

**TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 10, 1998**

Mayor Drabczuk called the Regular Town Council meeting to order at 6:02 PM. Following a silent prayer and the Pledge of Allegiance to the Flag, roll call was taken.

PRESENT: Mayor Drabczuk
Councilwoman Carroll
Councilman Kendrick
Councilman Payne
Councilman Williams

ALSO PRESENT: Town Manager Turner, Attorney McInnis, Secretary Payne, Engineer Griswold, Rick Hord, Kim Payne and Ed Connors .

1. PUBLIC HEARING – Ad Valorem Tax Millage Rate and General Operating Budget for the Fiscal Year Ending 30 September 1999.

2. AD VALOREM TAX MILLAGE RATE – Tentative adoption of the proposed Ad Valorem Tax Millage Rate. (2.300 Mills)

3. ORDINANCE NO. 176 – First reading and proposed adoption of Ordinance No. 176, and Ordinance providing for an Ad Valorem Tax Millage rate of 2.300 mills upon all real and personal property located in the Town of Cinco Bayou, Florida, on 1 January 1998. Councilman Kendrick made a motion to approve the first reading of Ordinance No. 176, seconded by Councilman Payne. The motion passed by unanimous vote.

4. RESOLUTION 98-09 – First reading and proposed adoption of Resolution 98-09, a Resolution of the Town of Cinco Bayou, Florida, adopting the General Operating Budget (203,967.00) for the Town of Cinco Bayou, Florida; for the fiscal year 1 October 1998 through 30 September 1999. Councilman Payne made a motion to approve the first reading of Resolution 98-09, seconded by Councilwoman Carroll. The motion passed by unanimous vote.

Regular Business

5. COUNCIL APPROVAL OF AGENDA - Councilman Payne made a motion to approve the Agenda, seconded by Councilman Williams. The motion passed with a unanimous vote.

6. CONSENT AGENDA

- A. Minutes, Council Meetings of August 13, 1998
- B. List of Checks and Status of Funds August, 1998
- C. List of Deposits – August 1998

Councilman Payne made a motion to approve the Consent Agenda seconded by Councilman Williams. The motion passed with a unanimous vote.

7. ACTION ITEMS

A. Neighborhood Watch Presentation – Mr. Rick Hord and Mr. Cobb from the Okaloosa County Sheriff's Office was present and gave a presentation on forming a neighborhood watch program. There was a brief Council discussion and it was decided that the Town Manager would set up a public meeting to get the Town involved in the program.

Mayor Drabczuk then ask Town Manager Turner to present to the Council the options he had negotiated with the Okaloosa County Sheriff's Department for security for the Town. Mr. Turner said the Sheriff could

provide the town with a uniform officer 20 hours a week with him furnishing the car and paying the officer's workman's Comp. Insurance. The hours will be a random schedule during hours of darkness and the officer will work for the town. The sum for those 20 hours a week will be approximately \$ 17,000.00 To \$18,000.00 per year and the officer would be considered a part time employee and be on the town's payroll. The second option is a full time officer with the same conditions for \$35,000.00 per year. After Council discussion, Councilman Skelly made a motion to create a contract with the Okaloosa County Sheriff's Department for 20 hours of patrol a week at \$18,000.00 for a six (6) month period starting 1 January, 1999, second by Councilman Payne. The motion passed by unanimous vote.

B. Christmas Banners Presentation – Town Manager Turner showed the Council two samples of the Christmas Banners. Manager Turner said that we would need twenty-four (24) banners to be placed on Eglin Parkway plus the hardware to install them. Councilman Kendrick made a motion not to have a Christmas Tree in the Town Hall this Christmas, instead light the live tree in front of Town Hall, second by Councilman Skelly. The motion passed by unanimous vote. Councilman Skelly then made a motion to purchase 24 banners and the stainless steel hardware to be funded out of the 97/98 budget and not to exceed \$4,000.00, second by Councilwoman Carroll. The motion passed by unanimous vote.

C. Schedule Public Hearing for second reading and adoption of Ordinance #176 & Resolution #98-09 on Thursday, 24 September 1998 at 6:00 P.M. Councilman Payne made a motion to approved the date and time set by Manager Turner, second by Councilwoman Carroll. The motion passed by unanimous vote.

D. Schedule Meeting of Planning and Zoning Board to consider final plan and requested variances for Larkin Place Town Homes and any other such matters as may be brought before the Board, immediately following the Public Hearing. Councilwoman Carroll made a motion to approve the meeting of the Planning and Zoning Board for Larkin Place Town Homes immediately following the Public Hearing, second by Councilman Payne. The motion passed 4-1 with Councilman Skelly voting no.

