

TOWN OF CINCO BAYOU
TOWN COUNCIL MEETING
OCTOBER 4, 1990

Mayor Laginess called the Town Council Meeting to order at 6:01pm.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Present: Mayor Laginess
Councilman Broxson
Councilwoman Dumka
Councilman Gage
Councilman Skelly

Absent: Councilwoman Buchanan

| | | |
|---------------|------------------|-----------------|
| Also Present: | Attorney McInnis | Manager Borchik |
| | Secretary Covey | Engineer King |
| | Jim Kendrick | Irene Balsley |
| | Abbie Tyner | Sadie Robblee |
| | Tom Leach | Carolyn Leach |
| | Ruth Usrey | Bill Sullivan |

PUBLIC HEARING - Ordinance No. 142 - First reading of Ordinance No. 142, an Ordinance adopting the Code of Ordinances of the Town of Cinco Bayou, Florida. Attorney McInnis read Ordinance No. 142 by title only. Councilman Skelly made a motion to approve the first reading of Ordinance No. 142, seconded by Councilwoman Dumka. There were no questions or comments from the public. The motion was unanimously approved on a roll call vote.

REGULAR BUSINESS

1. Minutes - September 6 and September 24, 1990. Councilman Skelly made a motion to adopt the minutes of the September 6 and September 24, 1990, Town Council meetings and to approve the Financial Report for September, 1990, seconded by Councilman Broxson. The motion was unanimously approved.

2. Financial Report - September, 1990 (See item 1.)

3. Dumpster & Curb, Andalusia Street - L. Patrick. Following a short discussion, Mayor Laginess appointed Councilman Skelly to meet with the Town Engineer and Mr. Patrick on the site to resolve this problem. Mayor Laginess asked the Town Engineer to prepare the curb and driveway entrance design based upon their decision for the Council's approval at the November 1, 1990 Council meeting.

4. Animal Control for Cinco Bayou - PAWS - D. Olson. Ms Olson was not present, however, the Council discussed her letter concerning animal control for the Town. Mayor Laginess asked the Manager to contact Ms Olson and invite her to the November Council meeting to resolve this problem and to work out an interim agreement for animal control until a contract or other type agreement can be made with PAWS.

5. Florida League of Cities Membership - Councilman Gage made a motion to continue the Town's membership in the Florida League of Cities, seconded by Councilman Broxson. The motion was unanimously approved.

6. Town Hall Use - Okaloosa Kennel Club - Mrs Sumrall. The Town Manager advised the Council of Mrs Sumrall's request for the use of the Town Hall for the November and December meetings of the Okaloosa Kennel Club. Following a short discussion, Councilman Skelly made a motion to allow Mrs Sumrall (The Okaloosa Kennel Club) to use the Town Hall on the dates requested and that they be charged a \$ 50.00 fee for each use of the facility, seconded by Councilwoman Dumka. The motion was unanimously approved.

7. Personnel Policy - Councilman Gage asked that this item be "continued on the table".

8. Liability Insurance Coverage - Following a short discussion, Mayor Laginess asked Attorney McInnis to look into this matter concerning liability limits and the merits of obtaining liability insurance that would exceed those limits.

COUNCILMEMBERS REPORTS/COMMENTS

Councilman Skelly asked for the status of the pedestrian signal at Eglin Parkway and Yacht Club Drive and was advised that DOT indicated that the contract had been awarded and the project should be finished by Christmas. He indicated he would seek a more definitive time frame for completion.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME

Mr. Tom Leach asked the Council to examine the use of per diem and travel funds and to be fair and wise.

COMMITTEE REPORTS

1. Administrative Committee - No Report
2. Finance & Budget Committee - No Report
3. Comprehensive Plan Committee - No Report

CORRESPONDENCE

1. Letter, Environmental Waste Systems - Rate Increase. No action.
2. Letter, City of Valparaiso - Fall LOC Dinner Meeting. Reservations must be made by October 9, 1990.
3. Letter, Department of State - Veterans Nursing Home. No action.

