

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING MINUTES  
OCTOBER 13, 2011 – 6:00 PM

Mayor Farley called the Regular Council meeting to order at 6:00 P.M. on Thursday, October 13. She immediately recessed the meeting to finish the preceding Planning and Zoning meeting. The Regular Council meeting was reconvened at 6:41 P.M.

**ROLL CALL:**

MAYOR FARLEY  
COUNCILMAN CHUBB  
COUNCILMAN BRATTON

MAYOR PRO-TEM KOCH  
COUNCILMAN DRIVER  
COUNCILMAN THRASH

Also present at the meeting were: Town Manager/Clerk Nell Dykes, Asst. Town Manager/Clerk Monika Gillette, Town Attorney Jeff McInnis, Deputy Jim Welch, Engineer Joe Rector and Jack Dorman.

**Regular Business:**

1. **Council Approval of Agenda:** Mayor Farley asked for approval of the agenda Councilman Bratton made a motion to approve the agenda. Councilman Koch seconded the motion. The motion passed unanimously.
2. **Council Approval of Consent Agenda:** Mayor Farley asked for approval of the consent agenda: Regular Council Meeting Minutes, September 8, 2011, First Public Hearing Millage & Budget F/Y 2011 2012 Meeting Minutes, First Budget Recap CRA Meeting Minutes F/Y 2010 2011, and First Budget CRA Meeting F/Y 2011 2012, September 13, 2011 and Second Public Hearing Millage & Budget F/Y 2011 2012, Second Budget Recap CRA Meeting F/Y 2010 2011, and Second Budget CRA Meeting F/Y 2011 2012 Minutes, September 22, 2011, and Budget Status as of September 30, 2011. Councilman Koch made a motion to approve the consent agenda. Councilman Bratton seconded the motion. The motion passed unanimously.

**ACTION ITEMS:**

1. Councilman Chubb made a motion to accept the Planning and Zoning's recommendation to table the request for Special Exception as submitted by Yacht Club 90 LLC. Councilman Koch seconded the motion. The motion passed unanimously.
2. Councilman Koch made a motion to accept the CRA's recommendations for adoption of Budget Recap for F/Y 2010 2011. Councilman Bratton seconded the motion. A roll call vote was taken:

Councilman Driver	Yes	Councilman Chubb	Yes
Councilman Bratton	Yes	Councilman Koch	Yes
Councilman Thrash	Yes		

The motion passed unanimously.

3. Councilman Chubb made a motion to accept the CRA's recommendations for adoption of the F/Y 2011 2012 Budget. Councilman Koch seconded the motion. A roll call vote was taken:

Councilman Driver	Yes	Councilman Chubb	Yes
Councilman Bratton	Yes	Councilman Koch	Yes
Councilman Thrash	Yes		

The motion passed unanimously.

4. Attorney McInnis stated that the Town's Land Development Code provided for engineering review reimbursement and that the Town's Engineer submitted an addendum to the Preble-Rish Engineer contract to include a fee schedule. Engineer Rector stated that his firm set a fee schedule instead of an hourly rate. Councilman Chubb made a motion to amend the Town Engineer's contract to set a fee schedule for development review. Councilman Koch seconded the motion. A roll call vote was taken:

Councilman Driver	Yes	Councilman Chubb	Yes
Councilman Bratton	Yes	Councilman Koch	Yes
Councilman Thrash	Yes		

The motion passed unanimously.

5. Attorney McInnis stated that the Town could set its election to coincide with the Presidential Preference Primary election to save money. It was the consensus of the council to change the 2012 election date.
6. Attorney McInnis read by Title Ordinance 223: - **PRESIDENTIAL PREFERENCE PRIMARY ELECTION JAN 2012: AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA RELATING TO ELECTION DAY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR MODIFYING THE 2012 TOWN OF CINCO BAYOU TOWN COUNCIL ELECTION DAY; PROVIDING THE ELECTION DAY FOR COUNCIL MEMBERS TO BE HELD TO COINCIDE WITH THE PRESIDENTIAL PREFERENCE PRIMARY ELECTION IN JANUARY 2012; PROVIDING FOR THE QUALIFYING PERIOD FOR THE MUNICIPAL ELECTION IN 2012 TO BE NOVEMBER 21, 2011 THROUGH NOVEMBER 25, 2011; PROVIDING FOR TERMINATION OF EXISTING AND COMMENCEMENT OF FUTURE TOWN COUNCIL MEMBERS TERMS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilman Bratton made a motion to approve the first reading of Ordinance 223. Councilman Driver seconded the motion. The motion passed unanimously. Councilman Chubb made a motion to have the second and final reading of Ordinance 223 on Monday, October 31, 2012 at 5:30 pm. Councilman Bratton seconded the motion. The motion passed unanimously.

7. Town Planner Jack Dorman addressed the council to explain the options for updating the Town's EAR Based Amendments as required by the State of Florida. He suggested that the Town could opt of several requirements including School Concurrency and Traffic Concurrency. He estimated the cost for the changes at no more than \$5,000. He also recommended a LPA (Local Planning Agency) Public Hearing/Workshop. Councilman Koch made a motion to set a Special Council meeting and Public Hearing on October 31, 2012, at 5:30 pm to include the second reading of Ordinance 223, and a Public Hearing/Workshop at 6:16 pm with the Town Council sitting at the Local Planning Agency (LPA), to discuss changes in the LDC regarding school concurrency and traffic concurrency and a workshop to discuss Ordinance review. Councilman Driver seconded the motion. The motion passed unanimously. Councilman Koch made a motion to accept the fee for Land Development Code review as requested by Jack Dorman in the amount of no more than \$5,000. Councilman Chubb seconded the motion. A roll call vote was taken:

Councilman Driver	Yes	Councilman Chubb	Yes
Councilman Bratton	Yes	Councilman Koch	Yes
Councilman Thrash	Yes		

The motion passed unanimously.

**Discussion Items:**

1. CDBG – Ms. Dykes stated that a site visit was scheduled for October 18, 2012 with Ted Court of the Department of Economic Opportunity.

**Reports:**

**Town Manager's Report** - A written report was submitted.

**Attorney's Report** – Nothing Additional

**Engineer's Report** – Nothing Addition

**Community Officer's Report** – Deputy's Welch submitted a written call log. In addition he stated that there was a burglary in the Town and that there had been an arrest. He also stated that the upswing in child abuse cases was not a reflection of the town but that the State's DCA office was opened at the former Property Appraiser's Office which accounted for the increase.

**Public Request / Comments:** None.

**Council Members Comments / Request:**

- Councilman Chubb stated that the Boat Launch was in need of repair.

**Mayor's Comments / Announcements:** Mayor Farley announced upcoming meetings:

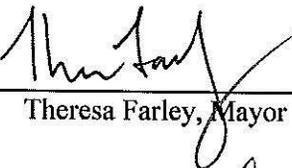
Monday, October 31, 2011, 5:15 pm - Special Meeting for Second Reading of Ordinance 223, LPA Public Hearing/Workshop and Ordinance Review.

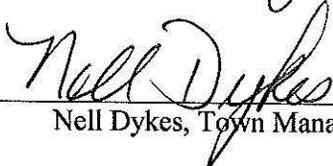
Friday, November 11, 2011 Veterans Day - Town Hall Closed

Thursday & Friday, November 24 & 25, 2011 Thanksgiving Holiday - Town Hall Closed

**Adjourn** – There being no further business, the meeting adjourned at 7:20 pm.

ATTEST:

  
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Theresa Farley, Mayor

  
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Nell Dykes, Town Manager/Clerk