

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
14 AUGUST 2003

Mayor Norm Frucci called the Regular Council meeting to order at 6:00 P.M. on Thursday, August 14, 2003. Following a silent prayer and the pledge of allegiance, roll call was taken.

Roll Call: Mayor Frucci
Councilman Koch
Councilman Bratton
Councilman Payne (absent)
Councilman DesGranges
Councilman Iovieno

A quorum was present. Also present at the meeting were Attorney Jeff McInnis, Town Manager/Clerk Nell Webb, Community Officer Frank Hawley, Assistant Monika Gillette, and David Loe.

REGULAR BUSINESS

1. **Council Approval of Agenda:** Mayor Frucci asked for acceptance of the agenda clarifying Action Item B which was to approve preparing a draft on a new parking ordinance. Councilman Koch motioned to approve the agenda. Councilman Bratton seconded the motion. The motion passed unanimously.
2. **Council Approval of Consent Agenda:** Mayor Frucci asked for acceptance of the minutes from the Local Planning Meeting July 10; Budget Meetings of July 10, 2003 and July 17, 2003; Special Called Meeting of July 24, 2003; Special Workshop of August 7, 2003; and the Status of the Budget for July 2003. . He stated that the regular Council Meeting of July 10 and the Special Called Meeting of July 24 were not included and would be presented at the next meeting. Councilman Koch motioned to accept the delivered minutes. Councilman Bratton seconded the motion. The motion passed unanimously.

ACTION ITEMS

1. **Motion to Approve Resolution 2003-4 Demanding that the Department of Environmental Protection Enforce Existing Laws to Clean Up Area Waters.** Manager Webb explained the resolution. Several council members objected to the word "demanding". Councilman DesGranges suggested that it be changed to "requesting." Attorney McInnis read Resolution 2003-4 by title: A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, OKALOOSA COUNTY, DEMANDING THAT THE DEPARTMENT OF ENVIRONMENTAL PROTECTION ENFORCE THE LAWS TO CLEAN UP THE WATERS; AND PROVIDING AN EFFECTIVE DATE. Councilman Koch motioned to accept the resolution as read replacing the word "demanding" with "requesting". Councilman Bratton seconded the motion. Councilman DesGranges made a friendly amendment to add "more aggressively enforce" to the resolution. The friendly amended was accepted and the resolution passed unanimously.
2. Attorney McInnis stated that Deputy Hawley had updated the town's parking ordinance. He asked the council for permission to get the ordinance in adoption form and get it ready

for a first reading. Councilman DesGranges motioned to have Mr. McInnis prepare a new parking ordinance. Councilman Koch seconded the motion. The motion passed unanimously.

3. Motion to Approve Request from Laguna Landing Homeowner's Association to remove 4 trees from Laguna Park. Councilman Iovieno abstained from discussion of this action item due to conflict of interest. Councilman Bratton moved to table this discussion until the next council meeting. Councilman DesGranges seconded the motion. The motion passed unanimously with Councilman Iovieno excusing himself.
4. Attorney McInnis read by title Resolution 2003-05: A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, OKALOOSA COUNTY, ADOPTING THE REVISED OPERATING BUDGET FOR THE TOWN OF CINCO BAYOU, FLORIDA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2003. Councilman Bratton motioned to accept the resolution as read. Councilman Koch seconded the motion. A roll call vote was taken:

Councilman Koch	yes
Councilman Bratton	yes
Councilman DesGranges	yes
Councilman Iovieno	yes

The motion passed unanimously and Resolution 2003-05 was accepted.

5. Manager Webb asked for approval of the tentative budget with modifications as presented at the last budget meeting. In addition, Ms. Webb asked the council for a merit raise for employee Keith Williams of 1.78% which would bring his hourly rate to \$11. She stated that the increase in expenditure would be offset in changes to the library reimbursement account and the contingency account. Councilman DesGranges stated that he felt that the rate increase should have been discussed earlier in the budget process. Councilman Bratton motioned to accept the tentative budget with proposed modifications. Councilman Koch seconded the motion. A roll call vote was taken:

Councilman Koch	yes
Councilman Bratton	yes
Councilman DesGranges	yes
Councilman Iovieno	yes

The motion passed unanimously and the tentative budget was approved.

