

**MINUTES
REGULAR COUNCIL MEETING
OCTOBER 11, 2001 6:00 PM**

Mayor Randy Drabczuk called the Regular Council Meeting to order on October 11, 2001 at 6 p.m. in Council Chambers. A silent prayer and the Pledge of Allegiance to the Flag followed. Mayor Drabczuk welcomed all present and mentioned that a quorum was present.

ROLL CALL **MAYOR DRABCZUK** - present
 MAYOR-PROTEM CARROLL – present
 COUNCILMAN KOCH- present
 COUNCILMAN FRUCCI – present
 COUNCILMAN BANTER – present
 COUNCILMAN FARLEY – present

Others present were Assistant Town Manager Monika Gillette, Secretary Ursel Behnken, Attorney Michelle Anchors, resident Jim Kendrick, Engineer Ed Stanford and Joe Mittauer.

REGULAR BUSINESS:

1. **COUNCIL APPROVAL OF AGENDA** – Councilman Frucci moved to approve the Agenda. It was seconded by Councilman Farley and passed unanimously.

2. **Consent Agenda:**

A: Minutes: Public Hearing Sept. 6, 2001; Public Hearing and Regular Council Meeting, Sept. 13, 2001; Special Public Hearing, Sept. 19, 2001 – Minutes were approved unanimously.

B: Vision workshop Meeting, Sept. 6, 2001 – Councilman Koch pointed out that she was present at that meeting and would like the minutes to reflect that. Councilman Carroll moved to approve the minutes with the recorded changes. It was seconded by Councilman Farley and passed unanimously.

C: Status of Funds, September 30, 2001 – Councilman Frucci questioned whether any more funds were coming in from FEMA. Assistant Manager Gillette confirmed there were not and that the sum of approximately \$63,000 was correct for the operating fund balances as of September 30, 2001.

3. **Action Items:**

G. Motion to consider revision of fire/burning ordinance requested by resident Jim Kendrick – Mayor Drabzuk moved that Mr. Kendrick's request be moved to the front of the agenda. There was no opposition to the request. Mr. Kendrick said that he appreciated all council members' thoughts during his illness. He said that a neighbor has a large fire pit in the ground (8 ft. diameter) in the backyard and he worries it could get out of hand and turn into a matter of life and death. He had checked the ordinances and stated there was nothing in the code book to prohibit this type of fire pit. Mr. Kendrick had called the Ocean City Wright Fire Department, which later called him back and said, they were only grilling hot dogs. Therefore, he proposed an ordinance to prohibit such pits. Councilman Frucci suggested taking this issue up at the Vision Meeting. Councilman Farley said that the Nuisance Ordinance does not really cover barbecue pits unless the fire causes dense smoke that interferes with the neighbor's well being. Councilman Frucci moved asked Mr. Kendrick to let him know when it happens again and he will check it out. Councilman Farley moved to have the Town's attorney research the issue. It was seconded by Councilman Bainter and passed unanimously.

A. Motion to choose Administrative Consultant and Engineers for CDBG Commercial Revitalization Grant - Three separate companies applied for the position. The Mayor, Town Manager and several others took a worksheet and gave points to each of the applicants. Councilman Koch wanted to know who appointed this committee. The Mayor said that the Town Manager chose the participants. The committee chose Mittauer and Associates and Betty Jordan Associates. Councilman Bainter moved to agree with the findings of the committee. It was seconded by Councilman Carroll and passed unanimously.

B. Motion to establish CRA in the Town of Cinco Bayou – Councilman Bainter moved to establish a CRA for Cinco Bayou. It was seconded by Councilman Farley and passed with four yeas and one nay from Councilman Frucci.

