

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
August 9, 2012 – 6:00 PM

Mayor Farley called the Regular Council meeting to order at 6:00 P.M. on Thursday, August 9, 2012. Following a moment of silence and Pledge of Allegiance, roll call was taken:

ROLL CALL:

MAYOR FARLEY	COUNCILWOMAN HOOD
COUNCILMAN CHUBB	COUNCILWOMAN DRIVER
COUNCILMAN BRATTON	COUNCILMAN ARTABASY

Also present at the meeting were: Town Manager/Clerk, Nell Dykes, Asst. Town Manager/Clerk Monika Gillette, Town Attorney Jeff McInnis, Town Engineer Joe Rector, Deputy Jim Welch, and Jack Dorman.

Regular Business:

1. **Council Approval of Agenda:** Mayor Farley asked for approval of the agenda. Councilman Bratton made a motion to approve the agenda. Councilman Artabasy seconded the motion. The motion passed unanimously.
2. **Council Approval of Consent Agenda:** Mayor Farley asked for approval of the consent agenda: Regular Council Meeting Minutes, July 12, 2012, Budget Workshop Minutes, July 19, 2012, and Budget Status as of July 31, 2012. Councilwoman Driver made a motion to approve the consent agenda. Councilwoman Hood seconded the motion. The motion passed unanimously.

ACTION ITEMS:

1. Councilman Chubb made a motion to accept the Line Item Changes for Fiscal Year 2012/2013 as reviewed in the August 7, 2012 Budget Workshop. Councilwoman Driver seconded the motion. A roll call vote was taken:

Councilwoman Driver	yes	Councilman Artabasy	yes
Councilman Chubb	yes	Councilwoman Hood	yes
Councilman Bratton	yes		

The motion passed unanimously.

2. Ms. Dykes stated the need for a new well and sprinkler system in Laguna Park and reminded the council that the item was added during the line item changes for the FY 12/13 Budget. Councilwoman Hood made a motion to authorize an expenditure of up to \$6,500 to replace the well and sprinkler system in Laguna Park. Councilman Bratton seconded the motion. A roll call vote was taken:

Councilwoman Driver	nay	Councilman Artabasy	yes
Councilman Chubb	yes	Councilwoman Hood	yes
Councilman Bratton	yes		

The motion passed.

3. Mr. Jack Dorman addressed the council to explain the need for an update on the military portion of the Comprehensive Plan. Councilman Bratton asked for the original letter sent by the state, which was not available. Councilman Bratton made a motion to table the matter until the letter can be reviewed. Councilwoman Driver seconded the motion. The motion passed unanimously.
4. Mr. Jack Dorman addressed the council stating that the Town's Code of Ordinances and Land Development Code need to be updated and suggested applying for a grant through the Department of Economic Opportunity. Councilman Artabasy made a motion to authorize Jack Dorman & Associates to apply for the grant and to authorize either the mayor or the town manager to sign grant application. Councilman Chubb seconded the motion. The motion passed unanimously.
5. Councilman Chubb made a motion to accept a Proclamation request by the Choctawhatchee Bay Chapter of the Daughters of the American Revolution to study the Constitution and express gratitude for the privilege of being an American (the week of September 17th - 23rd). Councilwoman Hood seconded the motion. The motion passed unanimously.
6. Councilman Chubb made a motion to authorize the execution of the contract with Gulf Power for Phase II of the CDBG Grant pending bid award. Councilman Driver seconded the motion. A roll call vote was taken:

Councilwoman Driver	yes	Councilman Artabasy	yes
Councilman Chubb	yes	Councilwoman Hood	yes
Councilman Bratton	yes		

The motion passed unanimously.

7. Councilman Chubb made a motion to table discussion on the PAWS Contract. Councilman Artabasy seconded the motion. The motion passed unanimously.

Discussion Items:

CDBG Update: Attorney McInnis stated that he was ready to begin acquisition of easements and submitted a proposal from Attorney Humphries to secure easement appraisals in the amount of \$750. Councilman Artabasy made a motion to allow Attorney Humphries to secure easement appraisals for the CDBG Project Phase II in the amount of \$750. Councilman Chubb seconded the motion. A roll call vote was taken:

Councilwoman Driver	yes	Councilman Artabasy	yes
Councilman Chubb	yes	Councilwoman Hood	yes
Councilman Bratton	yes		

The motion passed unanimously.

Reports:

Town Manager's Report – Ms. Dykes asked if there were any questions on the written report she submitted. She also stated that the legal advertisement for the CDBG Project would run and that a mandatory pre-bid meeting was scheduled for August 16 at 1:30 pm. She also asked if any of the Council had questions about the letter submitted to the Moorings property owners regarding the bee hive in their fence.

Attorney's Report – Attorney McInnis stated that the property at Yacht Club and Opp Blvd was being developed for single family homes and that a lot split had been requested. He also stated that size of the lots met requirements but that there needed to be an interpretation of the code on lot 6B since it had multi fronts. It was his recommendation that the code be interpreted to require a 10' set back along Opp Blvd. Councilman Artabasy made a motion to interpret the code to require a 10' setback on lot 6B and require agreement with the property owner before issuing a building permit. Councilman Bratton seconded the motion. The motion passed unanimously.

Engineer's Report – Engineer Rector stated that they were moving forward on the CDBG Phase II Grant project. He also stated that the permit had been submitted to the Florida Department of Environmental Protection for the ditch repair on Opp Blvd and that he and Attorney McInnis would prepare a temporary construction easement for the property adjacent to the ditch. Councilman Bratton questioned the safety issue of the sharp drop off at the ditch. Attorney McInnis suggested possibly fencing off the area. It was the consensus of the Council to have Engineer Rector submit recommendations to secure the area.

Community Officer's Report – Deputy Welch submitted a written report. He also stated that Mr. Sullivan's property and former commercial building had been burglarized and that a warrant had been issued for the former tenant. Councilwoman Driver stated that a young man in his early 20s had appeared to be living in Glenwood Park. Councilwoman Hood stated that the furniture was still outside Keith Balsley's house on Opp Blvd. Deputy Welch stated he would talk to him again.

Public Request / Comments: None.

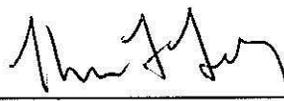
Council Members Comments / Request:

- Mrs. Dykes stated that she was asked if there was a limit on the number of dogs that someone can own. She answered there was no limit but that there was a noise ordinance against continuous barking and that a "bark log" could be documented and given to PAWS.

Mayor's Comments / Announcements: Mayor Farley asked if there was a time limit of when commercial dumpsters could be emptied. She stated that commercial dumpsters along Opp Blvd were being emptied as early as 5:30 am and that she felt it might be a nuisance for residence.

Adjourn – There being no further business, the meeting adjourned at 7:00 pm.

ATTEST:



Theresa Farley, Mayor



Neil Dykes, Town Manager/Clerk