6. Councilman Koch motioned to approve a tentative millage rate of 2.3 mills per \$1,000. Councilman Bratton seconded the motion. A roll call vote was taken:

Councilman Koch	yes
Councilman Bratton	yes
Councilman DesGranges	yes
Councilman Iovieno	yes

The motion passed unanimously and the tentative millage rate was set at 2.3.

Special Requests

James St. John from the Laguna Landing Homeowner's Association approached the council and apologized for being late. Mayor Frucci explained that the item had been tabled until the next council meeting, but that he could address the council. Mr. St. John stated that the trees were dieing and showed signs of bore beetle damage. He stated that the trees should be taken down before a storm blows them over. He stated that the Laguna Landing Homeowner's Association would pay to remove the trees and that it would save the town money in the long run.

Mr. David Loe approached the council to have the council reconsider his request for a free boat launch decal. He stated that he had two reasons that the council should honor his request. One was that all his mail is delivered to his business address and that at one time he lived at his shop. The second reason was that he felt business owners should not be excluded and should be afforded the same benefits as a renter. Councilman Bratton questioned if residents should also be charged. Attorney McInnis stated that Mr. Loe presented no additional information to change his status and the definition of a resident. Mayor Frucci explained to Mr. Loe that no action would be taken and that he would need to pay to launch his boat. Mr. Loe asked that he be ticketed so that the matter could go before a judge.

Reports

1. **Engineer's Report:** Engineer Ed Stanford was not in attendance but had emailed his report earlier that day. Manager Webb stated that the engineering contract required a representative be present at council meetings, but that no other engineer was available. She suggested that perhaps the Council consider looking at other firms. Councilman DesGranges motioned for requests of qualifications from engineering firms. Councilman Iovieno seconded the motion. The motion passed unanimously. Mr. McInnis stated that he would research past engineering firm searches and prepare an advertisement.
2. **Attorney's Report:** Attorney McInnis stated that he had reviewed the current sign ordinance and that it needed to be updated based on current Florida case law. He asked that the council move forward to a first reading of an updated ordinance. Councilman Koch moved to instruct the Town Attorney and Town Manager to review and update the current sign ordinance and prepare notice of a first reading. Councilman Bratton seconded the motion. The motion passed unanimously. During discussion, Councilman DesGranges stated that the Institute of Senior Professionals be informed that the sign ordinance was being rewritten. .
3. **Community Officer's Report:** Officer Hawley stated that a few more parking spaces would be added at the boat launch.
4. **Town Manager's Report** - Town Manager/Clerk Webb submitted a written report. In addition she said that the crack sealing on Kidd, Lucille and Sea Way would be done the next morning. Councilman DesGranges asked about dilapidated properties. Deputy Hawley stated that he had sent several letters and met with the Fire Marshal on a home on Kelly Avenue, who felt the building was sound. Manager Webb stated that she and Mayor Frucci met with Decks N Such to get bid on recycled decking for the boat launch. The price quoted was 65

cents for traditional lumber and \$1.91 for Trex plus additional labor. It was the consensus of the council to not spend the extra money and use traditional lumber. Ms. Webb also stated that the town needs to prepare for storm water mitigation.

5. **Public Comments/Requests:** None.

6. **Council Member's Comments/Reports:** Councilman Bratton stated that he stilled planned to meet with Compass Bank to see about the property next to the boat launch.

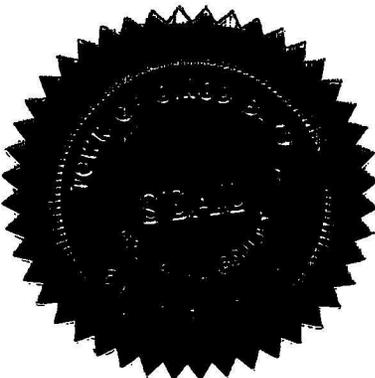
Attorney McInnis stated that the comp plan amendment had been reviewed by the state and that they had raised the issue of no school citing in the amendment. Mr. McInnis stated that this was not an issue since there was not enough acreage to build a school in Cinco Bayou. He said that the Superintendent had written a letter to Tallahassee waiving Cinco Bayou from the criteria.

