. At this meeting, Mr. Gill will present the first draft of the Comprehensive Plan for Cinco Bayou. Clerk also informed Council that Mr. Gill is requesting a list of the citizens and Council members which he can add to his files for the State.

9. AUTHORIZATION FOR CLERK TO NEGOTIATE WITH COUNTY COMMISSIONERS RE PAVING END OF KIDD STREET AND SOME INTO FRANCIS PARK. Council directed Clerk to write Commissioner Peebles a letter requesting his consideration to pave end of Kidd Street into Francis Park, also ask him to meet with Mrs. Balsley, Mr. Burt and Clerk.
10. CLERK REPORT. Clerk informed Council that their had been an error on the Fire Insurance Policy and this had been the delay for our receipt of the policy. He also informed Council that he had hired a new maintenance man and that he would start to work Monday, June 25.
11. ADJOURNMENT. Meeting adjourned at 8:06 p.m.

RESPECTFULLY SUBMITTED AS TRUE AND CORRECT TO BEST OF MY ACKNOWLEDGE.

  
KENNETH H. ESBY  
Town Manager/Clerk

ATTACHMENTS TO RECORD SET OF MINUTES:

1. Financial Statement.
2. Ordinance-Restaurants serving Alcoholic Bev's.
3. Resolution 79-4.
4. Copy of Citizens Advisory Council Meeting.
5. Newspaper Clippings-PGDN.

## TOWN OF CINCO BAYOU - JOURNAL OF CHECKS WRITTEN - DEPOSITS MADE

MAY 1979

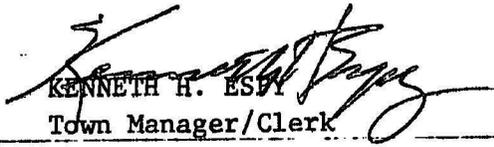
Check Number	To Whom	Purpose	Date	Amount Of Check	Bank Bal Fwd And Deposits	ACCOUNTING CODES
		Bal Fwd	1	--	9457.67	
34	43 Town Of Cinco	Petty Cash	8	24.96		603
	44 BMS	Actg - Apr	8	55.00		
	45 IBM	Repaired T'Writer	8	41.34		403
	46 J. Vivarttas	Dues-PGDN-Apr	8	3.90		413
	47 Sanitation Svs	Svs-Apr - June	8	45.00		405-4
	48 Stone's Gulf	Gas-Truck & Mower	8	24.70		403
	49 Rapdall's	Fertilizers (5)	8	19.95		403
	50 Oka W&S Sys	Sewer Trmt-April	8	1207.00		405-4
	51 GravelyOfMobile	Adjust Blade & Battery	8	33.80		403
	52 Estergren, FA&P	Ret - April	8	100.00		401-21
	53 VOIDED	--	--	--		
	54 Boyette's	Svs-5/1-5/31	8	30.00		401-4
	55 CENTEL	Town Hall	8	28.98		405-4
	56 Polyengineering	Ret - May	8	100.00		401-4
	57 D. Rouse	2Wks-4/24-5/7	8	214.80		401
	58 K. Espy	2Wks-4/24-5/7	8	268.00		401
	59 W. Owens	2Wks-4/24-5/7	8	69.00		401
	60 Gatlin L&S Co	Supplies	8	32.27		401
	61 Playground News	Change of Mtg Date	8	7.72		401-13
	62 CENTEL	19th Pmt-U/F Tax	9	300.00		405
	63 Oka Co Sheriff	Svs - May	9	400.00		401-08
	-- --	See Dep 78/79-31	10	--	3509.09	
	64 Barnett Bank	P/R Dep-April	14	155.40		401
	-- --	See Dep 78/79-32	15	--	4586.14	
	65 Atlas Ext	Svs - May	22	7.00		401-10
	66 Gulf Power Co	L/Sta-Kelly	22	65.31		405-10 (411.59)
		Pump-Leyenda				405-12 (229.97)
		Traffic Lights				405-18 (403.75)
	67 City of FWB	Water-Laguna Pk	22	27.18		405-04 (40.53)
		" -Seaway				405-04 (40.53)
		" -Francis Pk				405-05 (40.53)
		" -Town Hall				405-03 (47.59)
	68 K. Espy	2Wks-5/8-5/21	22	268.00		427
	69 D. Rouse	2Wks-5/8-5/21	22	214.80		427
	70 W. Owens	2Wks-5/8-5/21	22	51.00		427
	71 CENTEL	Loop Lift Stas	22	24.15		405-02
	72 A. Robblee	Cake for Party	22	15.00		410
	73 J. Vivarttas	Dues-PGDN-May	29	3.90		413