- C. Motion to consider adoption of additional \$25,000 Homestead Exemption for senior citizens 65 and older with household income not exceeding \$20,000** – Councilman Carroll moved to adopt the additional homestead exemption for senior citizens. It was seconded by Councilman Farley and passed unanimously. The total loss of revenue would be approximately \$115.
 - D. Motion to consider request by Dr. James H. Langston for a 10ft. access driveway bordering Garnett St.** – Dr. Langston took out a tree which needs to be replaced, according to Town Manager Webb. Councilman Bainter moved to allow Dr. Langston the 10 ft. access driveway bordering Garnett St. per the recommendation of Town Manager Webb with the stipulation Dr. Langston would have a load of gravel spread in the entrance and replace the tree that was removed. It was seconded by Councilman Farley. The motion passed unanimously.
 - E. Motion to consider entering into an inter-local agreement with the City of FWB for street sweeping** – Each street sweeping would cost \$500. Councilman Farley said that the Town's streets are fairly clean. The problem is next to the sidewalks. Councilman Farley moved to sign the inter-local agreement with Ft. Walton Beach but only pay any money when we call them. It was seconded by Councilman Carroll and passed unanimously.
 - F. Motion for discussion of paving of Hughes Street** – Mayor Drabczuk suggested this item be moved to the November regular Council meeting until the question of the Penny Tax has been cleared. Councilman Frucci concurred since he was the one requesting it be put on the agenda.
 - H. Motion to send letter to Audubon Society requesting their support for Glenwood Park bird watch and identification** – Councilman Koch suggested not to limit the help from Audubon Society just to bird watching and identification but to ask them to help the Town with beautification. Councilman Farley moved that the town manager draft and the mayor sign a letter to be send to the local Audubon Society; that this letter express the current council's interest in establishing Glenwood Park as one of Okaloosa County's premier inner-city nature viewing facility; that the letters also convey that the council is interested in partnering with the local Audubon Society to that end.. It was seconded by Councilman Bainter and passed unanimously.
 - I. Motion tabled from Sept. 13, 2001 Council meeting to have Lawn Man mow Francis Park and Win Davis Park on Saturday instead of Sunday** – Councilman Koch expressed her thanks for the Saturday mowing. No motion was needed on this item.
 - J. Motion to consider request from Shelter House to proclaim October Domestic Violence Awareness Month** – Councilman Carroll moved to approve the proclamation. It was seconded by Councilman Farley and passed unanimously.
 - K. Motion to consider request from Committee for Epilepsy Awareness for resolution declaring November National Epilepsy Awareness Month** – Councilman Carroll moved and Councilman Bainter seconded for the resolution. It passed unanimously.
 - L. Motion to consider request from Disabled American Veterans to participate in the annual Veterans Day ceremonies on Nov. 12, 2001** – Flowers for the wreath need to be ordered. Councilman Farley moved to have Councilman Carroll represent the Town at the ceremony. All others are invited to participate. It was seconded by Councilman Bainter and passed unanimously.
- 4. General Business:** Councilman Carroll – Discussion of launching fees at Seaway Boat ramp – Councilman Carroll gave examples of different entities handling the launch fees: the City of Destin has a launch fee. She said that for the past 4 weeks she counted a minimum of 10 commercial boats per day. Therefore, Councilman Carroll moved to charge fees for all water vessels launched from the boat ramp in Cinco Bayou, effective Jan. 1, 2002. Residents of the town of Cinco Bayou will be exempted from this fee. Non-residents will pay \$4 per launch or may purchase an annual permit for \$75 (non-pro-ratable). Commercial establishments wishing to purchase an annual permit for unlimited launchings may do so for \$1,000 (non-pro-ratable). The Town Attorney will draft an ordinance to this effect which will be advertised and read as required by law. The logistics required to implement this procedure will be designed by the Town Manager and presented for Council Approval at the November Council Meeting. It was seconded by Councilman Farley, but failed with Councilmen Koch, Bainter and Frucci voting against it.

5. Engineer's Report

A. Yacht Club Drainage Ditch update – Engineer Ed Stanford said that he does not have all the details of design. He still needs to meet with the lady from DEP who worries about the wetland issue. Mr. Stanford said that he will know more by the end of the week. Councilman Frucci said that the ditch holds stagnant water and wetlands is down to about 20 ft. across. He said that the DEP has the impression that the Town is cutting off the wetland but that is not so. We want to stabilize the bank and reestablish the drainage ditch.

Attorney's Report – no report

7. Community Officer's Report – no report

8. Town Manager's Report – (see attached)

9. Public Requests/Comments – none

10. Council Members Comments/Reports – Councilman Frucci reported that he walked the drainage ditch with Keith. He said Keith needs a commercial weed whacker to keep it free from weeds. Assistant Gillette said that Keith would research the prices. Councilman Bainter said he did not intend to let the issue of repairs to Hughes Street be dropped.