Councilman DesGranges recommended that the council set three to five goals for upcoming years and suggested a planning session. He suggested that each council member and the Town Manager bring their three top priorities for the next 18 months to the next meeting. It was the consensus of the council to hold a workshop on September 25, 2003.

Mayor's Report – The Mayor announced that the town picnic will be Tuesday, September 16, 2003 and that it would be a fish fry.

Adjourn – There being no further business, the meeting adjourned at 8:05 pm

ATTEST:





Norm Frucci, Mayor

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Nell Webb, CMC
Town Manager/Clerk

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
 October 2002 through August 2003

	Oct '02 - Aug 03	Budget	\$ Over Budget	% of Budget
Income				
001 REVENUE ACCOUNTS				
TAXES				
312.600 · DISCRETIONARY SALES SURTAXES	44.87			
311.000 · ADVALOREM TAXES	76,019.09	79,461.00	-3,441.91	95.7%
312.410 · FIRST LOCAL OPTION FUEL TAX	9,211.50	9,794.00	-582.50	94.1%
Total TAXES	85,275.46	89,255.00	-3,979.54	95.5%
FRANCHISE FEES				
313.100 · FRANCHISE FEE - GULF POWER	34,894.06	32,596.00	2,298.06	107.1%
313.400 · FRANCHISE FEE - OKALOOSA GAS	1,903.31	3,500.00	-1,596.69	54.4%
Total FRANCHISE FEES	36,797.37	36,096.00	701.37	101.9%
UTILITY SERVICES TAXES				
314.100 · UTIL TAX - GULF POWER	24,597.88	22,050.00	2,547.88	111.6%
314.300 · UTIL TAX - WATER FWB	5,158.01	5,250.00	-91.99	98.2%
314.400 · UTIL TAX - NAT GAS OKALOOSA CO	3,269.44	2,500.00	769.44	130.8%
315.000 · UTIL TAX - LOCAL COM. SERVICES	23,138.79	25,406.00	-2,267.21	91.1%
Total UTILITY SERVICES TAXES	56,164.12	55,206.00	958.12	101.7%
LICENSES AND PERMITS				
321.100 · OCCUPATIONAL LICENSES	1,945.50	7,000.00	-5,054.50	27.8%
322.000 · PERMITS - TOWN	965.00	400.00	565.00	241.3%
Total LICENSES AND PERMITS	2,910.50	7,400.00	-4,489.50	39.3%
STATE GRANTS				
334.700 · FRDAP - LAGUNA PARK	0.00	42,601.00	-42,601.00	0.0%
334.701 · FRDAP - GLENWOOD PARK PHAS...	0.00	43,631.00	-43,631.00	0.0%
334.702 · FRDAP GLENWOOD PHASE II	0.00	50,000.00	-50,000.00	0.0%
334.703 · BOATING IMP FUND SEAWAY	0.00	15,000.00	-15,000.00	0.0%
Total STATE GRANTS	0.00	151,232.00	-151,232.00	0.0%
STATE SHARED REVENUES				
GENERAL GOVERNMENT				
335.120 · STATE REVENUE SHARING PR...	17,687.08	23,561.00	-5,873.92	75.1%
335.150 · ALCOHOLIC BEVERAGE LICEN...	810.20	1,000.00	-189.80	81.0%
335.180 · LOCAL GOVT HALF-CENT SALE...	22,102.67	27,880.00	-5,777.33	79.3%
Total GENERAL GOVERNMENT	40,599.95	52,441.00	-11,841.05	77.4%
Total STATE SHARED REVENUES	40,599.95	52,441.00	-11,841.05	77.4%
SHARED REV OTHER LOCAL UNITS				
338.100 · OCCUPATIONAL LIC OKALOOSA ...	564.01	600.00	-35.99	94.0%
Total SHARED REV OTHER LOCAL UNITS	564.01	600.00	-35.99	94.0%
PHYSICAL ENVIRONMENT				
343.400 · GARBAGE/SOLID WASTE	26,249.13	29,000.00	-2,750.87	90.5%
Total PHYSICAL ENVIRONMENT	26,249.13	29,000.00	-2,750.87	90.5%
FINES AND FORFEITS				
351.100 · COURT FINES - COUNTY	2,810.46	2,600.00	210.46	108.1%
Total FINES AND FORFEITS	2,810.46	2,600.00	210.46	108.1%
INTEREST AND OTHER EARNINGS				
361.140 · VANGUARD BANK CHECKING	38.45	100.00	-61.55	38.5%
361.180 · VANGUARD BANK CD	1,186.51	2,500.00	-1,313.49	47.5%
361.181 · VANGUARD BANK MONEY MARKET	306.18	500.00	-193.82	61.2%
361.182 · INTEREST EARNINGS - TAX COLL	216.34	100.00	116.34	216.3%
361.183 · BEACH COMMUNITY BANK CD	247.42			
361.184 · BEACH COMMUNITY BANK SAVIN...	61.25			
Total INTEREST AND OTHER EARNINGS	2,056.15	3,200.00	-1,143.85	64.3%