## TOWN OF CINCO BAYOU - JOURNAL OF CHECKS WRITTEN - DEPOSITS MADE, Page 2

MAY 1979

Check Number	To Whom	Purpose	Date	Amount Of Check	Bank Bal Fwd And Deposits	ACCOUNTING CODES
34	74 T. Burke	Dues-PNJ-May	29	4.35		412
75	Lewis Jackson	Two Loads of Sand & Use of Dozer for Francis Park	29	89.00		652
76	Gulf Power Co	L/Sta-Laguna Pk	29	8.86		415-10
77	Gulf Power Co	Street Lights	29	247.19		415-03
78	City Of FWB	Traffic Light Repair	29	50.95		413
79	Copy Product Co	Svs on Copy Machine	29	45.33		403
80	FWB Postmaster	Roll of Stamps	29	15.00		414
81	Gulf Power Co	Town Hall	29	59.40		415-11
82	W.T. McKinney	Abutment Around Flag Pole	31	320.00		651
		See Dep 78/79-33	31	--	1613.44	
Total Cks Wr				4678.24	9708.67	(Income for May)
Bal Fwd 1 May 79					9457.67	
Total Funds Available					19166.34	
Cks Wr					-4678.24	
Cash O/H In Bank				31	14488.10	
Petty Cash Fund				31	12.73	
Cash In Bank & P/C				31	14500.83	
Sav's \$200-004-0				31	6808.13	
Sav's #200-067-9				31	728.67	
CD's				31	12000.00	
TOTAL FUNDS AVAILABLE					142037.63	

RESPECTFULLY SUBMITTED AS TRUE AND CORRECT TO BEST OF MY ACKNOWLEDGE.

  
KENNETH H. ESVY  
Town Manager/Clerk

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ADOPTED AUGUST 3, 1964, BY THE TOWN OF CINCO BAYOU, FLORIDA, AS AMENDED, BEING AN ORDINANCE ESTABLISHING A ZONING PLAN WITHIN THE TOWN OF CINCO BAYOU, FLORIDA; CREATING THREE DISTRICTS, REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCES OR OTHER PURPOSES, THE HEIGHT AND SIZE OF STRUCTURES, THE SIZE OF OPEN SPACES FOR LIGHT AND VENTILATION; ADOPTING A MAP OF SAID DISTRICTS, DEFINING TERMS USED; PROVIDING FOR THE ADJUSTMENT, ENFORCEMENT AND AMENDMENT THEREOF; DESCRIBING PENALTIES FOR VIOLATIONS THEREOF; SAID AMENDING ORDINANCE PROVIDING THAT SECTION 6, C-1 LIMITED COMMERCIAL DISTRICT, SUBSECTION (A) "USES PERMITTED", PARAGRAPH 20 AND SECTION 7, C-2 GENERAL COMMERCIAL DISTRICT, SUBSECTION (A) "USES PERMITTED" PARAGRAPH 8 DO NOT PREVENT THE SALE OF BEER, WINE, LIQUOR, OR OTHER INTOXICATING BEVERAGES BY A RESTAURANT ON THE PREMISES IN CONJUNCTION WITH THE CONSUMPTION OF FOOD; DEFINING RESTAURANT; SEVERING INVALID PORTIONS OF SAID AMENDING ORDINANCE; REPEALING ORDINANCES INCONSISTENT WITH SAID AMENDING ORDINANCE; AND PRESCRIBING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED by the Town Council of the Town of Cinco Bayou, Florida, as follows:

.. SECTION 1: Section 6, C-1 Limited Commercial District, subsection (a) "Uses Permitted", paragraph 20 of an ordinance enacted on the 3rd day of August, 1964, by the Town Council of the Town of Cinco Bayou, Florida, as previously amended, reads as follows:

- (20) Retail stores, including department stores, drugstores, but excluding lumberyards, junk dealers, auto wrecking mechanical garages, or any business where the materials sold are not housed within a building, and excluding any store which sells beer, malt beverages, wine, liquor, or other intoxicating beverages within two thousand, five hundred (2,500) feet of an existing public school or church, which distance shall be measured from the closest existing habitable building corner of the buildings owned, leased or otherwise used or held by such public school or church to the closest property line of the property upon which is located such place of business selling beer, malt beverages, wine, liquor, or other intoxicating beverages, determined by a straight-line distance at the time such retail store use begins; provided, however, that this amendment shall not be construed to prevent the sale of beer and wine for consumption off the premises or to prevent the sale of beer, wine, liquor, or other intoxicating beverages by a restaurant on the premises in conjunction with the consumption of food. Restaurant, for the purpose of liquor sales, shall be defined as having five-thousand (5,000) square feet of service area and equipped to serve two-hundred (200) persons full-course meals at one time, and deriving at least fifty-one percent (51%) of its gross revenue from the sale of food and non-alcoholic beverages.

