CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

PRAYER – Commissioner McCallister opened the meeting with a prayer.

PLEDGE OF ALLEGIANCE – Mayor Combs led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Absent

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser, Police Chief John Cash, Deputy Clerk Jessica Rehr, Jennifer Fillmore.

COMMITTEE REPORTS:
  Planning & Zoning Board – See Minutes Note: These Minutes have not been approved. Mayor Combs stated that the Planning and Zoning Minutes are not approved. He explained that they do not have anything for the Commission to do right now.
  Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable was not present.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia reported that the Maintenance Department is almost done cleaning up the palm trees. He explained that they have finished putting up the Christmas lights in the Town. Mayor Combs stated that he and Commissioner Garcia have a meeting with Poly-engineering tomorrow to discuss the Request for Proposals (RFP) for paving at Town Hall.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – budget vs. actual, assets Mayor Combs stated that he did not see where Administrator Burns put the spend rate for the health insurance (HRA) on the budget vs. actual report. Administrator Burns explained that the HRA accounts are located on the report under each employee’s name. Mayor Combs stated he overlooked the HRA account on the report.

MAYOR COMBS’ REPORT – Mayor Combs had nothing to report.
POLICE REPORT – See report. Administrator Burns asked Chief Cash about the other stolen vehicle, he was not aware that there was another stolen vehicle incident. Chief Cash explained that both vehicles were stolen from the Yacht Basin and they were both recovered.

MAINTENANCE REPORT – There was nothing to report on this agenda item.

TOWN ADMINISTRATOR REPORT – See report. Mayor Combs asked Administrator Burns if Tonya Holman and Booze Allen Hamilton, Inc. still have businesses in the Town. Administrator Burns stated that he will try and contact both businesses. Attorney Chesser explained that Tonya Holman has an office in the Town. Administrator Burns asked if Attorney Chesser would email him Tonya Holman’s contact information. Attorney Chesser stated he would. Mayor Combs asked Administrator Burns if there was an ordinance stating what the consequences are, if a business did not pay for their BTR, and do these businesses qualify? Administrator Burns stated that he is not sure if the businesses qualify to be penalized for not paying their BTRs late, if proper notice was given. He thinks the penalties for a business 60 days overdue is 10%, and it can go up to $250 if the business does not pay within 150 days of the BTR being due. Mayor Combs stated that it’s been well over 60 days since the BTRs are due. Administrator Burns explained that the issue is that he has to make sure they were sent a BTR renewal notice. Mayor Combs stated that at the next Town Commission meeting, that if these businesses are still located in the Town, he wants them to be sent a notice and a fine, if they were sent a renewal notice. He explained that if they have not been sent a renewal notice then Administrator Burns will send them a renewal notice and collect the payment.

ATTORNEY’S REPORT – Mayor Combs asked Attorney Chesser if he had new information on the Shalimar Commons HOA Easement/Benezzi issue. Attorney Chesser explained that he asked Administrator Burns to contact Benezzi, because he represents Benezzi and the Town. He asked Administrator Burns to send Bonezzi a letter stating what Shalimar Commons HOA and the Town would like to do with the park that’s behind the Meigs Executive Park. He felt that to become involved in the issue would put himself in an awkward situation with Benezzi and the Commission. He explained that Administrator Burn’s email did not generate a response and that he had to forwarded the email to Bonezzi. Attorney Chesser stated he received a phone call from Nick who works for Bonezzi and that he returned his phone call and left a message. Administrator Burns stated that he would like to set up a meeting with Nick to discuss the details of formalizing a binding agreement and would like Attorney Chesser to join.

TOWN RESIDENTS’ TIME – There were no residents.

OLD BUSINESS:

I. TOWN COMMISSION MEETING MINUTES – Approval of the November 14, 2017 Town Commission Meeting. Commissioner Garcia made a motion to approve the minutes from the November 14, 2017 Town Commission meeting. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Wilton, Commissioner McCallister, and Commissioner Garcia all voted for the motion. There were no votes against the motion.

II. CODE ENFORCEMENT ACTIVITY:
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

a. 183 Richbourg – Occupancy Certificate – Okaloosa County Code Enforcement is taking over the issue. Administrator Burns explained that he has nothing to report on this agenda item.

b. Yard Parking Access Letter – Suggestion for Ordinance Changes to Land Development Code (LDC) to Address Several Parking Issues – Administrator Burns explained to the Commission the letter he sent to two residents, informing them that they are in violation of section 6.01.05 of the Shalimar Land Development Code of Ordinances. Mayor Combs stated that when a resident parks in their front yard, it makes their grass die and eventually their yard turns into a dirt pile. Administrator Burns stated he has given the residents until the end of January to come to the Town Hall and talk about getting approved road access points for parking.

Administrator Burns stated Mayor Combs has been working on changing the Land Development Code (LDC) to address several parking issues. Mayor Combs stated that he found the attached information from Fort Myers. He explained when you calculate the required parking spaces in the LDC, the parking spaces should not include the Town right-of-way. All parking should be on their property. Administrator Burns explained that the Commission should also look at the landscaping requirements for single and multi-family housing. Mayor Combs stated he wants the Planning and Zoning Board to review the suggestions and make a recommendation.

III. BOND ISSUE DISCUSSION – OKALOOSA COUNTY INTERLOCAL AGREEMENT, SANTA ROSA INTERLOCAL AGREEMENT – Attorney Chesser explained that the Bond issue is moving forward and gave Mayor Combs his approval to sign the Okaloosa County Interlocal Agreement and Santa Rosa County Interlocal Agreement.

Commissioner Wilton made a motion to approve Mayor Combs to sign the Okaloosa County Interlocal Agreement and Santa Rosa County Interlocal Agreement. The motion was seconded by Commissioner McCallister. Mayor Combs, Commissioner Wilton, Commissioner McCallister, and Commissioner Garcia all voted for the motion. There were no votes against the motion.