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
October 2002 through August 2003

	Oct '02 - Aug 03	Budget	\$ Over Budget	% of Budget
RENTS AND ROYALTIES				
362.200 · TEMP CELL TOWER LEASE	12,000.00	12,000.00	0.00	100.0%
362.000 · SEAWAY STREET	500.00	500.00	0.00	100.0%
362.100 · FACILITY RENTAL-TOWN HALL	350.00			
Total RENTS AND ROYALTIES	12,850.00	12,500.00	350.00	102.8%
OTHER MISCELLANEOUS REVENUES				
369.200 · OTHER MISC REV - TRAFFIC SIGN...	259.00	259.00	0.00	100.0%
369.201 · ST HIGHWAY SYSTEM LIGHTING	286.23			
369.000 · OTHER MISC REV	244.00			
369.100 · OTHER MISC REV - SR 85 MAINT	2,368.68	2,368.00	0.68	100.0%
Total OTHER MISCELLANEOUS REVENUES	3,157.91	2,627.00	530.91	120.2%
Total 001 REVENUE ACCOUNTS	269,435.06	442,157.00	-172,721.94	60.9%
OTHER SOURCES				
381.910 · INTERFUND TRANSFER BOAT LAUN...	9,611.05	14,000.00	-4,388.95	68.7%
Total OTHER SOURCES	9,611.05	14,000.00	-4,388.95	68.7%
Total Income	279,046.11	456,157.00	-177,110.89	61.2%
Expense				
001-EXPENDITURE/EXPENSE ACCTS.				
PAYROLL EXPENSE				
513.120 · SALARIES & WAGES	67,533.50	73,318.00	-5,784.50	92.1%
513.210 · EMPLOYEE FICA/MEDICARE	5,166.32	5,609.00	-442.68	92.1%
513.230 · EMPLOYEE LIFE & HEALTH INS	14,190.95	14,872.00	-681.05	95.4%
513.240 · EMPLOYEE WORKMANS COMP	2,512.00	2,513.00	-1.00	100.0%
513.250 · EMPLOYEE UNEMPLOYMENT CO...	194.17			
Total PAYROLL EXPENSE	89,596.94	96,312.00	-6,715.06	93.0%
OPERATING EXPENDITURE/EXPENSE				
513.320 · ACCOUNTING AND AUDITING	6,081.00	6,081.00	0.00	100.0%
515.470 · MUNICIPAL CODE	0.00	200.00	-200.00	0.0%
PROFESSIONAL SERVICES LEGAL				
514.310 · PROFESSIONAL SERVICES-LE...	7,264.09	11,114.00	-3,849.91	65.4%
514.311 · PROF.SER.-LEGAL - CRA	237.50			
514.313 · PROF.SER.-LEGAL - TOWER PR...	-272.37			
514.314 · PROF SER - LEGAL - FRDAP	325.00			
514.316 · PROF SER - LEGAL - DRAIN DIT...	2,337.50			
Total PROFESSIONAL SERVICES LEGAL	9,891.72	11,114.00	-1,222.28	89.0%
PROFESSIONAL SERVICES ENGINEER				
519.310 · PROFESSIONAL SERVICES-EN...	-367.76	4,500.00	-4,867.76	-8.2%
519.313 · PROF.SER.-ENGINEER - TOWE...	3,486.80			
519.316 · PROF SERV - ENG - DRAIN DITCH	774.00			
Total PROFESSIONAL SERVICES ENGINEER	3,893.04	4,500.00	-606.96	86.5%
519.400 · TRAVEL AND PER DIEM	5,441.56	6,500.00	-1,058.44	83.7%
COMMUNICATIONS				
519.410 · COMMUNICATIONS-PHONE	1,282.94	1,400.00	-117.06	91.6%
519.411 · COMMUNICATIONS-POSTAGE	435.14	500.00	-64.86	87.0%
519.412 · COMMUNICATIONS-INTERNET	1,840.00	1,920.00	-80.00	95.8%
Total COMMUNICATIONS	3,558.08	3,820.00	-261.92	93.1%
519.430 · UTILITIES-TOWN HALL	3,270.69	3,500.00	-229.31	93.4%
519.440 · RENTALS AND LEASES	21.00			
519.450 · INS PROP/LIB/AUTO	8,055.00	8,055.00	0.00	100.0%
519.460 · REPAIR & MAINTENANCE -TOWN ...	2,468.10	2,200.00	268.10	112.2%
519.461 · REPAIR & MAINTENANCE - OTHER	0.00	500.00	-500.00	0.0%
LEGAL ADVERTISING				
519.480 · LEGAL ADVERTISING OTHER	989.97	1,700.00	-710.03	58.2%
Total LEGAL ADVERTISING	989.97	1,700.00	-710.03	58.2%