SECTION 2: Section 7, C-2 General Commercial District, subsection (a) "Uses permitted", Paragraph 8 of an ordinance enacted on the 3rd day of August, 1964, by the Town Council of the Town of Cinco Bayou, Florida, as previously amended, reads as follows:

- (8) Retail stores where the merchandise sold is housed within a building, and excluding any store which sells beer, malt beverages, wine, liquor, or other intoxicating beverages within two thousand, five hundred (2,500) feet of an existing public school or church, which distance shall be measured from the closest existing habitable building corner of the buildings owned, leased, or otherwise, used or held by such public school or church to the closest property line of the property upon which is located such place of business selling beer, malt beverages, wine, liquor, or other intoxicating beverages, determined by a straight-line distance at the time such retail store use begins; provided, however, that this amendment shall not be construed to prevent the sale of beer and wine for consumption off the premises or to prevent the sale of beer, wine, liquor, or other intoxicating beverages by a restaurant on the premises in conjunction with the consumption of food. Restaurant, for the purpose of liquor sales, shall be defined as having five-thousand (5,000) square feet of service area and equipped to serve two-hundred (200) persons full-course meals at one time, and deriving at least fifty-one percent (51%) of its gross revenue from the sale of food and non-alcoholic beverages.

SECTION 3: Section 6, C-1 Limited Commercial District, subsection (a) "Uses permitted", Paragraph 20 of the Ordinance set forth above is hereby amended to read as follows:

- (20) Retail stores, including department stores, drugstores, but excluding lumberyards, junk dealers, auto-wrecking mechanical garages, or any business where the materials sold are not housed within a building, and excluding any store which sells beer, malt beverages, wine, liquor, or other intoxicating beverages within two thousand, five hundred (2,500) feet of an existing public school or church, which distance shall be measured from the closest existing habitable building corner of the buildings owned, leased, or otherwise used or held by such public school or church to the closest property line of the property upon which is located such place of business selling beer, malt beverages, wine, liquor, or other intoxicating beverages, determined by a straight-line distance at the time such retail store use begins; provided, however, that this amendment shall not be construed to prevent the sale of beer and wine for consumption off the premises or to prevent the sale of beer, wine, liquor, or other intoxicating beverages by a restaurant on the premises in conjunction with the consumption of food. Restaurant, for the purpose of liquor sales, shall be defined as having twenty-five hundred (2,500) square feet of service area and equipped to serve one-hundred and fifty (150) persons full-course meals at one time, and deriving at least fifty-one percent (51%) of its gross revenue from the sale of food and non-alcoholic beverages.

SECTION 4: Section 7, C-2 General Commercial District, subsection (a) "Uses permitted", Paragraph 8 of the Ordinance set forth above is hereby amended to read as follows:

- (8) Retail stores where the merchandise sold is housed within a building, and excluding any store which sells beer, malt beverages, wine, liquor, or other intoxicating beverages within two thousand, five hundred (2,500) feet of an existing public school or church, which distance shall be measured from the closest existing habitable building corner of the buildings owned, leased or otherwise used or held by such public school or church to the closest property line of the property upon which is located such place of business selling beer, malt beverages, wine, liquor, or other intoxicating beverages, determined by a straight-line distance at the time such retail store use begins; provided, however, that this amendment shall not be construed to prevent the sale of beer and wine for consumption off the premises or to prevent the sale of beer, wine, liquor, or other intoxicating beverages by a restaurant on the premises in conjunction with the consumption of food. Restaurant, for the purpose of liquor sales, shall be defined as having twenty-five hundred (2,500) square feet of service area and equipped to serve one-hundred fifty (150) persons full-course meals at one time, and deriving at least fifty-one percent (51%) of its gross revenue from the sale of food and non-alcoholic beverages.