4. Engineer's Report - Engineer Griswold reported that the paving was winding down and they will be striping the streets. He said he would walk with the contractor when the paving is finished to have a final inspection. Engineer Griswold also reminded the Council that the Laguna Landing Project only has two (2) months to get the project started or their permits will run out. Attorney McInnis suggested that a letter be sent to them to that effect.

5. Attorney's Report- No Report

6. Town Manager's Report

- A. Oakloosa County League of Cities dinner has been reschedule for 1 October 1998.
- B. Panhandle League of Cities Directors meeting scheduled for Monday September 14, 1998
- C. Cost for the audit this year will be \$5,500.00 and next year we will negotiate a lower rate.
- D. I.D. Card will be laminated.
- E. The new Computers are set up and running.
- F. A rock was thrown though a gentleman's car window while Ed was mowing the right-of-way.
- G. The trailer across the street has tenants that moved in.
- H. Have contacted City of Ft. Walton about the street sweeping but have not had an answer.
- I. Have not heard from K-Mart concerning the landscaping project.
- J. Mr. Howard came in town hall and was given 15 day's extra to cleanup his lot.

- K. Contacted University of Florida concerning the Census for the town and need council approval to pursue an appeal. Councilwoman Carroll made a motion for the Town Manager to write the appeal letter second by Councilman Kendrick. The motion passed by unanimous vote.

7. Public Requests/Comments – Mr. Russell introduced himself as the late Mr. Ruth Usery's nephew. Mr. Russell asked the council to consider cleaning up the ditch running along his property. He said the debate of who owns the property has been an on going thing. He said he will work with anyone if we can decide who is responsible for maintaining the ditch. After discussion Mayor Drabczuk ask Engineer Griswold, Attorney McInnis and Town Manager Turner to investigate further and report next meeting.

8. Councilmember Reports/Comments

A Councilman Payne

1. Thanked Mr. Russell for bringing the ditch to their attention.
2. Inquired on the zip code for the Town, have we heard anymore on this project? Everyday that the town does not have one we are losing money. Councilman Skelly made a motion for Town Manager Turner to pursue getting a zip code for the town and present it at the next council meeting, second by Councilman Payne. The motion passed by unanimous vote

B Councilman Kendrick

1. Need to have the engineer work closely with individual's inquiring on the ditch by Mr. Russell's house.

C. Councilman Williams

1. Serigraphia is blowing leaves on the street.
2. If there is a hole in the driveway or parking lot at Beinville Square do they own it?
3. Have seen two foxes in Glenwood Park.

D. Councilman Skelly

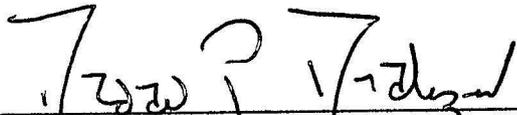
1. Inquired on the status of the landscaping of Kelley's property at Eglin & Yacht Club.
2. Did we resolve the graffiti problem on the Old Kelley's building? Ask Manager Turner to check on the owner.
3. Councilman Skelly made a motion to set a limit of \$5,000.00 before any bids have to be advertised and receive more then one bid, seconded by Councilwoman Carroll. The motion passed by unanimous vote.
4. Inquired on the K-Mart landscaping agreement.
5. Are we going to scan the minutes and agenda on the web site?

9. Correspondence

- A. Letter, Paul Howard – Came in town hall and was given an extra 15 days to clean property.
- B. Letter to, Fritz Tree Service. No Action
- C. Letter from – Fritz Tree Service – No Action
- D. Letter, Panhandle League of Cities Board of Directors Meeting – No Action

10. Mayor's Comments/Announcements - Reminded everyone of the Town Potluck Dinner on Thursday, September 10, 1998, at 6:30 PM.

11. There being no further business, the meeting adjourned at 7:30 PM.



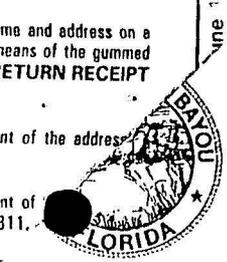
RANDALL P. DRABEZUK, Mayor

Attest:



Charles W. Turner

Town Manager/Clerk



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TOWN OF CINCO BAYOU

10 YACHT CLUB DRIVE (CINCO BAYOU)
FT. WALTON BEACH, FLORIDA 32548-4436
850-244-2712
FAX 850-244-9188

Mayor:
RANDALL P. DRABCZUK

Council Members:
SARA H. CARROLL
JIM KENDRICK
V.E. "Dutch" PAYNE
JOSEPH P. SKELLY
GLEN WILLIAMS

Town Manager/Clerk:
CHARLES W. TURNER

Town Attorney:
C. JEFFREY McINNIS

NOTICE OF VIOLATION

20 August 1998

Mr. Paul K. Howard
90 Yacht Club Drive (Cinco Bayou)
Ft Walton Beach, FL 32548

Subj: property legal description: 12 2S 24 0460 0023 0060 90 Yacht Club Drive, Cinco Bayou;
Lots 4, 5, & 6, Block 25.

