

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING MINUTES  
9 DECEMBER 1999

Mayor Drabczuk called the regular Town Council meeting to order at 6:00 P.M. Following a silent prayer and the Pledge of Allegiance to the flag. Roll call was taken.

Present: Mayor Drabczuk  
Councilwoman Carroll  
Councilman Skelly  
Councilman Williams  
Councilman Kendrick  
Councilman Payne

ALSO, PRESENT: Attorney Jeff McInnis, Town Manager Charles Turner, Assistant Nicole Wagner, Engineer Mark Schaeffer, Deputy William Sink, Mr. Chuck Rathke, Ms. Angela Ballent, Mr. John Hodges, Mr. Greg Keith and Mrs. Kim Payne.

1. Council approval of Agenda - Councilman Payne made a motion to approve the agenda. The motion was seconded by Councilman Williams. The motion passed with a unanimous vote.

2. Consent Agenda -

- A. Minutes, Regular Council Meeting 11 November 1999
- B. Status of Funds, November 1999

Councilman Kendrick requested that item 8.3 on page 3 of the November minutes be revised to express his comments more accurately. Councilman Williams made a motion to approve and the motion was seconded by Councilman Payne. The motion passed with a unanimous vote.

3. Action Items-

A. Auditors' Report of Draft Copy with Manager's Reply - Angela Ballent from Creel, Bryan & Gallagher gave a brief report on the drafted copy of the Audit. Ms. Ballent said that overall, revenues had increased \$2467.00 from the prior fiscal year and expenditures had decreased. She stated that they believe that the Town has made some substantial improvements this year in their financial reporting and implementation of Peachtree Accounting. Attorney McInnis commented on his report with the auditors regarding the pending workman's compensation claim for Mr. Connors. He stated that Florida League of Cities insurance carriers have picked up both claims and we believe that there is insurance coverage and that is why this issue is reported the way it is in the Draft Copy of the Audit. Councilwoman Carroll asked a question regarding sick leave being accrued against the budget. Manager Turner explained that sick leave is not recorded against the budget until they are used. After a brief discussion Councilman Payne made a motion to approve the Draft Copy of the Audit. The motion was seconded by Councilman Skelly and passed unanimously.

B. Approval of Revision of Town Manager's job description - Manager Turner told the Council that he had requested recognition for the Town by the International City County Managers Association (ICMA). In order to receive recognition there had to be amendments made to the Town Manager's job description. Councilman Payne asked what this recognition would do for the Town and what will it do for the Town Manager. Mr. Turner explained that Cinco Bayou would be a recognized professionally run town with ICMA recognition. Mr. Turner also explained that there is no cost involved in this recognition and that he then explained several benefits for the Town. He also explained that he was already a member of the ICMA and therefore there were no specific benefits for him. Councilman Skelly motioned that the Manager's job description be accepted as revised. Councilwoman Carroll asked that it be changed to become gender neutral. Councilman Payne suggested that item (J) be removed from the description. Councilman Skelly then motioned to accept a friendly amendment to remove item (J) and incorporate gender neutrality. The motion was seconded by Councilman Payne and passed with a unanimous vote.

C. Approval of Resolution 99-03 - Councilman Kendrick made a motion to approve which was seconded by Councilman Skelly. The motion passed with a unanimous vote.

D. Consideration of Serigraphia Building Request - Engineer Mark Schaeffer told the Council that they had provided a 3 drawing set to him. He said that it is a minor development and that no formal building request had been submitted to him. John Hodges of Renaissance Builders spoke to the Council and asked what he needed to do in order to get approval. Councilman Payne told Mr. Hodges that they needed more information to take action. Mr. Schaeffer said that there is a checklist in Section 54 of the Town Code of what is needed in order for approval. The Mayor suggested that Serigraphia get together with the Town Manager and Town Engineer and follow the proper procedures. Greg Keith, owner of Serigraphia, told the Council of the plans for the new building and that they would work with the Engineer. Councilman Kendrick said that the Council's concern was for the future and not what had already been done. Councilman Payne made a motion that this item be tabled until the next meeting. This motion was seconded by Councilman Skelly. The motion passed with a unanimous vote.

E. Robert Morris Building Request - Mr. Turner told the Council that Mr. Morris would like to build a warehouse with a show room in the front. Mr. Morris would like to consider the show room as a separate part of the warehouse which would only require 5 to 7 parking spaces. He would like to know if the Council would consider this plan. Councilwoman Carroll asked if the showroom was for retail or for wholesale. Mr. Turner said that it was his understanding that the show room was for retail purposes. Councilman Kendrick expressed his concern on allowing another metal building to go up. Councilman Payne made a motion to table this item to the next meeting until more information was available. Attorney McInnis suggested that this item not be kept on the agenda until it has been put through technical committee and then bring it before the Council. The motion did not pass by a vote of 4 to 1 with Councilman Kendrick voting in favor of the motion.

