

TOWN OF CINCO BAYOU
SPECIAL COUNCIL MEETING
SEPTEMBER 29, 1987

Mayor Laginess called the meeting to order at 6:05 PM.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL Present: Mayor Laginess
Councilwoman Buchanan
Councilman Davis
Councilwoman Dumka
Councilman Gage

Absent: Councilman Skelly (arrived at 6:09)

Also Present: Attorney McInnis Manager Borchik

PUBLIC HEARING - ORDINANCE NO. 117 - An Ordinance setting the Ad Valorem Tax Millage Rate. (Second Reading and Proposed Adoption) Attorney McInnis read Ordinance No. 117 by title only. Councilwoman Buchanan made a motion to accept the second reading of Ordinance No. 117, seconded by Councilman Davis. The motion was unanimously approved. Councilman Gage made a motion to adopt Ordinance No. 117, seconded by Councilwoman Dumka. The motion was unanimously approved on a roll call vote.

PUBLIC HEARING - RESOLUTION NO. 87-12 - A Resolution adopting the General Operating Budget for the fiscal year ending September 30, 1987. (Second Reading and Proposed Adoption) Attorney McInnis read Resolution 87-12 by title only. Councilman Davis made a motion to accept the second reading of Resolution No. 87-12, seconded by Councilman Gage. The motion was unanimously approved. (Councilman Skelly arrived at this time) Councilwoman Buchanan made a motion to adopt Resolution 87-12, seconded by Councilwoman Dumka. The motion was unanimously approved on a roll call vote.

PUBLIC HEARING - RESOLUTION NO. 87-13 - A Resolution declaring the candidate for Mayor and the candidates for Councilmember to be elected as there was no opposition and cancelling the Town's General election scheduled for October 6, 1987. (Proposed Adoption) Attorney McInnis read Resolution 87-13 by title only. Councilwoman Dumka made a motion to adopt Resolution 87-13, seconded by Councilman Skelly. The motion was unanimously approved.

TOWN MANAGER'S REPORT - The Town Manager advised the Council that he had attended the Ocean City/Wright Fire Control District Commission Meeting on September 22, 1987 and the fire protection contract was approved and signed during the meeting. The new contract will take effect October 1, 1987.

There being no further business, the meeting adjourned at 6:18 PM.

Charles R. Laginess
Mayor

Attest:

Albert Bonchely
Town Manager/Clerk

NOTE: A mechanical recording has been made of the foregoing proceedings of which these minutes are a part and is on file in the Office of the Town Manager/Clerk.

ORDINANCE NO. 117

AN ORDINANCE AMENDING SECTION 14-1 OF THE CODE OF ORDINANCES OF THE TOWN OF CINCO BAYOU, FLORIDA, WITH REFERENCE TO THE ESTABLISHMENT OF AD VALOREM TAXES; PROVIDING FOR AN AD VALOREM TAX MILLAGE RATE OF 2.828 MILLS UPON REAL AND TANGIBLE PERSONAL PROPERTY LOCATED IN THE TOWN OF CINCO BAYOU, FLORIDA, ON JANUARY 1, 1987; REPEALING ORDINANCES INCONSISTENT WITH SAID ORDINANCE; SEVERING INVALID PORTIONS OF SAID ORDINANCE; PRESCRIBING AN EFFECTIVE DATE THEREOF.

WHEREAS, the Mayor and the Town Council of the Town of Cinco Bayou, Florida, after careful preparation and review of the proposed Operating Budget for the fiscal year ending September 30, 1988 and after conducting public hearings properly advertised, desire to establish the ad valorem tax millage rate for real and tangible personal property located in the Town of Cinco Bayou on January 1, 1987.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA, THAT:

SECTION 1. That Section 14-1 "Ad Valorem Taxes Established" of the Code of Ordinances, Town of Cinco Bayou, Florida is hereby amended to read as follows:

"There is hereby levied upon all real and tangible personal property located in the Town of Cinco Bayou, Florida, on January 1, 1987, an ad valorem tax of 2.828 mills on each dollar of assessed value of such property."

SECTION 2. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion of words shall be deemed a separate and independent provision and such holding shall not effect the validity of the remaining portion thereof.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS. All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption.

Adopted this 29th day of September, 1987.

Approved:

Charles R. Logins
Mayor



Attest:

Ann B. Borchert
Town Manager/Clerk

RESOLUTION 87-12

A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, ADOPTING THE GENERAL OPERATING BUDGET FOR THE TOWN OF CINCO BAYOU, FLORIDA, FOR THE FISCAL YEAR OCTOBER 1, 1987 THROUGH SEPTEMBER 30, 1988.

WHEREAS, the Town Council of the Town of Cinco Bayou, Florida, adopted the tentative Operating Budget on September 9, 1987; and,

WHEREAS, the Town Council of the Town of Cinco Bayou, Florida, has adopted Ordinance No. 117 setting the Ad Valorem Tax Millage Rate upon all real and tangible personal property located in the Town of Cinco Bayou, Florida on January 1, 1987.

NOW, THEREFORE, be it resolved that the proposed General Operating Budget (\$143,940.00) for the fiscal year ending September 30, 1988 is hereby adopted by unanimous decision of the Town Council of the Town of Cinco Bayou, Florida, without objection, at a public hearing held after due notice of the same. This resolution shall take effect immediately upon its passage and approval by the Mayor.

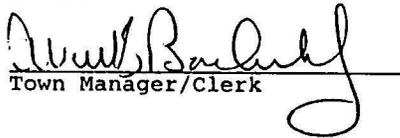
Adopted this 29 day of September, 1987.

Approved:


Mayor



Attest:


Town Manager/Clerk

RESOLUTION 87-13

A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, DECLARING THE CANDIDATE FOR THE OFFICE OF THE MAYOR AND THE CANDIDATES FOR OFFICE OF TOWN COUNCILMEMBER TO BE DULY ELECTED AS THERE IS NO OPPOSITION AND DECLARING THAT NO NECESSITY EXISTS FOR AN ELECTION AS ONLY ONE PERSON QUALIFIED FOR EACH VACANCY THAT EXISTS.

WHEREAS, the Town of Cinco Bayou General Election is scheduled for Tuesday, October 6, 1987; and,

WHEREAS, this General Election is to fill the vacancy for Mayor and two Councilmembers respectfully for the Town of Cinco Bayou; and,

WHEREAS, no necessity exists for formal balloting or election as only one person qualified for each vacancy that exists.

NOW, THEREFORE, be it resolved that CHARLES R. LAGINESS, candidate for Mayor and WINFIELD H. DAVIS and RICHARD K. GAGE, candidates for Town Council are hereby duly elected for a period of two (2) years beginning November 1, 1987.

Be it further resolved that the date of the General Election having been formally announced as October 6, 1987, and whereas the necessity exists whereby cancellation of the election for Mayor and Town Councilmember must be announced, such cancellation and announcement thereof are considered accomplished by adoption of this resolution.

Adopted this 29 day of September, 1987

Approved:



Charles R. Laginess
Mayor

Attest:

Ann K. Brockley
Town Manager/Clerk