11. Mayor's Comments/Announcements:

A. Tuesday, Oct. 16, 2001 – Election Day

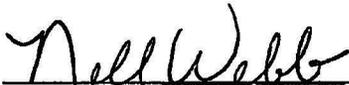
B. Thursday, Oct. 18, 2001 – Vision Committee – 5 p.m. Town Hall – This will be a walking tour.

C. Tuesday, Oct. 23, 2001 – Town Picnic – This is chili month.

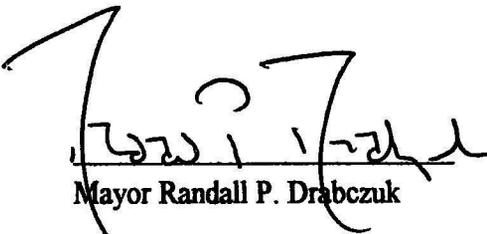
D. Assistant Gillette said she had a call from Town Manager Webb who was advising the Council of the State special session because of the revenue shortfall. She said that revenue sharing might be affected by it, and also the FRDAP grants.

12. ADJOURNMENT – There being no further business the meeting was adjourned at 7 p.m.

ATTEST:

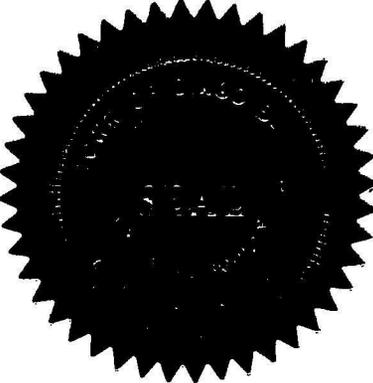


Monika Gillette
Assistant Town Manager/Clerk



Mayor Randall P. Drabczuk

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MANAGERS REPORT – OCTOBER 11, 2001

1. CDBG – ON MONDAY OCTOBER 1, 2001 AT 5:05 PM A COMMITTEE CONSISTING OF MAYOR DRABCZUK, TOWN MANAGER/CLERK NELL WEBB, AND RESIDENT RAI DESGRANGES OPENED AND RANKED THE PROPOSALS AS SPECIFIED PER NEWSPAPER ADVERTISEMENT PUBLISHED SUNDAY, SEPTEMBER 16, 2001. PLEASE LOOK THROUGH THE PROPOSALS CAREFULLY. IF YOU HAVE QUESTIONS, I WILL BE AVAILABLE SATURDAY AFTERNOON AND ALL DAY MONDAY. A RANKING CHART IS ENCLOSED IN YOUR PACKET.
2. CRA THE PACKET THAT I RECEIVED FROM EAGLE LAKE IS AVAILABLE FOR YOUR REVIEW IN MY OFFICE. PLEASE SEE MONIKA. IF YOU TAKE IT OUT OF THE OFFICE, PLEASE SIGN FOR IT AND RETURN IT IN A TIMELY MANNER.
3. ADDITIONAL \$25,000.00 HOMESTEAD EXEMPTION I RECEIVED A CALL FROM PETE SMITH'S OFFICE THE OTHER DAY AND WAS INFORMED THAT CINCO BAYOU WAS ONE OF ONLY TWO MUNICIPALITIES IN OKALOOSA COUNTY THAT HAD NOT ADOPTED THE ALLOWANCE OF AN ADDITIONAL \$25,000.00 HOMESTEAD EXEMPTION FOR SENIOR CITIZENS AGE 65 OR OLDER WITH A HOUSEHOLD INCOME OF \$20,000.00 OR LESS. HE INFORMED ME WE HAVE TWO CITIZENS IN OUR TOWN THAT HAD REGISTERED FOR THIS EXEMPTION BUT WERE NOT ALLOWED FOR THE TOWN'S PORTION. HE ALSO INDICATED THAT THE LOSS OF REVENUE TO THE TOWN WOULD BE SO MINIMAL THAT THE TOWN WOULD HARDLY NOTICE IT. *(IT WOULD BE APPROXIMATELY \$115.00)* THIS ITEM WAS BROUGHT BEFORE THE COUNCIL IN 1999 WHEN THE STATE PASSED THE LAW, BUT APPARENTLY THE COUNCIL AT THAT TIME DID NOT FEEL WE WOULD HAVE ANY CITIZENS QUALIFY FOR THIS EXEMPTION AND IT WAS VOTED DOWN. IT IS THE RECOMMENDATION OF PETE'S SMITH OFFICE AND MINE AS WELL TO ADOPT THIS BY ORDINANCE. A DRAFT ORDINANCE AND A COPY OF THE NOTIFICATION FROM THE DEPARTMENT OF REVENUE IS IN YOUR PACKET. IF THE VOTE IS YEA TO ADOPT THE EXEMPTION, THE FIRST READING FOR THE ORDINANCE WILL NEED TO BE AT THE NOVEMBER 8TH REGULAR COUNCIL MEETING. A SPECIAL MEETING FOR THE SECOND READING WILL NEED TO BE NOVEMBER 29TH IN ORDER FOR THE ORDINANCE TO BE DELIVERED TO THE TAX OFFICE BY DECEMBER 1ST AS REQUIRED BY FLORIDA STATUS. THIS MEETING COULD PRECEED VISION MEETING ON THE SAME DAY.
4. REQUEST FROM DR. LANGSTON DR. LANGSTON OWNS THE PROPERTY BEHIND KMART WHERE THE SIGN MASTERS, DIAMONDHEAD CONSTRUCTORS ETC. ARE. WE HAD WRITTEN HIM A LETTER ASKING THAT HE GET THE PROPERTY CLEANED UP AS THEY HAVE DONE, BUT WHILE DOING SO THEY DECIDED THEY NEEDED ADDITIONAL ACCESS TO THE PROPERTY DUE TO THE CONGESTION ALREADY CREATED AT THE ONE ENTRANCE THEY HAVE. THEY MADE AN ENTRANCE AT GARNETT ST. BESIDE FT. WALTON AUTO REPAIR SHOP AND WHILE DOING SO THEY TOOK OUT ONE OF OUR TREES. I HAD KEITH TEMPORARILY BLOCK THE ENTRANCE AND APPROCHED DR. LANGSTON ABOUT IT. *(PLEASE NOTE HIS LETTER IN YOUR PACKET)*. IT IS THE RECOMMENDATION OF OFFICER HAWLEY THAT WE GRANT THIS REQUEST FOR SAFETY REASONS DUE TO THE CONGESTION AT THE ENTRANCE ON IRWIN STREET. IT IS MY RECOMMENDATION THAT THE REQUEST BE GRANTED PROVIDING HE SPREAD GRAVEL AT THE ENTRANCE TO HELP KEEP THE DIRT IN PLACE AND HE MAKE RESTITUTION TO REPLACE THE TREE AS HE STATED IN HIS LETTER.