IV. SHALIMAR COMMONS HOA EASEMENTS – This agenda item was discussed in the Attorney’s Report.

V. GARDNER DRIVE CLOSING AT EGLIN PARKWAY – Administrator Burns explained to the Commission that he and Commissioner Garcia have found speed bumps that are removeable and cost $1200 each. Mayor Combs stated that adding the speed bumps to Gardner Drive is just a test to see if they will work at calming the traffic. He explained that eventually the Town should put speed bumps on Shalimar Drive, Plew Avenue, and Old Ferry Road.

VI. TIMESAVER OIL REPAYMENT – Administrator Burns explained that he sent a letter to the TimeSaver owner stating TimeSaver owes the Town $250 a month for 8 months (driveway) and that this payment schedule will begin in January.

VII. SECOND READING OF ORDINANCE 2018-03 – Commissioner Garcia made a motion to approve the second reading of Resolution 2018-03. The motion was seconded by Commissioner Wilton. Administrator Burns briefed the
Commission on Ordinance 2018-03. He explained changes have been made to Ordinance 2018-03 to make sure it is current with the flood laws. Commissioner McCallister asked why are some of the definitions being deleted. Administrator Burns stated the definitions getting deleted no longer exist. **Mayor Combs, Commissioner Wilton, Commissioner McCallister, and Commissioner Garcia** all voted for the motion. **There were no votes against the motion.**

VIII. **SHALIMAR POLICE DEPARTMENT DIRECTIVE 6.01, RESOLUTION 2018-03** – Mayor Combs stated that he has questions for Commissioner Wilton that he either wants to add or delete certain sections in SPD Policy 6.01. Commissioner Wilton and Mayor Combs went over each change and Commissioner Wilton approved the changes below to be added to SPD Policy 6.01.

a. 6.7 E. 9. – Add black turtleneck shirt;
b. 6.7 F. 1. – Move J.6 words into F.1;
c. 6.7 F. 6. – Add unless authorized;
d. 6.7 G. 3. – Add “POLICE” in quotation marks; and
e. 6.7 J. 6. – Delete paragraph J.6.

**Commissioner Wilton made a motion to approve Resolution 2018-03 with changes based on an independent review and approval by Mayor Combs for document formatting and Commissioner Wilton for content. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.**

**NEW BUSINESS:**

**ANNOUNCEMENTS:**
- Parade and Christmas Party, December 15, 2017 at 5:30pm
- Town Commission Workshop meeting, December 26, 2017 at 6pm
- Planning and Zoning Board meeting, December 27, 2017 at 6pm
- Town Commission meeting, January 9, 2017 at 6pm
ADJOURNMENT – Commissioner Wilton made a motion to adjourn the meeting at 6:45 p.m. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.

__________________________________  _______________________________________
Jessica Rehr, Deputy Clerk            Date approved
Town of Shalimar
Town Commission Meeting Minutes
November 14, 2017
6:00 p.m.

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

PRAYER – Town resident Bernard Johnson opened the meeting with a prayer.

PLEDGE OF ALLEGIANCE – Mayor Combs led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Present
Mayor Pro - Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser,
Police Chief John Cash, Deputy Clerk Jessica Rehr, Bernard Johnson, Gloria Turner, Tanya
Portier, John and Sally Henderson, Carol Dowd, William Griffith, Gary Scopes, Kevin
O’Leary, George Fussell, Rick Owen, Carol Porch.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable asked Commissioner Garcia if the maintenance department could stripe the road on Gardner Drive and Cherokee Road. Commissioner Garcia said he would have the maintenance department take care of it.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing to report.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – budget vs. actual, assets Mayor Combs noted that there were issues with the budget vs. actual worksheet. He stated that the year is wrong on the heading. Administrator Burns stated he would fix the heading. Commissioner Gable commented that the payroll taxes would be integrated into the report quarterly. Mayor Combs stated he would appreciate more assistance from the Town Commissioners in reviewing administrative documents.

MAYOR COMBS’ REPORT – Mayor Combs had nothing to report.
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

POLICE REPORT – See report. Mayor Combs stated he reviewed the police report. He asked Chief Cash why does it says “no new tires”. Chief Cash said that it was supposed to say “fuel pump”. Mayor Combs asked for that to be corrected.

MAINTENANCE REPORT – There was nothing to report on this agenda item.

TOWN ADMINISTRATOR REPORT – See report. Mayor Combs explained to the Commission that these businesses are late paying for their Business Tax Receipt (BTR). Mayor Combs asked Administrator Burns if there was an ordinance stating what the consequences are, if a business did not pay for their BTR. Administrator Burns stated if BTRSs are not paid when due, they become delinquent and subject to a delinquency penalty. Administrator Burns stated that Deputy Clerk Jessica Rehr will create a new procedure on how to ensure every business located in the Town receives a renewal notice and how to maintain which businesses have not paid. Mayor Combs stated that Administrator Burns will be reporting the status of businesses who have not paid their BTRs at each Commission meeting.

ATTORNEY’S REPORT – Attorney Chesser’s report is discussed in agenda item Old Business IV.

TOWN RESIDENTS' TIME – Resident Gloria Turner expressed her concern about the Virginia Creeper vines that have been growing on her property and the ground cover that’s underneath her fence. Commissioner Garcia stated that he will have the maintenance department take a look at it.