SECTION 5: Should any section, clause, or provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: This ordinance shall become effective immediately upon its passage and approval of the Mayor.

ADOPTED: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Town Clerk

RESOLUTION NO. 79-4

WHEREAS, the County of Okaloosa is charged with the responsibility of maintaining secondary roads within its boundaries, and

WHEREAS, the State of Florida allocates to Okaloosa County the 5th and 6th cent gasoline tax as funding for such road maintenance, and

WHEREAS, Yacht Club Road is a secondary road located, in part, within the Town of Cinco Bayou, Florida, and

WHEREAS, secondary road drainage ditches for Yacht Club Road run from Hughes Avenue through Opp Boulevard into Glenwood Park and continue through Yacht Club Road to the bayou,

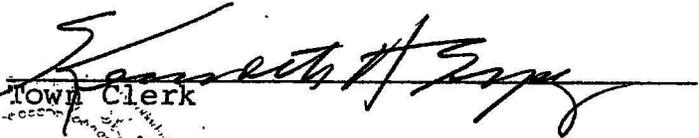
Now therefore BE IT RESOLVED by the Town Council of the Town of Cinco Bayou, Florida:

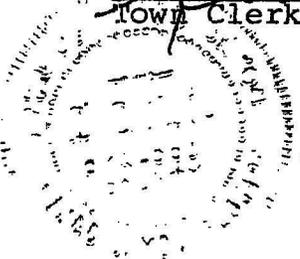
The Board of County Commissioners of Okaloosa County, Florida, are hereby requested to apply the Town of Cinco Bayou's share of the secondary road maintenance funds to the correction of unsanitary, potentially dangerous, conditions in the Yacht Club Road drainage ditches and to the piping and closing of such ditches.

Adopted this 21st day of June, 1979.

\_\_\_\_\_  
Acting Mayor  
Town of Cinco Bayou

ATTEST:

  
Town Clerk



## Cinco Bayou Bookkeeping System to Be Converted

Cinco Bayou town councilmen unanimously decided Thursday to contract a local accountant firm to convert the town's present bookkeeping system to one that will comply with state-mandated regulations.

Jimmy Messick, representative of Creel, Bryan & Gallagher, 126 Eglin Parkway, told council members it would cost the town \$350 to make the conversion that was required by the state Oct. 1, 1978.

Town Manager Kenneth Espy said the purpose

behind the state requirement is to put all local governments' account numbers on the same numbering system.

Messick said this is to facilitate the compilation of statistical information that might prove helpful to the governments.

Espy also said the state system breaks down the budget into finer categories of expenditures.

**NOTICE OF PROPOSED ENACTMENT OF ORDINANCE:**

The Town Council of the Town of Cinco Bayou, Florida, proposes to enact an ordinance amending Appendix A, zoning Sections 6(A) (20) and 7 (A) (8) of the Code of Ordinances of the Town of Cinco Bayou, Florida, to provide that restaurants have accommodations for service for one hundred and fifty (150) or more patrons at tables and occupying more than twenty-five hundred (2,500) square feet of floor space in conjunction with the sale of beer, wine, liquor, or other, intoxicating beverages with the consumption of food. Such ordinance may be inspected by the public at the town hall of the Town of Cinco Bayou, Florida, and it is proposed that the ordinance should be considered for first reading by the town council of the Town of Cinco Bayou, Florida, at their regular council meeting to be held at 7:00 o'clock P.M. on June 21, 1979, at the town hall of the Town of Cinco Bayou, Florida, at which time interested parties may appear at the meeting and be heard with respect to proposed ordinance amending the Code of Ordinances.

Town Clerk  
Kenneth Espey

7147

June 15, 20, 1979

## Townhouse Plans Presented to Cinco

A local firm presented plans outlining the construction of a townhouse project in the Glenwood Park area to the Cinco

Bayou planning committee Thursday.

Architect Don David, representing Quatre Inc., presented blueprints to the town's council to get its reaction before going any further with the project.

The council expressed a favorable attitude toward phase I of the project, which calls for a 14 unit neighborhood.

"It sure would be better than what's there now," said councilwoman Irene Balsley. The area Quatre wants to develop is a barren field, according to Town Manager Kenneth Epsy.

Although it has not been finalized, David said the proposed price range for the individually owned units would be under \$45,000.

Councilman Max Usrey said the biggest stumbling block to the project would be the sewer and water systems, which would have to be extended about 500 feet to service the townhouses.