

**TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
8 AUGUST 2002**

Mayor Pro Tem Koch called the regular Town Council meeting to order at 6:00 P.M. on August 8, 2002. Following a silent prayer and the pledge of allegiance, roll call was taken.

Roll Call: Mayor Carroll (absent)
Councilman Bainter
Councilman DesGranges
Councilman Farley
Councilman Frucci
Mayor Pro Tem Koch

A quorum was present. Also present were Town Attorney Jeff McInnis, Town Manager/Clerk Nell Webb, and Assistant Monika Gillette.

REGULAR BUSINESS

1. **Council Approval of Agenda** - Mayor Pro Tem Koch asked for acceptance of the agenda. Councilman Farley moved to accept the agenda. Councilman DesGranges seconded it. The motion passed unanimously.
2. **Consent Agenda**: Mayor Pro Tem Koch asked for acceptance of the consent agenda with an added action item asking for support a resolution submitted by the City of Mary Esther to give municipalities Home Rule over the installation and amortization of billboards. Councilman Farley moved to accept the consent agenda with the addition. Councilman DesGranges seconded it. The motion passed unanimously.

ACTION ITEMS

1. Mayor Pro Tem Koch explained proposed Ordinance 194 which would increase the Local Services Communications Services Tax Rate by 0.12% stating that it could bring in an additional \$1,500 in revenue. Mayor Pro Tem Koch asked for a motion to set a date and advertise for a public hearing for Ordinance 194, stating that it needed to be done by September 1, 2002 in order to meet the filing deadline. The dates chosen were August 22, 2002 and August 26, 2002 at 5 pm. Councilman Bainter made the motion setting the dates. Councilman DesGranges seconded the motion. The motion passed with Councilman Frucci casting a nay vote.
2. Councilman Bainter made a motion to increase the Gulf Power franchise fee to 6 percent. Councilman Farley seconded the motion. Attorney McInnis stated it would need to be in the form of a Resolution. Mrs. Webb stated that it would become effective October 1, 2002. A roll call vote was taken:

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

The motion passed 3-1.

3. Mayor Pro Tem Koch asked for a motion to approve the Florida Boating Improvement Project Agreement between the Town and Okaloosa County granting Cinco Bayou \$15,000. Attorney McInnis suggested that it be made contingent on the service agreement not being extended an additional 25 years. Councilman Farley made the motion with the contingency. Councilman DesGranges seconded the motion. The motion passed unanimously.
4. Mayor Pro Tem Koch read a draft letter to be sent to Gulf Power requesting an audit of the past five years. Councilman Farley made a motion to accept the letter as read. Councilman DesGranges seconded the motion. A friendly amendment was accepted to add that it was the Town's expectation that there would be no fee to the Town. The motion passed unanimously.
5. Mayor Pro Tem Koch explained the resolution to be submitted by the City of Mary Esther at the Florida League of Cities conference stating it supported giving municipalities Home Rule over the installation of new billboards and the removal or amortization of existing billboards. Councilman Farley made a motion to provide Cinco Bayou's proxy vote to Mary Esther for the support of the Home Rule Resolution. Councilman DesGranges seconded the motion. The motion passed unanimously.

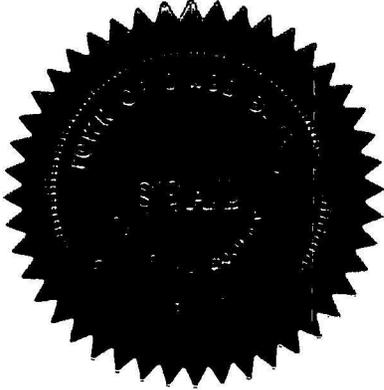
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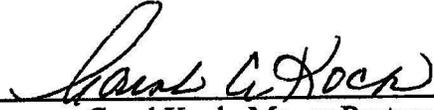
1. Engineer's Report. Engineer Stanford submitted his report in writing. Councilman Bainter asked when the modified ditch permit would be ready. Mrs. Webb stated that it was submitted to DEP and that it should be returned any day. Mrs. Webb stated that she talked with John Lulue of the City of Mary Esther and that he offered free rip rap and that she and the engineer would take a look at it to make sure it was clean. Councilman Frucci asked for verification that the ditch would be dredged.
2. Attorney's Report. None given.
3. Community Officer's Report. None given.
4. Town Manager's Report - Town Manager/Clerk Webb submitted a written report. In addition she stated that she had received an email from Verizon affirming their interest in putting up a cell tower. Councilman DesGranges stated the need for the contract be non transferable. Mrs. Webb stated that the contract rate would be \$18,000 and that there would be an annual increase of 3 percent (15% every 5 years). Councilman Farley asked where it would be located. Mrs. Webb explained that it would be west of the boardwalk near the entrance of the park. All agreed that the citizens should be notified. Councilman DesGranges asked if there had been any further word on the rabid foxes. Mrs. Webb stated there had not. She went on to say that she met with the Attorney from Laurel Hill to tour other animal shelters and that possible alternatives to PAWS may be submitted to the County by Laurel Hill's attorney.
5. Public Comments/Requests. None given.
6. Council Member's Comments/Reports: None given.

7. Mayor's Report – Mayor Pro Tem Koch reminded the council of the upcoming meetings noting that August 26, 2002 needed to be added for the second reading of Ordinance 194..

Adjourn – There being no further business, the meeting adjourned at 6:52 pm

ATTEST:





Carol Koch, Mayor Protem

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to get a good image



Nell Webb, Town Manager/Clerk
Town Manager/Clerk