4. Letter, Disabled American Veterans - Ceremony. No action.

TOWN MANAGER'S REPORT

1. The Town Manager indicated that ARC has presented a proposal to clean the gutters and edge the streets and sidewalks three times a year for \$4,700.00. Following a short discussion, it was determined that twice a year should be sufficient and Mayor Laginess asked the Town Manager to contact ARC with the counter proposal.

2. The Fall Town Clean-Up is set for the weekend of November 17, 1990. Dumpster locations will be the same as in the past.

MAYOR'S ANNOUNCEMENTS

1. Mayor Laginess reminded everyone of the 6th Annual Chili Festival on Tuesday, October 16, 1990, here at the Town Hall.

2. The Oath of Office Ceremony for the newly elected Council members will be held on November 1, 1990, immediately prior to the Town Council Meeting.

There being no further business, the meeting was adjourned at 7:08 PM.



Mayor

ATTEST:



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. 142

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE TOWN OF CINCO BAYOU, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

Section 1. The Code entitled "Code of Ordinances, Town of Cinco Bayou, Florida" published by Municipal Code Corporation consisting of Chapters 1 through 20, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before August 20, 1990, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof, shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment for a term of not to exceed ninety (90) days, or by both such fine and imprisonment. With respect to violations that are continuous with respect to time, and each day the violation continues is a separate offense. The penalty provided by this section, unless another penalty is expressly provided shall apply to the amendment of any Code section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief, and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in the form as to indicate the intention of the town council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after August 20, 1990 that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective upon its adoption by the Town Council and signature of the Mayor.

Adopted this 1st day of November, 1990.

Mayor

ATTEST:

Town Manager/Clerk



RECEIVED
9/18/90

MB et

752 Lovejoy Road
Fort Walton Beach, FL 32548
(904) 243-1525

September 16, 1990

Hon. Charles R. Laginess
Town of Cinco Bayou
10 NE Yacht Club Drive
Fort Walton Beach FL 32548

Re: Animal Control

Dear Mayor Laginess:

This letter is to notify you and the Town Council that effective October 1, 1990, the Panhandle Animal Welfare Society will no longer respond to requests for animal control services within the municipal limits of Cinco Bayou.

As you know, PAWS contracts with Okaloosa County and with several municipalities to perform animal control, and our organization is simply financially unable to continue to work uncompensated in municipalities that do not contract for our services.

Accordingly, on October 1st, callers with animal-related problems will be advised to communicate directly with Cinco Bayou town hall. PAWS will, of course, continue to receive animals that are turned in at our facility in our capacity as the humane society.

Very truly yours,

Donna Olson
Executive Director

cc: Mr. Borchik

INVOICE

RECEIVED
9/5/90

KB



FLORIDA LEAGUE OF CITIES

DATE 09/01/90 No.



ALBERT S. BORCHIK, JR., MANAGER
TOWN OF CINCO BAYOU
10 YACHT CLUB DRIVE
FT. WALTON BEACH, FLORIDA 32548-4436

ISSUE CHECK PAYABLE TO:
FLORIDA LEAGUE OF CITIES
P.O. BOX 1757 - 201 WEST PARK AVE.
TALLAHASSEE, FLORIDA 32302
PHONE: (904) 222-9684

Dues to the FLC are not deductible as charitable contributions for federal income tax purposes.

DESCRIPTION

TOWN OF CINCO BAYOU

DUES FOR ANNUAL MEMBERSHIP - INCLUDING RESEARCH,
THREE COPIES OF THE QUALITY CITIES MAGAZINE,
LEGISLATIVE AND OTHER SERVICES RENDERED BY THE
FLORIDA LEAGUE OF CITIES FOR THE FISCAL YEAR

OCTOBER 1, 1990 - SEPTEMBER 30, 1991 \$120.00

PLUS 5 ANNUAL SUBSCRIPTIONS TO THE QUALITY CITIES
MAGAZINE AT \$6.00 EACH \$30.00

*** PLEASE UPDATE AND RETURN LIST OF
CITY OFFICIALS WITH PAYMENT ***

TOTAL AMOUNT DUE \$150.00

Florida League of Cities, Inc.
 201 West Park Avenue
 Post Office Box 1757
 Tallahassee, FL 32302-1757
 Telephone (904) 222-9684
 Suncom 278-5331