F. Consideration of Animal Control Ordinance - Attorney McInnis reported that the County's current code covers this issue and it can be enforced since the Town has adopted the County's Code. He recommended that we go back into the specific Town code section and update to the current County Code so that it is clear for law enforcement. There was a consensus among the Council to allow Mr. McInnis to take the necessary steps to update the Town Codes.

G. Discussion of Library Coop - Manager Turner suggested that this item be left alone until there is additional concern. After a brief discussion, Councilman Payne made a motion that this item be removed from the agenda. The motion was seconded by Councilman Skelly and passed with a unanimous vote.

H. Consideration of Yacht Club & Kidd St. Intersection Postponement - Mr. Schaeffer explained that a letter of notification was sent to the contractor requiring a response within a specified time or we would terminate. He said that we could bid for another contractor or terminate the project. Mr. Turner suggested that the project be terminated because another bid would be cost prohibitive. No motion was made to continue the project.

I. Consideration of Sprint proposal for relocation of Switch - Mr. Turner reported that Sprint is willing to give the Town an additional \$2500 to build a fence around the property. Councilman Payne asked Attorney McInnis what kind of lease the Town would be entering into in this situation. Mr. McInnis stated that he thought that there would not be general access to this property and that they would be required to maintain insurance on the sight since their equipment is inside. Councilman Williams asked about the time frame on the lease. Mr. McInnis said that he thought it would be long term. After a brief discussion, Councilman Skelly made a motion for the Town Manager to contact Sprint and accept the proposal for \$7500 pending preparation of a contract and review by Attorney McGinnis. The motion was seconded by Councilman Kendrick and passed with a unanimous vote.

J. Consideration of Additional Homestead Exemption Act of 1999 - Mr. Turner explained the Memo received from the Property Appraiser regarding the Additional Homestead Exemption Tax deadline extension. After a brief discussion, Councilwoman Carroll made a motion to adopt the Additional Homestead Exemption Tax. The motioned was seconded by Councilman Williams. The motion did not pass by a vote of 3 to 2 with Councilman Skelly, Payne and Kendrick voting no.

4. Engineer's Report - Mr. Schaeffer stated that he would meet with Serigraphia and get more information for the Council.

5. Attorney's Report - Mr. McInnis gave the Council a draft of Ordinance 178 which would add to Chapter 90 prohibiting overnight parking on commercial property. He also put in a standard penalty provision. He said that some years ago we added citation authority into Chapter 2 of the Town's Code and gave code enforcement officers the right to issue citations within the Town. He recommended that the Town expand to pick up penalty schedules in Chapter 2. Councilman

Skelly made a motion to recommend to the Town Attorney that he expand Section 2 to include the revisions he mentioned and include eighteen wheelers being parked overnight along with recreational vehicles. Mr. McInnis also suggested that the Ordinance concerning the Town Manager's job description be changed in accordance with the changes that were made to the job description. Councilman Skelly made a motion to revise the Ordinance in accordance with the new Town Manager's job description. The motion was seconded by Councilman Payne and passed with a unanimous vote.

6. Town Manager's Report - Mr. Turner informed the Council that the State will be disbursing tax revenues by electronic funds transfer.

7. Public Requests/Comments- None

8. Council-members Reports/Comments

1. Councilman Payne reported on the Commander's Reception at the Officer's Club. He also reported that the League of Cities will resume first Monday schedule in January. He reminded everyone about the Okaloosa County League of Cities dinner in Crestview on Dec. 16 at the Foxwood Country Club. He also said that Ms. Joyce Dumkuff had called because her recycling had not been picked up in two weeks. Mr. Turner said he would call her and make sure she received the proper service.

2. Councilman Kendrick said that there was mis-communication about the Tree Committee meeting to be held at Laguna Landing. He reported that Laguna Landing had withdrawn their proposal. He also suggested that the chain link fence be removed and the dumpster be moved from the middle of the park.

3. Councilman Williams reported that there was a car continually parked in Glenwood park which is prohibited after 8 P.M.

4. Councilman Skelly reminded everyone about Celebration 2000 on December 31, 1999 in Crestview.

9. Correspondence-

A. Mr. Turner gave the Council a letter from Smith and Gillespie that was sent to the contractor of the Yacht Club/Kidd Street divider requiring a response.

B. Mr. Turner gave the Council a memo from the Governor's office regarding a new e-mail address for the Governor.

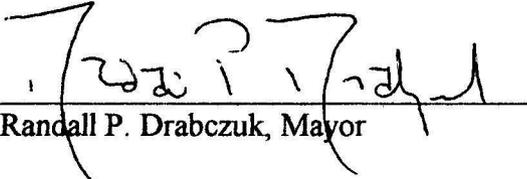
C. Mr. Turner gave the Council a letter from the Department of Revenue regarding the acceptance of millage certification.

D. Mr. Turner gave the Council a Proclamation from the Governor.

10. Mayor's Comments/Announcements - Mayor Drabczuk reminded everyone about the Christmas Picnic on Tuesday, December 14, 1999 at 6:30 PM.

11. Meeting adjourned at 7:40 P.M.

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Randall P. Drabczuk, Mayor

Attest:

  
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Charles W. Turner, Town Manager/Clerk

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