

**MEETING MINUTES
TOWN OF CINCO BAYOU
REGULAR TOWN COUNCIL
SEPTEMBER 12, 2013 ♦ 6:00 PM**

Mayor Farley called the Regular Council meeting to order at 6:00 P.M. on Thursday, September 12, 2013. Roll call was taken:

ROLL CALL:

MAYOR FARLEY	COUNCILWOMAN HOOD
MAYOR PRO-TEM CHUBB	COUNCILMAN MYERS
COUNCILMAN BRATTON (ABSENT)	COUNCLMAN SIEVERS

Also present at the meeting were: Town Manager/Clerk Nell Dykes, Deputy Clerk Linda Barringer, Town Attorney Jeff McInnis and Town Engineer Joe Rector, Town Planner Jack Dorman.

REGULAR BUSINESS:

- 1. Council Approval of Agenda:** Mayor Farley asked for approval of the agenda. Councilwoman Hood made a motion to approve the agenda, Councilman Chubb seconded the motion. *The motion passed unanimously.*
- 2. Council Approval of Consent:** Mayor Farley asked for approval of the minutes of the Minutes of Meetings for the Regular Council Meeting on August 8, 2013, the Meeting Minutes for the Budget Workshop on August 15, 2013 and the Budget Status as of August 31, 2013. Councilman Chubb made the motion to approve, Councilwoman Hood seconded the motion. *The motion passed unanimously.*

Special Guest: Kay Rasmussen introduced Mr. Nathan Sparks the new Executive Director of the EDC to the council members. Mr. Sparks spoke briefly on the new and exciting future of the area, complimenting Cinco Bayou on the improvements to the roadside with new lights and brick pavers, much appreciated. We look forward to the growth potential expected in the next few years.

Action items:

1. Town Attorney Jeff McInnis gave the first reading of Ordinance 229

ORDINANCE NO. 229

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING CHAPTER 34, PARKS AND RECREATION, SECTION 34-41, MERCHANDISING, ADVERTISING AND SIGNS, SUBSECTION (1), VENDING AND PEDDLING; AMENDING TITLE OF SECTION 34-41(1) AND PROHIBITING ALL NON-PERMITTED COMMERCIAL ACTIVITIES WITHIN TOWN PARKS; AMENDING THE TITLE OF SECTION 34-42; AMENDING THE TITLE OF SECTION 34-42(e) AND REQUIRING ALL COMMERCIAL ACTIVITY IN TOWN PARKS TO BE PERMITTED; AMENDING SECTION 34-44, RECREATION FACILITY FEE, TO ESTABLISH THE AUTHORITY FOR CHARGING FEES FOR COMMERCIAL ACTIVITY PERMITS; PROVIDING FOR AUTHORITY; PROVIDING LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR A PURPOSE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Councilwoman Hood made the motion to accept the first reading of Ordinance No. 229, Councilman Sievers seconded the motion. Motion passed unanimously.

Reports:

1. Town Manager's Report – Nell Dykes

The Inter-Local Agreement for the 6 cents First Local Option Fuel Tax between the county and every municipality within the county must be approved and signed by each Mayor. However it can be brought before the County Commissioners again next year for consideration to change the percentage or split between the county and the municipalities. Provisions for the proposed additional 3% fuel tax was included in the interlocal agreement.

Councilwoman Hood made the motion to approve the new Inter-local agreement and 3% Gas Tax for the 2013/2014 Fiscal Year. Councilman Chubb 2nd the motion. Motion passed unanimously.

2. Attorney's Report – Jeff McInnis - Discussion on Resolution 2013-06 and Application for Commercial Activity in Town Parks.

1. The Mayor and Council after discussion removed/revised the following items from Resolution 2013-06:

A: Seaway Boat Ramp was REMOVED.

B. Cinco Bayou Town Hall Facility/Win-Davis Park

Item C: There will be no fee charged or security deposit required for use by residents of the Town unless the premises are not left clean and free of trash or debris after the event. If that condition is found present by the Town staff then **\$50.00** cleaning fee will be assessed to the facility user.

2. User will be required to pay **twenty (\$25) per hour**, per Town employee who is required to work other than normal hours of operation (8:00 to 5:00 p.m., Monday through Friday) and holidays.

C. Group Event/Recreational Group Activity Permits: All applicants desiring to obtain a permit for the exclusive use of any portion of a park, will be required to pay a nonrefundable permit fee of **\$50.00 (if open to the public), \$100.00 (if closed to the public)** per day requested for such activity, at the time of issuance.

D. Commercial Activity Permits: All applicants desiring to obtain a permit for commercial activities in any portion of a park, will be required to pay a nonrefundable permit fee of **\$100** per day requested for such activity, at the time of issuance. **A 15 people limit and a 4 Hour minimum use of the park for their activity.** Town Manager Dikes recommended we send out a letter to all the dive shops that they will need a permit from now on to dive.

3. Town Planner's Report – Jack Dorman:

We would like to get the go ahead to start the process to modify the agreement/LDC and schedule a number of workshops and proceed and to authorize Jack Dorman to start to the adoption process and giving permission of.

4. Engineer's Report – Joe Rector

Wrapped up the CDBG project.

Rick's carwash is moving forward.

We are looking to hopefully piggy backing with FWB in resurfacing Kelly Avenue and Yacht Club Drive. Mayor Farley asked if this would be with Grant money and Mr. Rector said not with DOT.

Mr. Rector also stated we are still looking at Boater Improvement Funds for storm water issues. He is very excited about an experiment in Apalachicola with manufacture of a storm water solutions and if it works there he will present the project to the council for their consideration.

5. Maintenance Manager's Report: Keith Williams Maintenance Manager was not able speak tonight, he is out ill. But, Town Manager Dykes spoke for Mr. Williams on the problem we have in the Town concerning the homeless/vagrants is getting out of control. We have had numerous complaints. The unsanitary conditions they are leaving the parks in is not only a nascence but a very unhealthy environment. Sheriff Larry Ashley said it is a problem everyone is facing and there really isn't anything we can do except call when you see something suspicious going on at one of the parks or after hours activity. Sheriff Ashley did say we could think about hiring a deputy part time to patrol the area after hours/weekends.

Public Request/Comments:

Council Member's Comments/Request: Councilwomen Hood asked is there anyway to remove the piles of debris from behind the mattress store, it is an eyesore not to mention a public safety concern. Town Manager Dykes said we can issue a violation letter and we would call Waste Management.

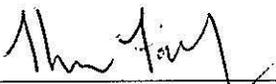
Mayor's Comments/ Announcements

Dates to Remember: 2nd Public Hearing for Proposed Budget and Mileage, September 19, 2013 5:30. Regular Council Meeting October 10, 2013 and Town Hall will be closed in observance of Columbus Day, October 14, 2013.

Adjourn: After no further business the Regular Council Meeting was adjourned at 7:46.

ATTEST:





Theresa Farley, Mayor



Nell Dykes, Town Manager/Clerk