

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
AUGUST 11, 2011 – 6:05 PM

Mayor Farley called the Regular Council meeting to order at 6:05 P.M. on Thursday, July 14, 2011 following the Public Hearing:

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, Town Attorney Jeff McInnis, Deputy Jim Welch, Engineer Joe Rector, and guests.

Regular Business:

- Council Approval of Agenda:** Mayor Farley asked for approval of the agenda Councilman Chubb made a motion to approve the agenda. Councilman Thrash seconded the motion. The motion passed unanimously.
 - Council Approval of Consent Agenda:** Mayor Farley asked for approval of the consent agenda: Planning and Zoning Meeting Minutes July 14, 2011, Regular Council Meeting Minutes July 14, 2011, CDBG Second Public Hearing Meeting Minutes, July 25, 2011, Budget Workshop Meeting Minutes July 25, 2011, Public Hearing Meeting Minutes July 28, 2011, Budget Workshop Meeting Minutes July 28, 2011 and Budget Status as of July 31, 2011. Councilman Driver made a motion to approve the consent agenda. Councilman Chubb seconded the motion. The motion passed unanimously.
- Sherry Vieth of the Emerald Coast Daughters of the American Revolution presented a flag to the Mayor in remembrance of September 11, 2001.
 - Mayor Farley and Ms. Dykes recognized Maintenance Director Keith Williams for his ten years of service.
 - Engineer Rector gave his report earlier in the meeting stating that the CDBG grant application had been submitted and that the recipients would be announced in December. He also stated that he and the Mayor would do a review of the Town's future needs.

ACTION ITEMS:

- Kristen Childs and Maryanne Culver with Inner Healing Thrift Store approached the council and stated they had received a letter regarding the prohibition of outdoor sales and displays. Ms. Childs stated that their business relies on outdoor display and requested that the Council reevaluate the ordinance to find some middle ground so that some displays and sales be allowed. Mayor Farley thanked Ms. Childs and stated that the ordinance would be evaluated at a later date.
- Attorney McInnis stated that the contract with the Okaloosa County Sheriff's Department had been modified to include that the officer would be designated as the "Code Enforcement Officer". Councilman Driver made a motion to approve the contract with the Okaloosa County Sheriff's Department with the modification. Councilman Thrash seconded the motion. A roll call vote was taken:

Councilman Driver Yes	Councilman Chubb	Yes
Councilman Thrash Yes		

The motion passed unanimously.

Councilman Chubb made a motion to appoint the deputy assigned to Cinco Bayou as the Code Enforcement Officer. Councilman Thrash seconded the motion. The motion passed unanimously.

- Councilman Chubb made a motion to accept the Line Item changes for the FY 2010-2011 Budget as presented in the July 25, 2011 Budget Workshop. Councilman Thrash seconded the motion. A roll call vote was taken:

Councilman Driver Yes
Councilman Thrash Yes

Councilman Chubb Yes

The motion passed unanimously.

Councilman Driver made a motion to accept the tentative FY 2011/2012 Budget as presented in the July 28, 2011 Budget Workshop with a 2.3 millage rate. Councilman Chubb seconded the motion. The motion passed unanimously.

Reports:

Town Manager's Report - A written report was submitted. Town Manager/Clerk Nell Dykes asked that she be excused from the September 8, 2011 Council Meeting. It was the consensus of the Council to approve her request. Ms. Dykes submitted pictures of the dilapidated structures at Serigraphia and on Opp Blvd. She stated that certified letters had been sent to the property owners. She also stated she had been approached by a Laguna Landing resident about a large pine tree in Laguna Park that they would like removed. She continued saying no action was required tonight but rather wanted to the Council to be aware that a request may be formally submitted and asked the Council to take a look at the tree before the next council meeting.

Attorney's Report – Attorney McInnis reminded Council members of Sunshine Laws and cautioned them that sending emails does not create violations but replying may. He also stated that Council could communicate with staff just not each other.

Community Officer's Report - Deputy Welch submitted a written report. He also thanked the Council for supporting the Sheriff's Department. He stated that the work under Cinco Bayou was underway and that street striping was almost complete. He also stated that a back flow preventer had been stolen in front of White Sands Physical Therapy.

Public Request / Comments: Resident William Frey of Laguna Landing addressed the council to request a no wake zone west of the bridge. Ms. Dykes stated she had spoken with Jim Puckett of Okaloosa County and as it currently stands a no wake zone has been determined to be not needed but that he could go back to the Marine Patrol on the Town's behalf if requested. It was the consensus of the council to have the county review the need for a no wake zone with the Florida Marine Patrol. Mr. Frey also notified the council that scuba instructors have been using Laguna Park and questioned the commercial use of the park. He also stated his concern for divers going under the docks and boats at Laguna Landing. Attorney McInnis stated he would need to research the current ordinances governing commercial use of the parks.

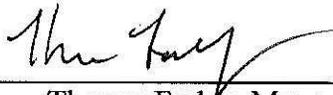
Council Members Comments / Request:

- Councilman Driver asked about commercial vehicles being parked at Glenwood Park. Mayor Farley stated that a FedEx truck was being parked there overnight. Ms. Dykes reminded the council that the park hours were from 8 to 8 and that overnight parking was not allowed.
- Mayor Farley suggested that workshops needed to be scheduled to review the Town's ordinances for updates and changes. She suggested that Council Members be appointed as committee heads to review different needs of the Town. Attorney McInnis stated he would review the City of Fort Walton's ordinance regarding outside sales and displays.
- Councilman Thrash asked for an update on the tree trimming needed on Opp Blvd. Ms. Dykes stated she was waiting on the quote from the tree trimming service.
- Councilman Chubb asked that Waste Management be contacted to get a recycling bin at the boat launch. He also recommended that the Town's tag line supporting the Emerald Coast be "Town of Parks".
- Mayor Farley stated that the piles of dirt at Glenwood Park need to be addressed. She also asked Ms. Dykes to follow up on the scuba diving issue at Laguna Park and to confirm jurisdiction issues with Florida Fish and Wildlife.

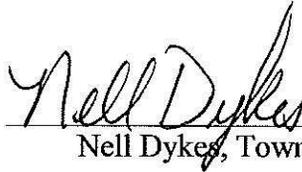
Mayor's Comments / Announcements: Mayor Farley gave tentative dates for the upcoming dates: Monday, September 5, 2011 - Labor Day - Town Hall Closed, Thursday, September 8, 2011 - Regular Council Meeting 6:00 PM, Tuesday, September 13, 2011: 5:30 pm - 1st Public Hearing for Millage and Budget for fiscal year 2011/2012, 5:45 pm - CRA 1st Budget Recap Meeting for Fiscal Year 2010 2011, 5:55 pm - CRA 1st Budget Meeting for fiscal year 2011 2012. Thursday, September 22, 2011: 5:30 pm - 2nd Public Hearing and adoption of Millage and Budget for fiscal year 2011 2012, 5:45 pm - CRA 2nd Budget Recap Meeting for 2010 2011, 5:55 pm - CRA 2nd Budget Meeting for fiscal year 2011/2012.

Adjourn – There being no further business, the meeting adjourned at 7:14 pm.

ATTEST:



Theresa Farley, Mayor



Nell Dykes, Town Manager/Clerk