

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING MINUTES  
DECEMBER 9, 2004

Mayor Pro Tem Koch called the Regular Council meeting to order at 6:00 P.M. on Thursday, December 9, 2004. Following a silent prayer and the pledge of allegiance, roll call was taken.

Roll Call: Mayor Frucci (absent)  
Councilman Koch  
Councilman Bratton  
Councilman Iovieno  
Councilman Payne  
Councilman St. John

A quorum was present. Also present at the meeting were Town Manager/Clerk Nell Webb, Asst. Monika Gillette, Attorney Jeff McInnis, Community Officers Kevin Kirkpatrick, Town Engineer Keith Fell, Dave Madden of Waste Management, Paul Waggner, and residents Rhoda Adams Reese, Jill & Steve Cammack and Randy Drabczuk.

### REGULAR BUSINESS

1. **Council Approval of Agenda:** Mayor Pro Tem Koch asked for acceptance of the agenda. Councilman Payne motioned to approve the agenda. Councilman St. John seconded the motion. The motion passed unanimously.
2. **Council Approval of Consent Agenda:** Mayor Pro Tem Koch asked for acceptance of the consent agenda including Regular Council Meeting of November 11, 2004 and Budget Status of November 30, 2004. Councilman St. John motioned to accept the consent agenda. Councilman Payne seconded the motion. The motion passed unanimously.

### Action Items

1. Town Manager/Clerk Webb explained that Lamar Advertising had replaced a billboard within the town without approval and not in compliance with the Town's codes. She stated she had written them a letter requesting that the billboard be removed within 30 days. Attorney McInnis stated that the town could seek an injunction to have the sign removed if they did not comply. Councilman St. John motioned to direct the town manager to pursue legal action on January 8, 2005 if Lamar Advertising did not comply with the request to remove the billboard. Councilman Bratton seconded the motion. The motion passed unanimously.
2. Town Manager/Clerk Webb stated that Ricky Smith had requested to purchase the small piece of property adjacent to his property at 8 Yacht Club Drive which is owned by the Town. Attorney McInnis explained the process for relinquishing the property included the adoption of a resolution declaring the property surplus, appraising the property and putting the property up for sale through a sealed bid process. He cautioned the town of the costs involved and suggested that in the bid advertisement that a stipulation requirement payment of all fees be included. Councilman Bratton motioned to direct the town manager to prepare a resolution for the next council meeting declaring the property on Yacht Club Drive surplus. Councilman St. John seconded the motion. The motion passed unanimously.
3. After discussion, Councilman St. John motioned that the discussion concerning support for a resolution supporting financial incentives for disaster recovery be tabled until next

- month. Councilman Payne seconded the motion. The motioned passed with Councilman Bratton casting a no vote.
4. No action was taken to proclaim January 2005 as Florida Jewish History Month.
  5. Town Engineer Keith Fell led a discussion of speed bumps on Opp Blvd stating that he and Ms. Webb surveyed the town and feel that only Opp Blvd. is a candidate for speed bumps. Several residents presented a petition in support of speed bumps. Councilman St. John asked if there would be any liability. Attorney McInnis stated that there were a number of liability issues that needed to be researched. Councilman Bratton motioned to have engineering and legal issues researched for speed bumps on Opp Blvd. Councilman Payne seconded the motion. The motioned passed unanimously. Councilman Bratton cautioned the council that since they know about the speeding problem that more action should be taken to slow down drivers. Attorney McInnis stated that law enforcement should be asked to intentionally beef up efforts to control speeders. Deputy Kirkpatrick stated that the area would be patrolled more.
  6. Mr. Paul Waggner addressed the council and stated that his property at 27 and 29 Kelly Avenue has flooded three times in the past year. He stated that he had called the City of Fort Walton Beach to ask if they had liability insurance and asked if Cinco Bayou could check if the Town's insurance would pay for the repairs. Engineer Fell stated that the water system goes from Hughes Street and Kelly Avenue to Eglin and Beal Parkways and that the problem should be addressed to the DOT in Chipley and that he would make contact with them. Manager Webb stated she would check into insurance coverage for the town. Ms. Webb suggested that the council address the town's drainage issues in workshops.
  7. Ms. Webb stated that resident Patty Gonzo wrote a letter to the council complaining about her garbage service from Waste Management. She stated that she had talked with John Doyen from Waste Management who said that he had personally contacted Ms. Gonzo. Mr. Dave Madden from Waste Management addressed the council and stated the problem resulted from a substitute driver and lack of communication.

### Reports

1. **Town Manager's Report:** Ms. Webb submitted a written report. Councilman Payne stated that he appreciated that FEMA would pick up the extra tab for debris pickup.
2. **Engineer's Report:** Mr. Fell stated he would be working on researching information on speed bumps and talking with DOT about the drainage problem on Hughes Street.
3. **Attorney's Report:** None given.
4. **Community Officer's Report:** Deputy Kevin Kirkpatrick stated he would be out of town over Christmas and in training the first week of January. He updated the council on the problem at 142 Opp Blvd. saying they had moved as the did the residents at 144 Opp Blvd.

### Public Comments/Requests:

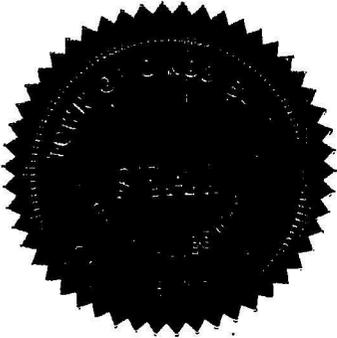
Mrs. Rhoda Adams-Reese approached the council to ask who maintained Laguna Street as there was a big pot hole where the road ended. Mayor Pro Tem Koch stated that portion of the street belonged to the developers of Laguna Landing and that it was their responsibility. Mrs. Adams-Reese also asked that the palmetto on the corner of Yacht Club and Troy Street be cut back. She also asked about the pile of railroad ties in Laguna Park and requested that a trash can be placed near the back in Laguna Park.

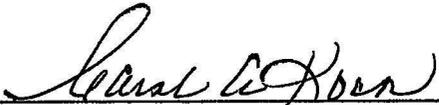
5. **Council Member's Comments/Reports:** The Council wished everyone a Merry Christmas

**Mayor's Report** – Mayor Pro Tem Koch stated that the picnic would be held on Tuesday, December 15 and that Councilman Payne would be hosting.

**Adjourn** – There being no further business, the meeting adjourned at 7:16 pm.

ATTEST:



  
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Carol Koch, Mayor Pro Tem

  
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Nell Webb, CMC  
Town Manager/Clerk

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