OLD BUSINESS:

III. TOWN COMMISSION MEETING MINUTES – Approval of the October 10, 2017 Town Commission Meeting. Commissioner Gable made a motion to approve the minutes from the October 10, 2017 Town Commission meeting. The motion was seconded by Commissioner Wilton. Mayor Combs explained to the Commission that there were errors in the October 10 minutes. He explained under New Business item II, that Resolution 2018-01, had the number 2017-01 written in the motion to approve and that it needs to be corrected. He explained that he had an issue, under Old Business item IV, with how it was written, he stated that he had Deputy Clerk Jessica Rehr go back and listen to the recording of the meeting to make sure that Attorney Chesser stated he would write an ordinance to vacate an easement. Attorney Chesser stated that usually he would write a resolution, but if that’s how it was stated at the Town Commission meeting then he is comfortable with not changing how it’s written. Mayor Combs explained in New Business item VII letter a., Commissioner Wilton stated he did not want to discuss employee performance evaluations at Town Commission meetings. Mayor Combs stated that the Town Commission meeting is the only place the Commission can discuss employee performance evaluations. Commissioner Wilton stated he understands that. Mayor Combs asked the Commission why Old Business item VII letter d., Resolution 2017-018 was approved twice, the Commission explained that it was two different documents. Mayor Combs stated that there were a lot of errors in the October 10 Minutes. Commissioner Gable explained that there have been errors in the Town Commission Minutes for the last twenty years. Commissioner Gable amended his motion to approve the change to Resolution 2017-01 to
Resolution 2018-01 in the minutes from the October 10, 2017 Town Commission meeting. The motion was seconded by Commissioner McCallister. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

IV. CODE ENFORCEMENT ACTIVITY:

a. 183 Richbourg – Occupancy Certificate – Commissioner Gable asked Administrator Burns if he had discussed the issue with John Hofsted. Administrator Burns explained that he did and that John Hofsted was supposed to address the issue with Growth Management Director Elliott Kampert and that he still has not heard from him.

III. BOND ISSUE DISCUSSION – Mayor Combs explained that the low income housing bond representatives want to meet with the Town Commission in December. He stated the bond representatives want him to re-sign the Intent Agreements, because the dates have changed. Attorney Chesser confirmed that the Mayor could re-sign the Intent Agreements. The bond representatives have sent the Town two Interlocal Agreements from Santa Rosa and Okaloosa Counties. Two of the Interlocal Agreements will be discussed in the December Commission meeting and the Escambia County Agreement will be discussed after January.

IV. SHALIMAR COMMONS HOA EASEMENTS – (Town Administrator research sent to all Commissioners and the Town Attorney) – POSSIBLE ACCESS PHOTOS FROM MEIGS EXECUTIVE PARK ACCESS PHOTO ONE, ACCESS PHOTO TWO – Commissioner McCallister briefed the Commission on the access photos. Attorney Chesser explained how the Town can formalize an access agreement and that he will contact Mr. Bonezzi and see if he would agree to a binding easement.

V. GARDNER DRIVE CLOSING AT EGLIN PARKWAY – PLANNING AND ZONING BOARD RECOMMENDATION Mayor Combs asked John Henderson, the Chairman of the Planning and Zoning Board, if he would like to address the Commission on what was discussed at the Planning and Zoning meeting on closing Gardner Drive. Chairman Henderson explained that there was limited discussion when it pertains to safety and increased traffic. He stated that the discussion topic was on how closing Gardner Drive would affect Old Ferry Road and Cherokee Road. He stated the majority of those attending were against the idea. Chairman Henderson explained that when the Planning and Zoning Board took a vote not to close Gardner Drive it was 3-2. He stated the primary obstacle discussed was how the Town plans on dealing with traffic on Cherokee Road, if/when Gardner Drive was to close. He explained that the Town had the traffic/speed count data, but it was only for 24 hours. Chairman Henderson suggested that the Town have the traffic/speed count for a week during the slow season and the peak season. Mayor Combs stated that the Town will be doing another traffic/speed count very soon. He suggested an alternative of making Gardner Drive an exit only. He explained that you can turn left and right but you cannot turn onto Gardner Drive. He would like to have two signs, one that states “no right turn” and one that says “do not enter”. He explained that residents brought up the issue of emergency vehicles not being able to cut through Gardner Drive, he stated that emergency vehicles are allowed to cut through roads that are exit only. Commissioner Gable stated it could possibly create a head on collision
turning off Eglin Parkway. Mayor Combs asked Commissioner Gable how he felt about closing Gardner Drive. Commissioner Gable explained after reviewing the situation, he is not in favor of it and that it would create a lot of issues at the intersection located at Clifford Drive and Cherokee Road. Mayor Combs asked Commissioner Gable what he would suggest the Town do about the traffic issue on Gardner Drive. Commissioner Gable stated that a “no through traffic” sign and additional policing on Gardner Drive would be helpful in decreasing the problem. Mayor Combs stated he wants the Town to get a week’s worth of traffic data for Gardner Drive, Cherokee Road, and Old Ferry Road. Mayor Combs explained he is in favor of adding additional speed bumps on Gardner Drive. He stated the speed bumps on Country Club Drive and the size on Cherokee Road are the type of speed bumps he is proposing to be added to Gardner Drive and Old Ferry Road. Commissioner Gable asked Administrator Burns to research speed bumps and the enforceability of “no through traffic” signs.

VI. DISCUSSION OF ½ CENTS SALES TAX RESOLUTION 2018-02 TO INCLUDE CAPITAL IMPROVEMENTS LIST  
Mayor Combs briefed the Commission on Resolution 2018-02. He explained that the Okaloosa County League of Cities and Okaloosa County want the Commission to approve Resolution 2018-02 to show that the Commission is in support of the ½ Cent Sales Tax. The Capital Improvements List is included in Resolution 2018-02. Commissioner Gable made a motion to approve Resolution 2018-02. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

VII. TIMESAVER OIL REPAYMENT – Commissioner Gable stated that he read the letter sent by the owner of TimeSaver. He explained the owner did not clarify when or how he was going to finish paying for the concrete work that was done earlier this year. Commissioner Wilton suggested the Commission establish a new repayment schedule. The Commission decided the TimeSaver owner will pay $250 a month, for 8 months. Administrator Burns stated he would notify the owner on the new repayment schedule.

