

TOWN OF CINCO BAYOU
PUBLIC HEARING MEETING MINUTES
AUGUST 11, 2011 – 6:00 PM

Mayor Farley called the Public Hearing to order at 6:00 P.M. on Thursday, August 11, 2011. Following a moment of silence and Pledge of Allegiance, roll call was taken:

ROLL CALL:

MAYOR FARLEY	MAYOR PRO-TEM KOCH (ABSENT)
COUNCILMAN CHUBB	COUNCILMAN DRIVER
COUNCILMAN BRATTON (ABSENT)	COUNCILMAN THRASH

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

PUBLIC HEARING:

Attorney McInnis read by title Ordinance 222: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA, PROVIDING FOR THE EXCLUSIVE FRANCHISE TO WASTE MANAGEMENT, INC., OF FLORIDA, A PRIVATE CORPORATION, FOR THE COLLECTION AND DISPOSAL OF ALL RESIDENTIAL AND COMMERCIAL TRASH, GARBAGE, AND OTHER REFUSE WITHIN THE TOWN LIMITS; PROVIDING FOR THE COLLECTION OF RESIDENTIAL RECYCLABLE MATERIALS WITHIN THE TOWN LIMITS; PROVIDING FOR AUTHORITY; PROVIDING DEFINITIONS; PROVIDING FOR GRANT OF EXCLUSIVE FRANCHISE; PROVIDING FOR TERM; PROVIDING FOR ASSIGNMENT; PROVIDING FOR DEFAULT; PROVIDING FOR CUSTOMER BILLING AND COLLECTION; PROVIDING FOR RATE CHARGES; PROVIDING FOR SCOPE OF SERVICES; PROVIDING FOR DISPOSAL SITE AND FEES; PROVIDING FOR FRANCHISEE'S BUSINESS OFFICE; PROVIDING FOR PERFORMANCE BOND; PROVIDING FOR INSURANCE; PROVIDING FOR NOTICE OF CLAIMS OR LITIGATION; PROVIDING FOR INDEMNIFICATION AND HOLD HARMLESS; PROVIDING FOR HOLIDAYS; PROVIDING FOR ACCESS TO RECORDS; PROVIDING FOR COLLECTION EQUIPMENT; PROVIDING FOR PROTECTION OF FRANCHISE AREA; PROVIDING FOR SPECIAL WASTE, INFECTIOUS WASTE, HAZARDOUS WASTE, BIO HAZARDOUS WASTE AND BIOLOGICAL WASTE; PROVIDING FOR MODIFICATIONS TO LEVEL OF SERVICE; PROVIDING FOR MODIFICATIONS TO SCOPE OF SERVICE; PROVIDING FOR COOPERATION/ COORDINATION; PROVIDING FOR CONSUMER COMPLAINTS; PROVIDING FOR STORMS AND OTHER EMERGENCIES; PROVIDING FOR FRANCHISEE'S REPRESENTATIVES; PROVIDING FOR CONDUCT OF FRANCHISEE'S EMPLOYEES; PROVIDING FOR COMPLIANCE WITH STATE, FEDERAL AND MUNICIPAL LAW; PROVIDING FOR STANDARDS OF PERFORMANCE; PROVIDING FOR DEFAULT AND DISPUTE OF THE AGREEMENT; PROVIDING FOR PERMITS AND LICENSES; PROVIDING FOR TITLE TO MATERIALS; PROVIDING FOR MODIFICATION; PROVIDING FOR NONDISCRIMINATION PROVISION; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR PUBLIC SERVICE PROJECTS; PROVIDING FOR VENUE; PROVIDING FOR SOVEREIGN IMMUNITY; PROVIDING FOR CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING FOR EFFECTIVE DATE.

Attorney McInnis reviewed several changes including adding bulk waste services to the contract. He stated the fee structure would not change. Councilman Chubb made a motion to accept the second reading and adoption of Ordinance 222. Councilman Thrash seconded the motion. A roll call vote was taken:

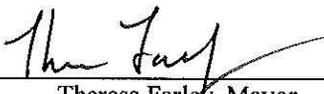
Councilman Driver	Yes	Councilman Chubb	Yes
Councilman Thrash	Yes		

The motion passed unanimously.

Mayor Farley asked for public input which there was none.

Adjourn – There being no further business, the meeting adjourned at 6:05 pm.

ATTEST:



Theresa Farley, Mayor



Nell Dykes, Town Manager/Clerk