5. STREET SWEEPING IT WOULD BE MY RECOMMENDATION TO GO FOR A ONE-TIME SWEEP AT THIS TIME. TO WAIT AND SEE IF WE GET THE STREET SWEEPING MACHINE AS TALKED ABOUT IN OUR VISION MEETING.
6. AUDUON SOCIETY LETTER COUNCILMAN KOCH HAS AGREED TO WRITE THIS LETTER IF THE COUNCIL VOTES YEA.

As you all may recall, I sent an email requesting your input on having a Council as Committee meeting the week prior to our regular council meeting to discuss the agenda with the intent that it might help the Council to have a better understanding of the items on the agenda and maybe save on legal and engineering fees. After giving it much more thought, I have come to the conclusion that having two meetings might not be the best solution. From the perspective of legal and engineering fees, if the legal council and engineering were not present when the discussions were made, they would not be informed therefore they would not be able to make good decisions. Some of you thought two meetings would be good, some did not, and some it didn't matter. I would like to try having your packets to you on Friday before your regular council meeting. This will give you a full weekend and four days to determine if you need more information or have questions for clarification. It is my goal to give you as much material as you need to make good informed decisions without overwhelming you. When I first was appointed, I wrote my report much like this one and tried to address items on the agenda and give follow-ups from last council meeting. If this report is helpful to you and you would like, I will continue to include it in your packets.

The FRDAP grant for Glenwood Park Phase II has been completed. Mary from Jones Edmonds has been gracious enough to put it together for me at no charge to the Town. Please let Mark and Ed know how much we appreciate their firm allowing her to do this for us.

I will be out of the office from Tuesday October 9, 2001 through October 19, 2001. (*CMC Institute 9th through 11th - vacation 12th through 19th*) Monika and Ursel will be running the show while I'm gone. Please give them all your support. I will be checking in with them regularly.