NEW BUSINESS:

I. FIRST READING OF ORDINANCE 2018-03  
Administrator Burns briefed the Commission on Ordinance 2018-03. He explained changes have been made to Ordinance 2018-03 to make sure it is current with the flood laws. Commissioner Gable stated that he does not understand why several of the definitions that are referenced throughout the Town Ordinances are being deleted. Commissioner Gable made a motion to approve the first reading of Resolution 2018-03, to accept the changes to the definitions, but not to delete them. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.
II. REVIEW OF SHALIMAR POLICE DEPARTMENT DIRECTIVE 6.01, RESOLUTION 2018-03. Mayor Combs commented that there are a lot of changes that have been made. He stated that he wants Administrator Burns to review the Uniform Replacement Allocation before the Commission approves it. The Commission decided to table this agenda item until the next Commission meeting.

ANNOUNCEMENTS:
- Town Commission Workshop, November 28, 2017 at 6pm
- Planning and Zoning Board meeting, November 29, 2017 at 6pm
- Town Commission meeting, December 12, 2017 at 6pm
- Parade and Christmas Party, December 15, 2017 at 5:30pm

ADJOURNMENT – Commissioner Garcia made a motion to adjourn the meeting at 7:25 p.m. The motion was seconded by Commissioner Gable. Mayor Combs, Commissioner Garcia, Commissioner Gable, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.

Jessica Rehr, Deputy Clerk ____________________________  Date approved ____________________________
CALL TO ORDER: Chairman Henderson called the meeting to order at 6:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: Chairman Henderson led the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Present
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT: Town Administrator Tom Burns, Police Chief John Cash, Deputy Clerk Jessica Rehr, George Fussel Jr., Kirk Hobbs, Rick Felix, Rick Wood, Johann and Ursel Behnken, Amy Kane, Carol Dowd, Elaine Tucker, Sally Henderson, Frank and Gloria Kane, John Wallace, Donald Cowden, Stephen and Kim Hopkins, Gary Combs.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JUNE 28, 2017 P & Z BOARD MEETING – Member Daniels moved to approve the minutes from the June 28, 2017 Planning and Zoning Board Meeting as written. The motion was seconded by Member Morgan. Chairman Henderson, Member Daniels, Member Battle, Member Clements, and Member Morgan all voted for the motion. There were no votes against the motion.

NEW BUSINESS:
I. BLOCKING SIDEWALKS IN RESIDENTIAL AREAS – Tom Burns explained that the current ordinance does not allow blocking a sidewalk. The issue is whether residents should park on driveways where the sidewalk crosses the driveway? Member Morgan asked how serious is this issue, as residents in his neighborhood do not seem to have a problem with walking around a parked vehicle. Chairman Henderson explained that as long as there is at least 3 feet of clearance for pedestrian passage, they should be safe. Chairman Henderson asked if the Planning and Zoning Board wanted to make a motion to consider making an ordinance for allowing pedestrian safe passage? Member Morgan stated that he wants Administrator Burns to write a proposal to residents that clarifies what the Planning and Zoning Board will recommend. Administrator Burns stated his proposal would say that, a certain amount of existing driveway space is not useable. He explained the Planning and Zoning Board would have to decide if that
would be 1 foot, half of a foot, or 3 feet. Administrator Burns stated that he could write an ordinance change, designating the first 3 feet of residential driveways is not useable for parking, as long as the 3 feet is on the right-of-way. **Member Morgan made a motion to have Administrator Burns develop a proposal incorporating a certain amount of unusable space limiting use of a driveway space to allow pedestrians safe passage.** Member Battle seconded the motion. Chairman Henderson, Member Daniels, Member Battle, Member Clements, and Member Morgan all voted for the motion. There were no votes against the motion.

Chairman Henderson explained that the Town can exclude a certain part of the Town from this proposal. Administrator Burns stated we could go into an agreement with Brande Court and Mande Court, explaining that they are exempt from the 3 feet. He explained the Town would take exceptions on a case by case bases.

**II. PARKING IN NON-DESIGNATED PARKING AREAS** – Administrator Burns explained that there is no ordinance banning residents from parking in their yard. Chairman Henderson stated that if there are several vehicles parked in your neighbor’s yard that it can bring down the value of your home. Member Morgan explained that residents mislabel vehicles being parked versus stored. He thinks that vehicles that are parked should be allowed but vehicles being stored should not. Member Battle made a recommendation that Administrator Burns attempt to contact all property owners in the subject areas, and propose a potential ordinance that a majority could agree on, that will limit vehicles and excessive parking.

Chairman Henderson stated that this agenda item will be carried forward to the next Planning and Zoning Board meeting to discuss the letter Administrator Burns will write to the residents.

Administrator Burns stated he will draft a letter and will present it to the Planning and Zoning Board. Member Clements stated that Administrator Burns should state in the letter that if residents are a part of an HOA that the ordinance will not trump the HOA’s existing rules. A resident asked Administrator Burns to research how other municipalities have dealt with this issue.

**III. RECOMMENDATION TO CLOSE THE INTERSECTION ON GARDNER DR. AND EGLIN PKWY** – **GARDNER DRIVE AND CHEROKEE ROAD TRAFFIC COUNT** – Administrator Burns stated that when he contacted DOT, they told him that they did not want to be involved in closing Gardner Drive and the Town would need to pull a Closure Permit from them. Administrator Burns explained recent traffic count data from a 24-hour period. The data measured is only from the south bound lanes and no data was collected on Old Ferry due to equipment failure.

**Member Morgan made a motion the Planning and Zoning Board recommend the Town Commission not close Gardner Drive.** Member Clements seconded the motion.