RECEIVED
 9/26/90

Florida League of Cities, Inc.
 Public Risk Services
 135 East Colonial Drive
 Post Office Box 530065
 Orlando, FL 32853-0065
 Telephone (407) 425-9142
 Suncom 344-6767

TO: Town of Cinco Bayou

FROM: Administrator, Florida Municipal Liability Self Insurers Program (FMLSIP)

RE: GREATER PROTECTION AVAILABLE

DATE: September 1990

You were recently billed for the 1990/91 liability renewal and your premium payment must be made in accordance with that billing notice.

The FMLSIP can now offer higher liability limits than those which you currently carry and the additional premium for more protection is reasonably priced. Please take this opportunity to review the options available.

General Liability Automobile Liability

Your Current Limit of Liability \$ 100,000/200,000 \$ 100,000/200,000

Additional Annual Premiums

These Higher Limits are Available:

| | | | |
|--------------------------|-----------------------|-----------------|---------------|
| <input type="checkbox"/> | \$ <u>500,000</u> | \$ <u>742</u> | \$ <u>198</u> |
| <input type="checkbox"/> | \$ <u>1,000,000</u> | \$ <u>1,025</u> | \$ <u>273</u> |
| <input type="checkbox"/> | \$ <u>1,500,000</u> | \$ <u>1,112</u> | \$ <u>297</u> |
| <input type="checkbox"/> | \$ <u>2,000,000</u> | \$ <u>1,190</u> | \$ <u>318</u> |
| <input type="checkbox"/> | \$ <u>3,000,000</u> * | \$ <u>1,274</u> | \$ <u>340</u> |
| <input type="checkbox"/> | \$ <u>5,000,000</u> * | \$ <u>1,330</u> | \$ <u>355</u> |

 Member Signature

 Title

* Subject to Underwriting Approval

 Date

If you elect to purchase greater protection, please check the appropriate box next to the limits desired, sign and date the signature line provided, and mail this form to the League. A total limits minimum premium of \$500 applies to any selected limit over the \$500,000 option. Your request and effective date of coverage will be acknowledged and the additional premium will be billed after your renewal has been paid.

For more information, contact Brad Clark at the League's Orlando office.

- Florida Municipal Self Insurers Fund (Workers' Compensation)
- Florida Municipal Liability Self Insurers Program (Tort Liability)
- Florida Municipal Health Trust Fund
- Florida Municipal Pension Trust Fund
- Florida Municipal Property Self Insurers Program

Environmental Waste Systems
P.O. Box 4490
Fort Walton Beach, FL 32549
904/862-7141



RECEIVED
9/20/90
A Waste Management Company

September 18, 1990

Honorable Chuck Laginess
Cinco Bayou Town Hall
10 Yacht Club Road
Cinco Bayou, FL 32548

Dear Honorable Laginess,

As we are all aware, living in a high military area, the crisis in the Middle East has already caused many changes in our community and indeed the nation. We of Environmental Waste Systems join the citizens of Cinco Bayou in praying for an expedient and peaceful settlement to this volatile situation. Further, we are committed to the national spirit of unity and purpose in our approach to dealing with changes caused by this crisis.

It is with this sense of common purpose that I write this letter. As you can imagine, the greatest impact caused by this situation in connection to our business is the cost of fuel. With the Middle East crisis just five weeks old, we have realized in excess of a 40% increase in fuel costs. Tire costs are expected to rise 10% and other petroleum base products will increase as well. We understand that your community has also realized this increased cost. In our particular situation, however, this translates to over \$17,000 per month for fuel alone. We have and will continue as long as possible to hold a request for an increase to offset this substantial rise in cost. We find it incumbent though to advise you that, should the Middle East Crisis continue and as a result the cost of fuel continue at current levels, we will need to schedule an appearance before your council to request a rate increase. In the interim, we join you and the nation in doing everything possible to hold the line on costs.