Dear Mr. Howard:

As owner of the above cited property you were notified on 15 May 1998, that the property was in violation of Town of Cinco Bayou Code of Ordinances. You were informed of the specific violations i.e. Article II, Nuisances, Code of Ordinances in that Buildings appear to be dangerous/unsafe, an abandoned vehicle is on the property, weeds and grasses taller than ten(10) inches in height and debris on the property.

You were given until 15 July 1998 to correct the violations.

You were further advised that failure to comply on or before 15 July 1998 would result in commencement of appropriate enforcement action and/or possible fine. The burden of proof shall rest upon you to request a re-inspection by the Town of Cinco Bayou to determine whether the property and/or condition is in compliance.

To date we have received no further correspondence from you regarding this matter. Further inspection this date indicates that some clean up has been done but the effort falls far short of compliance with the ordinance. There is no change in appearance of the dangerous/unsafe nature of the buildings, the abandoned vehicle is still on property, weeds still exceed ten(10) inches and there is considerable debris on the property.

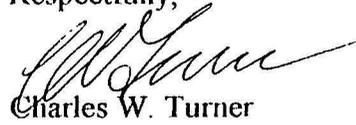
This is your second notice of violations.

On 5 September 1998 we will commence enforcement action to include possible fine, removal of the abandoned vehicle, cleanup of the property, and whatever action is necessary to eliminate the violations. The costs of such enforcement will be billed to you as property owner and, if left unpaid, assessed against the property in accordance with existing ordinances.

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You are encouraged to contact this office immediately upon receipt of this letter to satisfactorily arrange to eliminate the violations prior to 5 September 1998.

Respectfully,



Charles W. Turner
Town Manager/Clerk



TOWN OF CINCO BAYOU

10 YACHT CLUB DRIVE (CINCO BAYOU)
FT. WALTON BEACH, FLORIDA 32548-4436
850-244-2712
FAX 850-244-9188

Mayor:
RANDALL P. DRABCZUK

Council Members:
SARA H. CARROLL
JIM KENDRICK
V.E. "Dutch" PAYNE
JOSEPH P. SKELLY
GLEN WILLIAMS

Town Manager/Clerk:
CHARLES W. TURNER

Town Attorney:
C. JEFFREY McINNIS

Mr. Les Fritz
Fritz Tree Service
498 Carmel Drive
Fort Walton Beach, FL 32547

25 August 1998

Dear Sir:

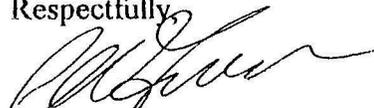
Yesterday, in response to a request from Compass Bank, we discussed with them the need to remove a dead tree from their lot next door to the west of the bank. Our attitude with regard to governmental services is to provide the best and friendliest service possible thereby allowing for maximum cooperation with our citizens and their contractor representatives to accomplish their goals within the letter of Cinco Bayou ordinance and regulations. Accordingly, we told the bank that a permit was required to cut the dead tree in question. Our understanding was that you had been notified and would obtain the permit so that the tree could be cut at seven o'clock this morning.

Cinco Bayou Town Ordinance Chapter 78-63, Section 78-68 specifically requires a permit to cut any protected tree, requires an on site inspection by the Town of Cinco Bayou and lists conditions for approval. Dead trees are not excluded under the ordinance. The condition of diseased or weakened trees may, however, constitute reason for approval of removal upon permit application and inspection.

We wish to extend every effort in cooperation with businesses providing services within Cinco Bayou. It is also incumbent upon me, as Town Manager, to enforce the ordinances. Keeping that in mind, this is a friendly explanation to preclude any future concern and/or needless difficulty.

We are enclosing a copy of our "APPLICATION FOR TREE REMOVAL PERMIT" for your future use. You are cordially invited to come by Town Hall to review the subject ordinance or to just for a cup of coffee and to visit. Please let us know if we can be of further assistance to you.

Respectfully,



Charles W. Turner

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RECEIVED
8-2-98

Handwritten initials

498 CARMEL DRIVE
FORT WALTON BEACH, FLORIDA 32547
850-862-0504 / FAX 850-862-6835

August 31, 1998

Cinco Bayou
Charles W. Turner
10 Yacht Club Drive
Ft. Walton Beach, Florida 32548-4436

Dear Mr. Turner:

Thank you for your recent assistance in removing the tree at Compass bank and your subsequent correspondence. Apparently I was confused about the need for permitting the removal of a dead tree. I have informed my staff of your requirements and will keep a permitting application on file.