Member Battle asked to hear what attending resident’s opinions were on Gardner Drive. Chairman Henderson asked how many in attendance are for or against Gardner Drive closing. There were 3 attending who favored closing Gardner Drive and 10 who were against closing Gardner Drive. Resident Elaine Tucker who lives
on Old Ferry Road gave a handout to the Board members explaining her concerns on closing Gardner Drive. She explained that Gardner Drive is well represented on the Commission and Planning and Zoning Board and that she feels the issue is more prevalent to them. She explained that Old Ferry is a speeding zone and the police officers need to give out speeding tickets. Chief Cash stated that speed bumps and adding a stop sign at the crosswalk would be the best solution for Gardner Drive.

Member Morgan amended his original motion that the Board recommend the Town Commission not close Gardner Drive and explore other traffic calming measures that could possibly include speed bumps, additional signage, and additional policing of Gardner Drive. Member Clements seconded the motion. The motion was passed 3-2 with Chairman Henderson and Member Daniels voting nay and Member Morgan, Member Clements, and Member Battle voting yea.

IV. RECOMMENDATION FOR ORDINANCE CHANGE TO THE LDC ORDINANCE 2018-03 – Chairman Henderson explained that the Planning and Zoning Board had no input on this agenda item.

ANNOUNCEMENTS:
- Town Commission Meeting, November 14, 2017 at 6pm
- Town Commission Workshop, November 28, 2017 at 6pm
- Planning and Zoning Board Meeting, November 29, 2017 at 6pm
- Town Commission Meeting, December 12, 2017 at 6pm
- Parade and Christmas Party, December 15, 2017 at 5:30pm

ADJOURNMENT: Member Clements made a motion to adjourn the meeting at 7:45 p.m. Member Morgan seconded the motion. Chairman Henderson Member Daniels, Member Battle, Member Clements, and Member Morgan all voted for the motion. There were no votes against the motion.
CALL TO ORDER – Mayor Pro-Tem Garcia called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE – Mayor Pro-Tem Garcia led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Absent
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser, Police Chief John Cash, Deputy Clerk Jessica Rehr, Tanya Portier and William Griffin.

COMMITTEE REPORTS:
  Planning & Zoning Board – No report
  Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report.

COMMISSIONER GARCIA’S REPORT – Mayor Pro-Tem Garcia reported that there was little damage to the Town by Hurricane Nate and that Shalimar Drive had some flooding but it did not create any issues.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – budget vs. actual, assets Commissioner McCallister explained to the Commission that Angela Balent (the accountant from Warren Averett) and her team will start the auditing process for the Town on October 16, 2017. He stated that Angela will come back to report the results from the audit at the January Commission Meeting. Administrator Burns explained to the Commission that the HRA account will be added to the asset worksheet and the Commission signed the deposit check for $12,500 for the service for the HRA Plan.

MAYOR COMBS’ REPORT – Mayor Combs was absent.

POLICE REPORT – See report – There was no discussion on this agenda item.

MAINTENANCE REPORT – This agenda item was discussed in Mayor Pro-Tem Garcia’s report.

TOWN ADMINISTRATOR REPORT:
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

a. Administrator Burns explained that the HRA Plan paperwork has been submitted and that he is waiting on the HRA cards to be delivered to the Town.

b. Administrator Burns asked that the Commission decide on a day for the Christmas party. He recommended that the Town have it on Friday, December 15, 2017, with the parade beginning at 5 p.m. Commissioner McCallister stated that he would like a new beard for the Santa Claus suit. The Commission agreed to have the Christmas Party on Friday, December 15, 2017.

c. Letter from TimeSaver Oil Owner - Administrator Burns explained that the Owner of TimeSaver sent the Town a letter explaining why he has not paid his debt to the Town. Administrator Burns stated he has been trying to collect the payment from the TimeSaver owner for the concrete work that was done earlier this year. He stated that the owner sent a check for $500 on October 10, 2017 and has paid $2500 total but he still owes the Town $2000. Commissioner Gable asked Administrator Burns to monitor the situation and report any new information to the Commission.

ATTORNEY'S REPORT – Attorney Chesser had nothing to report.

TOWN RESIDENTS' TIME – There were no residents at the meeting.

OLD BUSINESS:

V. TOWN COMMISSION MEETING MINUTES – Approval of the September 12, 2017 Tentative Budget Hearing, September 12, 2017 Town Commission Meeting, September 20, 2017 Final Budget Hearing, and September 26, 2017 Town Commission Workshop Minutes. Commissioner Gable made a motion to approve the minutes from the September 12, 2017 Tentative Budget Hearing, September 12, 2017 Town Commission Meeting, September 20, 2017 Final Budget Hearing and September 26, 2017 Town Commission Workshop Minutes. The motion was seconded by Commissioner Wilton. Mayor Pro-Tem Garcia, Commissioner Wilton, Commissioner McCallister and Commissioner Gable all voted for the motion. There were no votes against the motion.

VI. CODE ENFORCEMENT ACTIVITY:

a. 183 Richbourg Occupancy Certificate – Administrator Burns explained that he contacted Elliot Kampert, the County Growth Management Director, about the Occupancy Certificate. He explained that Elliot Kampert said that the property has building issues. Administrator Burns will ask the County Manager to talk to Elliot about the issue.

b. 870 Mande – Commissioner McCallister explained that the property has been maintained and that he would recommend taking 870 Mande off the agenda and if any issues arise he will let the Commission know and it will be put back on the agenda.