As always, the people of Environmental Waste Systems appreciates the opportunity to provide the quality service that the citizens of Okaloosa have come to expect. We commit ourselves to our stated goal of "First In Service".

With Kindest Regards,

Jerry Schnitzius
General Manager



RECEIVED
9/21/90

CITY OF VALPARAISO

P O BOX 296 · PHONE 678 2912

VALPARAISO, FLORIDA 32580

HOME OF
EGLIN AIR FORCE BASE

September 20, 1990

The Honorable Charles R. Laginess
Mayor
Town of Cinco Bayou
10 Yacht Club Drive
Cinco Bayou, FL 32548-4436

Dear Mayor Laginess:

The City of Valparaiso is pleased to host the Fall Quarterly Meeting of the Okaloosa County League of Cities, scheduled for October 18, 1990.

The dinner/meeting will be held at the Eglin Officer's Club on Eglin Air Force Base. A cash bar will begin at 6:00 PM, with dinner following at 7:00 PM. The meal will include breast of chicken with wine sauce.

Please advise Faye Floyd, no later than October 9th, of the number of representatives who will be attending from your municipality.

We look forward to seeing you on October 18th.

Best regards,

John B. Arnold, Jr.
Mayor

JBA:hb

"Home of the World's Largest Air Force Installation, Eglin Air Force Base, Florida"



RECEIVED
9/24/90
MB
CF

FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State

September 20, 1990

The Honorable Charles R. Laginess
Mayor, Town of Cinco Bayou
10 Yacht Club Drive (Cinco Bayou)
Ft. Walton Beach, Florida 32548-4436

Dear Mayor Laginess:

Thank you for your resolution regarding the the selection process for the new Florida Veterans Nursing Home.

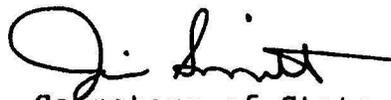
The Governor and Cabinet, based on the recommendation of the selection task force and General Peck, voted to select Volusia County as the location for this important facility.

The other sites which made up the final list were all deserving, and the presentations at the Cabinet meeting were excellent. General Peck has advised me that his initial plan is to build another 5 nursing homes within the next ten years. Those locations not chosen at this time will have an excellent opportunity in the future during the next selection process.

Again, thank you for your interest in this matter and for sharing your views.

With best wishes,

Sincerely,


Secretary of State

JS/ofr

PLAYGROUND CHAPTER 72, INC.
DISABLED AMERICAN VETERANS

P.O. BOX 2275
FT. WALTON BEACH, FL 32549

RECEIVED
10/25/90
L.A. 73

CF



24 September 1990

Honorable Mayor Town Cinco Bayou
10 Yacht Club Drive
Ft. Walton Beach FL 32548-4436

Dear Sir:

The Disabled American Veterans, Playground Chapter 72, will host the annual Veterans Day ceremonies at Beal Memorial Cemetery on Monday, 12 November 1990.

We cordially extend to you, your organization, auxiliaries, and families an invitation to participate with us in these ceremonies honoring all veterans and those who have unselfishly given themselves in service to our great nation.

In order that appropriate homage be paid to the deceased veterans who were members of your organization, we respectfully request that, at your earliest convenience, you forward to us a "ROLL CALL" listing the names of those veterans who have expired since 28 May 1990, our last ceremony. It will be appreciated, for the sake of convenience and accuracy, to have our cut-off date of the deceased to be returned before 22 October 1990.

It is customary at these ceremonies for the organizations to place a floral wreath at the memorial. If your organization desires to participate in this function, please indicate accordingly. It should be noted that the persons designated by you to place the wreath should be in place no later than 10:45 a.m. All others should arrive prior to 11:00 a.m.

In order to establish our agenda and listing of participating persons and organizations, please return the attached form for each of your organizations no later than 22 October 1990 to indicate your desires and intentions.

Respectfully,

William R. Patterson
Commander

Telephone: 862-9215