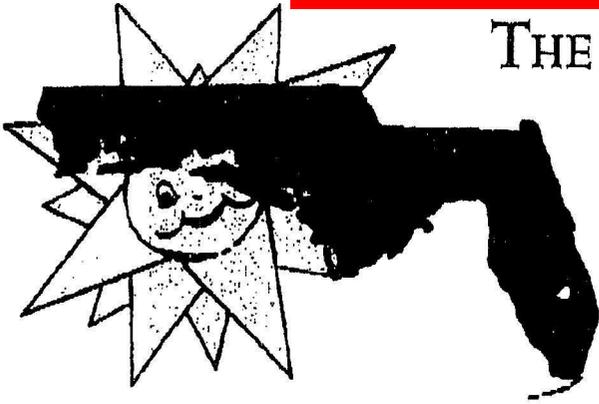
Again, thank you for your assistance. Best of luck in your new position as town manager and please call on me if I can be of any assistance.

Respectfully,


Les Fritz
President
Certified Arborist

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Handwritten initials and date: *WJ 7/27*



THE PANHANDLE LEAGUE OF CITIES

Brenda Hendricks, President
 and FLC Director
 City of Parker
Clay Ford, First Vice President
 City of Gulf Breeze
Samuel Hayes, Second Vice President
 City of Crestview
Judy Whittis, Treasurer
 City of Callaway
Howard Milton, Jr., Past President
 City of Marianna

Rita E. Jones, Legislative Chair
 City of Pensacola
Guyton Williams, Legislative Vice Chairman
 City of Graceville
A.O. Campbell, Director
 and FLC Director
 City of Defuniak Springs
Scott Maddox, Director
 City of Tallahassee

PANHANDLE LEAGUE OF CITIES BOARD OF DIRECTORS MEETING NOTICE

August 31, 1998

MEMORANDUM

To: Board of Directors, Member Cities and Associate Members
Panhandle League of Cities

From: Jeff Hendry, Executive Director *JH*
Panhandle League of Cities

Re: Next Scheduled Board Meeting: Monday, September 14, 1998 at Defuniak Springs
Community Center

This memo is to provide formal notice for the Panhandle League of Cities Board of Directors meeting scheduled for Monday, **September 14, 1998** at the Defuniak Springs Community Center. The meeting will start promptly at 4:30 p.m. (CST).

Please R.S.V.P. **no later than Thursday September 10, 1998**, if you will be attending the meeting by faxing the attached response form to (850) 487-0041. If you have questions or need additional information, please contact me at (850) 487-1870. Thank You!

**TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
10 SEPTEMBER 1998**

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL Mayor Drabczuk
 Councilwoman Carroll
 Councilman Kendrick
 Councilman Payne
 Councilman Skelly
 Councilman Williams

PUBLIC HEARING - Ad Valorem Tax Millage Rate and General Operating Budget for the Fiscal Year Ending 30 September 1999.

1. **ADVALOREM TAX MILLAGE RATE** - Tentative adoption of the proposed Ad Valorem Tax Millage Rate. (2.300 Mills)
2. **GENERAL OPERATING BUDGET FOR THE FYE 30 SEPTEMBER 1999** - Tentative Adoption of the proposed General Operating Budget for the fiscal year ending 30 September 1999. (203,967.00)
3. **ORDINANCE NO. 176** - First reading and proposed adoption of Ordinance No. 176, an Ordinance providing for an Ad Valorem Tax Millage rate of 2.300 mills upon all real and personal property located in the Town of Cinco Bayou, Florida, on 1 January 1999.
4. **RESOLUTION 98-09** - First reading and proposed adoption of Resolution 98-09, a Resolution of the Town of Cinco Bayou, Florida, adopting the General Operating Budget (203,967.00) for the Town of Cinco Bayou, Florida, for the fiscal year 1 October 1998 through 30 September 1999.

Regular Business

5. Consent Agenda
 - A. Minutes, Council Meeting – 13 August 1998
 - B. List of Checks & Status of Funds, 10 August 1998
 - C. List of Deposits – 10 August 1998
6. Action Items
 - A. Neighborhood Watch Presentation
 - B. Christmas Banners Presentation
 - C. Schedule Public Hearing for Second reading and adoption of Ordinance # 176 & Resolution # 98-09 on Thursday, 24 September 1998 at 6:00 P. M.
 - D. Schedule Meeting of Planning and Zoning Board to consider final plan and requested variances for Larkin Place Town Homes and any other such matters as may be brought before the Board, immediately following the Public Hearing.
7. Town Engineer Report
8. Town Attorney Report

9. Town Manager Report

10. Public Request/Comments

11. Council-members Reports/Comments

12. Correspondence

A. Letter, Paul Howard

B. Letter to, Fritz Tree Service

C. Letter from, Fritz Tree Service

D. Letter, Panhandle League of Cities Board of Directors Meeting

13. Mayor's Announcements

14. Adjourn