III. BOND ISSUE DISCUSSION – Attorney Chesser explained he has been talking to lawyers from Jacksonville. He stated that the lawyers decided that an order will be delivered to a Federal Judge and the public sale date will begin in January, they will have 90 days to close on $80 million.
IV. SHALIMAR COMMONS HOMEOWNERS’ ASSOCIATION – EASEMENT REMOVAL LETTER, SHALIMAR MAP – Commissioner McCallister briefed the Commission on the access easements on Mande and Brande Court. He explained that the HOA had a meeting and all residents voted for the Town to vacate the easements to the HOA. Attorney Chesser said that an Ordinance needs to be prepared and published in the paper. Commissioner Wilton explained that he had an issue with this, because you have to go through a resident’s property to enter into the park and that there is no legal access to the property. Commissioner Wilton asked how is the Town supposed to maintain the park without trespassing and how is the Town supposed to access it without a prescriptive easement. Administrative Burns believes that there is an easement to the park at the rear of the FNBT property corner. Commissioner Wilton wants Administrator Burns to ensure there is an access easement located on the FNBT property. If there is an easement, then the Town will proceed and Attorney Chesser will write the Ordinance.

V. SECOND READING OF ORDINANCE 2017-05 – Commissioner Wilton made a motion to approve the second reading of Ordinance 2017-05. Commissioner McCallister seconded the motion. Administrator Burns briefed the Commission on Ordinance 2017-05. He explained that Section 6.03.00 Code Enforcement was added, because of the most recent Code Enforcement issue. Commissioner Wilton stated that he would like Section 14.03.00 – No Parking District Item B, changed to “may be” instead of “shall”. Administrator Burns stated he would make the changes. Commissioner Wilton withdrew his original motion.

Commissioner Wilton made a motion to approve the second reading of Ordinance 2017-05 with changes. Commissioner McCallister seconded the motion. Mayor Pro-Tem Garcia, Commissioner Wilton, Commissioner McCallister and Commissioner Gable all voted for the motion. There were no votes against the motion.

VI. GARDNER DRIVE CLOSING AT EGLIN PARKWAY – Administrator Burns briefed the Commission on closing Gardner Drive at Eglin Parkway. He explained that he contacted the county traffic engineer and the engineer had no objection to such a closing. He contacted District 3 of the Department of Transportation concerning feasibility of such a closure. Administrator Burns explained that he is still waiting to hear from District 3 of the Department of Transportation.

VII. RESOLUTION 2017-018 ADMINISTRATIVE POLICY AND PERSONNEL POLICY MANUALS, SPD SPECIAL DUTY PAY AUTHORIZATION FORM – Administrator Burns briefed the Commission on Resolution 2017-018.

a. Commissioner Wilton explained that the employee’s performance evaluations should not be discussed at a Town Commission Meeting. Mayor Pro-Tem Garcia recommended that the Commission delete “Performance reports along with this written” from Administrative Policy Manual, 4.1.3 Department Supervisor Presentations and Financial Forecast section and start the sentence with “Justification can be evaluated by the Town Commission for fiscal year merit or superior performance salary increases.” at number 11.

b. Commissioner Gable asked to change Administrative Policy Manual, Section 6.5 Policy Manual number 14, from the word “month” to “30 days”.


TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)
c. Commissioner McCallister asked Administrator Burns to make a formal leave request form. Administrator Burns stated that he would look into it.
d. Administrator Burns explained the Personnel Policy Manual, APPENDIX I POLICE EMPLOYMENT AGREEMENT, number 22. Commissioner Gable stated that it handcuffs the employee perpetually. Commissioner Wilton explained that he agreed with Commissioner Gable and that he would like the whole section to be deleted. Commissioner Gable explained that the police officers are constantly going to training classes and that it’s not right to make them have to pay out of their pocket for initial training that they need. Administrator Burns stated that he will delete Personnel Policy Manual, APPENDIX I POLICE EMPLOYMENT AGREEMENT, number 22 in the Resolution and renumber the agreement.

Commissioner Gable made a motion to approve Resolution 2017-018 with the changes discussed. Commissioner Wilton seconded the motion. Mayor Pro-Tem Garcia, Commissioner Wilton, Commissioner McCallister and Commissioner Gable all voted for the motion. There were no votes against the motion.

Administrator Burns briefed the Commission on APPENDIX III SPD SPECIAL DUTY PAY AUTHORIZATION FORM. He explained that this was for the police officers who are called from standby duty. Administrator Burns stated that police officers are paid a two-hour minimum if called out. Commissioner Gable made a motion to approve APPENDIX III SPD SPECIAL DUTY PAY AUTHORIZATION FORM. Commissioner Wilton seconded the motion. Mayor Pro-Tem Garcia, Commissioner Wilton, Commissioner McCallister and Commissioner Gable all voted for the motion. There were no votes against the motion.

NEW BUSINESS:

I. PENALTY FOR NOT PAYING FOR BUSINESS TAX RECEIPT – (Mayor’s agenda comments) – If a resident doesn’t pay their property taxes in a timely manner, the cost increases. If a citizen does pay their utility bills in a timely manner, there is a late fee added to the bill, and the same could be said about almost any monthly or annual payment. The Town Administrative Department should not have to continually remind Town businesses that their BTR is due NLT 1 October. If this extra work is required, and I assume it will always be required, then the Town should penalize those businesses that do not pay on time. I recommend, we add a late fee (10%) of the bill for any business that does not make payment by 1 October of each year. The date that the fee becomes applicable is open, but I recommend 15 days. So, the Town letter sent out in late August or early September, reminding businesses that their BTR is due on 1 October should include a caution that a 10% late fee will be added if payment is not received by 1 October. Then, on 15 October, the reminder letter should include the late fee and the BTR cost. (End of Mayor’s agenda comments)

Administrator Burns briefed the Commission on the Penalty for not paying for a Business Tax Receipt (BTR). He explained that Mayor Combs’ wants to add a late fee to the BTR two weeks after it’s due. Commissioner Wilton stated he wants to give the business owner 30 days to pay their business tax. Commissioner Gable
stated that 30 days after the BTR is due the Town can have a 10% penalty added to the BTR payment. Administrator Burns proposed we save these changes for the next ordinance change and that he will add some language on what the BTR actually authorizes.