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
October 2002 through August 2003

	Oct '02 - Aug 03	Budget	\$ Over Budget	% of Budget
519.490 · OTHER CURRENT CHG & OBLIGA...	3,838.35	3,400.00	438.35	112.9%
519.491 · ELECTION EXPENSE	1,818.18	1,819.00	-0.82	100.0%
519.510 · OFFICE SUPPLIES	1,286.20	1,900.00	-613.80	67.7%
519.520 · OPERATING SUPPLIES	1,204.50	1,500.00	-295.50	80.3%
519.540 · BOOKS,PUB,SUB & MEMBERSHIPS	1,760.01	1,750.00	10.01	100.6%
519.630 · IMPROVEMENTS OTHER THAN BL...	88.88	300.00	-211.12	29.6%
519.820 · AID TO PRIVATE ORGANIZATIONS	500.00	500.00	0.00	100.0%
Total OPERATING EXPENDITURE/EXPENSE	54,166.28	59,339.00	-5,172.72	91.3%
PUBLIC SAFETY				
521.340 · LAW ENFORCEMENT	52,536.00	52,536.00	0.00	100.0%
Total PUBLIC SAFETY	52,536.00	52,536.00	0.00	100.0%
PHYSICAL ENVIRONMENT				
534.430 · GARBAGE/SOLID WASTE-WASTE ...	0.00	29,000.00	-29,000.00	0.0%
537.630 · DRAINAGE DITCH YACHT CLUB DR	63.28	500.00	-436.72	12.7%
Total PHYSICAL ENVIRONMENT	63.28	29,500.00	-29,436.72	0.2%
TRANSPORTATION				
541.430 · UTILITY SERVICES - STREETS	4,514.58	8,000.00	-3,485.42	56.4%
541.530 · OPERATING SUPPLIES - STREETS	4,087.60	1,000.00	3,087.60	408.8%
541.630 · IMPROVEMENTS - STREETS	1,386.00	0.00	1,386.00	100.0%
541.710 · STREET REPAIR LOAN/ PRINCIPAL	11,478.87	11,548.00	-69.13	99.4%
541.720 · STREET REPAIR LOAN/INTEREST	4,443.56	4,375.00	68.56	101.6%
Total TRANSPORTATION	25,910.61	24,923.00	987.61	104.0%
HUMAN SERVICES				
562.340 · HUMAN SERVICES - PAWS	953.37	1,272.00	-318.63	75.0%
Total HUMAN SERVICES	953.37	1,272.00	-318.63	75.0%
CULTURE/RECREATION				
571.540 · LIBRARY MEMBERSHIP	275.00	400.00	-125.00	68.8%
Total CULTURE/RECREATION	275.00	400.00	-125.00	68.8%
PARKS AND RECREATION				
572.340 · OTHER CONTRACTUAL SERVICES	10,933.26	12,124.00	-1,190.74	90.2%
572.430 · UTILITIES - PARKS	980.49	1,000.00	-19.51	98.0%
572.520 · OPERATING SUPPLIES - PARKS	209.22	500.00	-290.78	41.8%
572.630 · REPAIRS & MAINTENANCE - PARKS	698.45	1,975.00	-1,276.55	35.4%
FRDAP GRANT LAGUNA PARK				
