

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
DECEMBER 1, 1992

Mayor Laginess called the Town Council Meeting to order at 6:00 PM.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL Present: Mayor Laginess
Councilwoman Balsley
Councilman Broxson
Councilman Gage
Councilman Kendrick
Councilman Skelly

Also Present: Attorney McInnis Manager Borchik T. Leach
Secretary Kelley H. Cartwright

PUBLIC HEARING

RESOLUTION NO. 93-2 - A resolution of the Town of Cinco Bayou in support of the Southwest Okaloosa County Governmental Services Study Commission. Attorney McInnis read Resolution No. 93-2 by title only. Councilman Kendrick made a motion to approve Resolution No. 93-2, seconded by Councilman Broxson. The motion was unanimously approved on a roll call vote.

REGULAR BUSINESS

1. Minutes - November 5, 1992 - Councilman Gage made a motion to approve the minutes of November 5, 1992, seconded by Councilwoman Balsley. The motion carried unanimously.

2. Financial Report - November 1992 - Councilman Broxson made a motion to approve the Financial Report for November 1992, seconded by Councilman Gage. The motion carried unanimously.

Councilwoman Balsley asked the Council to consider increasing the amount the Town pays Mrs. Robblee to prepare the cake for the Town dinners from \$15.00 to \$20.00. Councilwoman Balsley made a motion to increase the amount the Town pays Mrs. Robblee from \$15.00 to \$20.00, seconded by Councilman Skelly. The motion was unanimously approved.

Mayor Laginess asked the Council to consider Christmas bonuses for the Town's employees. Last year, employees received Christmas bonuses in the following amounts: Town Manager, \$150.00; Secretary and Maintenance Man, \$100.00 each. Each employee also received a ham or a turkey. Councilman Skelly made a motion to

continue the type and amount of Christmas bonus to all Town employees this year, seconded by Councilman Kendrick. The motion was unanimously approved.

3. Drainage - Yacht Club Drive/Cercle Nautique - The Town Engineer suggested a simple stormwater retention area would solve the water problem at Cercle Nautique. He also stated that he believed it would be less expensive to prepare a letter of instruction and obtain estimates from a few contractors than it would be to prepare plans and specifications and seek bids for this project. He estimated the cost to be between \$500.00 and \$1,000.00. The Town Manager advised the Council that although the water problem is on the right-of-way, it is caused by the paved parking area in front of the units and the fact that the water cannot drain onto the grassy area immediately to the west of the parking area. He agreed with the Engineer's suggestion of a small retention area. The Town Manager suggested that this project be tied to a project to prepare the right-of-way along Opp Boulevard and Kelly Avenue for the tree planting in the spring. The complete project could be put out for bids.

Following a short discussion, Councilman Gage made a motion to include the project for preparing and filling the right-of-way with the estimates for creating a percolation area at Cercle Nautique, seconded by Councilman Broxson. Councilwoman Balsley asked if the estimate would include work on the Spain property. Mayor Laginess stated that it would not. Councilwoman Balsley asked if the Town would be responsible for future maintenance of the area at Cercle Nautique, and they would because it is the Town's right-of-way. The motion carried unanimously with Councilman Skelly abstaining declaring a conflict of interest as a property owner at Cercle Nautique. (Form 8-B is filed with these minutes.)

4. Frances Park - The Town Engineer reported that there are a few minor problems with the Frances Park parking lot paving that require correction along with general clean-up work. Mr. Rodgers has assured him that all discrepancies will be resolved.

5. Code Enforcement Activities - The Town Manager advised the Council of the following Code enforcement activities.

A. Letters have been sent to specific businesses concerning the uses and permit requirements for banner signs. Any businesses not securing the appropriate permits will now be cited.

B. The truck body parked at Serigraphia has been moved.

C. The Fred Astaire Dance Studio was not aware of the permit and construction requirements for a parking area. This problem should be resolved within the next 60 days.

D. All businesses have now purchased their occupational licenses for this year and paid the appropriate fines, therefore, the Code Enforcement Board meeting scheduled for tonight has been canceled.

E. Two alternate members are still needed for the Code Enforcement Board.

6. Code Enforcement Board Member Nominations - There were no nominations at this time.

COUNCILMEMBERS REPORTS/COMMENTS

1. Councilman Skelly reported that someone had stolen the door bells on all the townhomes on Opp boulevard over the Thanksgiving holiday and expressed his concern over the increasing vandalism in this area of the Town. The Town Manager will inform AMSEC of the problems.

2. Councilman Broxson reported that furniture and miscellaneous contents had been removed from the house at 20 Lucille Street and piled next to the building. Councilman Broxson asked if anything could be done to have the area cleaned up. The Town Manager will speak to the owner concerning this matter.

3. Councilwoman Balsley asked if the Town planned to place a Christmas tree in the Town Hall this year. Mayor Laginess informed her that it will be put up and decorated at the Town Christmas party.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME

Mr. Tom Leach reported that the new parking lot at Frances Park is retaining water in a low area on the southwest side of the parking area. The Engineer will look into this problem and insure it is corrected before the work is accepted.

COMMITTEE REPORTS

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

CORRESPONDENCE - None.

TOWN MANAGER'S REPORT

1. Asked when the Council would like to decorate the Christmas Tree. Mayor Laginess said that it could be done during the Town Christmas Party.

2. The outside Christmas decorations along Eglin Parkway and Yacht Club Drive will be put up on Thursday. The remaining decorations should be put up during the following week.

MAYOR'S ANNOUNCEMENTS

1. Mayor Laginess reminded everyone of the Town Christmas Party on Tuesday, December 15 at 6:30 PM.

2. He also reminded everyone of the Okaloosa League of Cities Winter Dinner meeting on Thursday, December 17 at the Ft. Walton Yacht Club and presented the proposed agenda.

There being no further business, the meeting was adjourned at 6:50 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.

CODE ENFORCEMENT ACTIVITIES

Case No 92-012 Dalton Georgia Carpet Mill - Use of trailer for storage. Due remedy 1/15/93

Case No 92-014. Mr J. Bratton - Trash & debris on right-of-way. Due remedy 11/30/92 - cleared 11/23/92

Case No 92-015 Serigraphia - Use of trailer for storage. Due remedy 11/30/92 - no action to date.

The following businesses failed to renew their occupational licenses on or before October 1, 1992

Case No 93-001 Crystal Ellen, Decorator - No action to date

Case No 93-002 Harper Business Management - No action to date

Case No 93-003 Dean's Welding - Will appear at Council meeting

Case No 93-005 Serigraphia - Paid fee & late charge 11/18

Case No 93-006 Nature's Garden - Paid fee & late charge 11/19

Case No 93-007 Davids Cobbler Shop - Paid fee & late chrg 11/20

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>SHEEHY JOSEPH PATRICK</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Board of Council Paper Council</i>	
MAILING ADDRESS <i>96 YACHT CLUB #9</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
CITY <i>FWB</i>	COUNTY <i>DeKalb</i>	NAME OF POLITICAL SUBDIVISION: <i>CINCO DAY</i>	
DATE ON WHICH VOTE OCCURRED <i>12-1-92</i>		MY POSITION IS: <i>GOVERNOR</i> <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

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In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

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A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JOSEPH P. SKELLY, hereby disclose that on December 1, 19 92:

(a) A measure came or will come before my agency which (check one)

inured to my special private gain; or

inured to the special gain of _____, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

a construction project concerning Cerde Gantigue, in which development I am a homeowner.

Date Filed December 1, 92

Signature *Joseph P. Skelly*

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.