II. HOME RULE AUTHORITY – RESOLUTION 2018-01 – Administrator Burns explained that Resolution 2018-01 was received by Fort Walton Beach Town Administrator, Michael Beedie. Administrator Burns asked to take out “The Members of the Florida Legislature and Members of The Constitution Revision Commission” in Resolution 2018-01. Commissioner Wilton asked to change Resolution 2018-01 “directing” the Town Administrator to “authorizing” the Town Administrator to forward the resolution. Commissioner Gable made a motion to approve Resolution 2018-01 with the changes. Commissioner Wilton seconded the motion. Mayor Pro-Tem Garcia, Commissioner Wilton, Commissioner McCallister and Commissioner Gable all voted for the motion. There were no votes against the motion.

ANNOUNCEMENTS:
- OCLOC Dinner, Hosted by Cinco Bayou, October 19, 2017 at 6:00 p.m. at AJ’s on the Bayou
- Town Commission Workshop, October 24, 2017 at 6:00 p.m.
- Planning and Zoning Board Meeting, October 25, 2017 at 6:00 p.m.
- Town Commission meeting, November 14, 2017 at 6:00 p.m.

ADJOURNMENT – Commissioner Wilton made a motion to adjourn the meeting at 7:45 p.m. The motion was seconded by Commissioner McCallister. Mayor Pro-Tem Garcia, Commissioner Gable, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.

__________________________________________  Date approved
Jessica Rehr, Deputy Clerk
CALL TO ORDER –

PRAYER –

PLEDGE OF ALLEGIANCE –

ROLL CALL FOR THE RECORD:
Mayor Combs -
Mayor Pro-Tem Ricardo Garcia -
Commissioner Jerry McCallister -
Commissioner Jim Wilton, PhD -
Commissioner Brad Gable -

TOWN RESIDENTS' TIME –

OLD BUSINESS:

VII. CODE ENFORCEMENT – 8 CLIFFORD DRIVE
   - Resolution 2018-01
   - Certified Letters on Code Enforcement August 22, 2017, September 14, 2017

ADJOURNMENT:
Town of Shalimar

1.0 TOWN COMMISSION WORKSHOP MINUTES

September 26, 2017
6:00 p.m.

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

PRAYER – Town resident Bernard Johnson opened the meeting with a prayer.

PLEDGE OF ALLEGIANCE – Mayor Combs led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Police Chief John Cash, Deputy Clerk Jessica Rehr, Tanya Portier and Bernard and Lois Johnson.

OLD BUSINESS:

I. REVIEW ADMINISTRATIVE POLICY MANUAL AND PERSONNEL POLICY MANUAL– RESOLUTION 2017- 018 – Recommended Change to Administrative Policy 6.4 Meeting Minutes
Mayor Combs discussed his changes for Resolution 2017-018. He stated that any changes the Commission wants to add should be emailed to Deputy Clerk Jessica Rehr.

Commissioner Wilton briefed the Commission on the administrative manual section 6.4 meeting minutes change. Commissioner Gable asked if we are going to put in writing that we are going to take video at all Commission meetings. He explained that he does not want the Town bound to something we are not legally required to do. Commissioner Wilton stated that the reason to record the Commission meeting is because it stops anyone saying something they don’t want to appear in the newspaper or elsewhere. Commissioner Gable agreed, but he wants to change the language “will be” to “should be” at the bottom of section 6.4 Meeting Minutes. Commissioner Garcia explained that it helps the Deputy Clerk who writes the minutes to have something as a reference. Administrator Burns explained that one reason to change 6.4 Meeting Minutes is that Mayor Combs can currently change the wording in the minutes before they are sent to Commissioners. Mayor Combs stated that he did change his wording in the minutes. Commissioner Gable asked why the Deputy Clerk does not send out the minutes to all the Commissioners before Mayor Combs makes changes. Administrator Burns stated that he supports that approach. He explained that the point of having a video of the meeting is that it helps the Deputy Clerk decipher who is speaking when speakers talk over each other.
II. REVIEW OF HRA DOCUMENTS – RESOLUTION 2017-019, HRA PLAN, LORETTA GRAHAM-GILES CONVERSATION, HRA SERVICE AGREEMENT (AMENDED) Mayor Combs explained that he had talked to Loretta Graham-Giles who is in charge of the HRA Plan at the corporate office. He said that all the documents for the HRA Plan referenced Administrator Burns as the administer. He stated that he wanted that changed. He explained that Administrator Burns could look up all employees’ information and will get a bank statement every month explaining how much each employee spent on their HRA card. Commissioner Wilton expressed his concern with Loretta Graham-Giles having access to the Towns banking information. Administrator Burns explained that he can open a second account just for the HRA Plan. Commissioner Gable explained that it is basically similar to an EFT (Electronic Funds Transfer) which withdraws the payment out of the Town’s checking account each month. Commissioner McCallister and Commissioner Wilton both agreed to be the designees to sign HRA Plan checks.

III. TOWN ADMINISTRATOR PAYMENT OF RETIREMENT BENEFITS FROM OTHER THAN BASE SALARY FOR PAST FISCAL YEARS – ADMINISTRATOR BURNS’ EMPLOYEE CONTRACT Mayor Combs asked the Commission to read section 9 of Administrator Burns contract. Mayor Combs explained that it states base salary for retirement matching and that this wasn’t supposed to include the income from the stipend in lieu of health insurance. Employees who were getting health insurance through the Town were not getting anything added to their retirement plan and the Mayor didn’t think this was fair to those employees. Administrator Burns stated that this was set up in 2007 and explained that he has briefed this in budget discussions for 10 years. He explained that the $4500 stipend that the Town was giving the employees in lieu of not taking the health insurance is taxed and that he has not hidden anything from the Commission.