572.631 · FRDAP GRANT/LAGUNA PARK	2,455.00	42,394.00	-39,939.00	5.8%
572.310 · PROF.SER.-ENGINEER - LAGUN...	320.00			
572.485 · LEGAL ADVERTISING FRDAP L...	211.15			
Total FRDAP GRANT LAGUNA PARK	2,986.15	42,394.00	-39,407.85	7.0%
FRDAP GRANT GLENWOOD PK PHASE I				
572.632 · FRDAP GRANT/GLENWOOD PA...	16,075.56	43,585.00	-27,509.44	36.9%
572.311 · PROF.SER.-ENGINEER-GLENW...	1,840.00			
572.486 · LEGAL ADVERTISING-FRDAP G...	98.00			
Total FRDAP GRANT GLENWOOD PK PHAS...	18,013.56	43,585.00	-25,571.44	41.3%
FRDAP GRANT GLENWOD PK PHASE II				
572.633 · FRDAP GRANT/GLENWOOD PK II	5,824.80	50,000.00	-44,175.20	11.6%
Total FRDAP GRANT GLENWOD PK PHASE II	5,824.80	50,000.00	-44,175.20	11.6%
BOATING IMPROVEMENT FUND				
572.636 · BOATING IMPROVEMENT FUND	2,100.50	15,000.00	-12,899.50	14.0%
572.635 · BOATING IMPROV LEGAL EXPE...	916.11			
572.634 · PROF SERV - ENGINEER-SEAW...	1,782.01			
Total BOATING IMPROVEMENT FUND	4,798.62	15,000.00	-10,201.38	32.0%
Total PARKS AND RECREATION	44,444.55	166,578.00	-122,133.45	26.7%

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 Accrual Basis

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
 October 2002 through August 2003

	<u>Oct '02 - Aug 03</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
SPECIAL EVENTS				
574.490 · SPECIAL EVENTS/PICNIC DINNERS	1,701.73	1,800.00	-98.27	94.5%
Total SPECIAL EVENTS	1,701.73	1,800.00	-98.27	94.5%
SPECIAL RECREATION FACILITIES				
575.630 · MAINTENANCE SEAWAY BOAT RA...	359.53	500.00	-140.47	71.9%
Total SPECIAL RECREATION FACILITIES	359.53	500.00	-140.47	71.9%
OTHER CULTURE/RECREATION				
579.630 · TREE/BEAUTIFICATION	55.53	200.00	-144.47	27.8%
Total OTHER CULTURE/RECREATION	55.53	200.00	-144.47	27.8%
OTHER USES				
581.910 · INTERFUND TRANSFER BOAT LA...	679.44	14,000.00	-13,320.56	4.9%
580.990 · CONTINGENCY FUND	0.00	8,797.00	-8,797.00	0.0%
Total OTHER USES	679.44	22,797.00	-22,117.56	3.0%
Total 001-EXPENDITURE/EXPENSE ACCTS.	270,742.26	456,157.00	-185,414.74	59.4%
Total Expense	270,742.26	456,157.00	-185,414.74	59.4%
Net Income	8,303.85	0.00	8,303.85	100.0%