IV. CODE ENFORCEMENT FOR NUISANCE VIOLATION PROCESS – • ADMINISTRATOR BURN’S ERRATA SHEET FOR 8 CLIFFORD DRIVE • 8 CLIFFORD DRIVE CODE ENFORCEMENT ACTION TIMELINE Mayor Combs briefed the Commission on the 8 Clifford Drive code enforcement timeline. He explained that in August, Administrator Burns made an agreement with Attorney Chesser, that if the Town did not make the owner pay for a Business Tax Receipt, the owner would clean up the property. Mayor Combs explained that the owner has made some effort in cleaning up the property, but it still needs a lot of work. Administrator Burns explained that he did not make an agreement with Attorney Chesser. He stated that the owner of the property initiated contact with Attorney Chesser and claimed no business was operating at this address. The Town Attorney’s advice was to drop the BTR collection effort. The owner offered to clean up the property by the end of that week. He explained that after the owner did not resolve the issue, he started the code enforcement process. Administrator Burns told the Commission that the Mayor has known what was going on throughout the whole timeline.

V. RECOMMENDATION TO CHANGE/UPDATE THE GENERAL ORDINANCE PARAGRAPH 6.03.03 – CODE ENFORCEMENT PROCESS – CLARIFICATION ON THE CODE ENFORCEMENT PROCESS EMAIL – Mayor Combs stated he wants to add
the code enforcement process to the administrative policy manual. Administrator Burns explained that the process is in the General Ordinance, and it does not state we need a special meeting for a Quasi-Judicial hearing. Administrator Burns opined that when the Town has a Commission meeting we can treat any agenda item as quasi-judicial. Administrator Burns explained that the only difference is anyone who is going to speak on the issue has to be sworn in. Commissioner Wilton asked what Attorney Chesser’s opinion was on this issue. Mayor Combs explained that Attorney Chesser has stated that the Town needs to hold a special Quasi-Judicial meeting for a code enforcement issue. Administrator Burns stated that in the General Ordinance, the property owner has 15 days to remedy the issue and/or show up to the next Town Commission meeting to resolve the issue. If the property owner does not fix the issue, a resolution will be written and the Town will proceed with fines or mitigation. Administrator Burns stated he did not think the code enforcement process should be in the Administrative Policy Manual and that it should be in the General Ordinance. The Commission decided to amend the code enforcement process in the General Ordinance and add it to the Administrative Policy Manual.

NEW BUSINESS:

I. DRIVEWAY SIDEWALK PARKING – A discussion was held about residents blocking the extension of sidewalks across driveways. The Commission decided not to make a formal ruling on this issue. Commissioner Wilton thought that driving over sidewalks might be against Florida Statues. Administrator Burns said he and Chief Cash would research this issue.

II. TOWN HALL INVENTORY (This agenda item was added at the meeting) – Mayor Combs explained that all the departments in the Town have an updated inventory. He stated that the Administrative Department is the only department that does not. Administrator Burns explained that he will update the Administrative Department’s inventory sheet and that he will have that ready for the Auditors. Mayor Combs stated that he wants to see it.

III. SHALIMAR YACHT BASIN (This agenda item was added at the meeting) – Commissioner Gable briefed the Commission on a recent issue he had with the Shalimar Yacht Basin. He explained that he and a neighbor saw excrement floating in the water. Commissioner Gable stated that Florida Fish and Wildlife Conservation came out and took pictures of the excrement.
ANNOUNCEMENTS:
- Planning and Zoning Board Meeting, September 27, 2017 at 6:00 p.m.
- Quasi-Judicial Special Meeting, October 3, 2017 at 6:00 p.m.
- Town Commission Meeting, October 10, 2017 at 6:00 p.m.
- OCLOC Dinner, Hosted by Cinco Bayou, October 19, 2017 at 6:00 p.m. at AJ’s on the Bayou

ADJOURNMENT: The workshop adjourned at 7:41 p.m.

_______________________________  October 10, 2017
Jessica Rehr, Deputy Clerk  Date
CALL TO ORDER: Mayor Pro-Tem Garcia called the meeting to order at 6:00 p.m.

PRAYER: Commissioner McCallister opened the meeting with a prayer.

PLEDGE OF ALLEGIANCE TO THE FLAG: Mayor Pro-Tem Garcia led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Absent
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Jerry McCallister – Present
Commissioner Brad Gable – Absent

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Police Chief John Cash, Officer Christian Bigner, Deputy Clerk Jessica Rehr, Stephen and Kim Hopkins, Tanya Portier, Debra Spohn, Landon Bigner, Chuck and Sheri Bigner.

OLD BUSINESS:
I. FINAL PUBLIC READING OF ORDINANCE 2018-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2017-2018 – Commissioner Wilton made a motion to approve Ordinance 2018-01. Commissioner McCallister seconded the motion. Mayor Pro-Tem Garcia, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.

II. COMMISSION DISCUSSION OF REDUCING FY18 BUDGETARY SALARY RAISES FOR SOME EMPLOYEES BASED ON MAYOR’S JUSTIFICATION DOCUMENT. All Commissioners received the Mayor’s Justification document during the September 12, 2017 Town Commission meeting. Any reduction in individual employee salary raises will not affect the Commission approval of Ordinance 2018-02. The budget only lists an overall employee salary number, and reductions will not affect this number. Mayor’s Town of Shalimar Employee Merit or Performance Raise Justifications based on FY17 performance. Commissioner Wilton presented a Repudiation document explaining that the Mayor’s Town of Shalimar Employee Merit or Performance Raise Justifications based on FY17 performance was solely the Mayor’s opinion and did not represent the opinion of, or any findings of
Commissioner Wilton made a motion that anytime the Mayor’s Town of Shalimar Employee Merit or Performance Raise Justifications based on FY17 performance is published that the Repudiation document will be attached. Commissioner McCallister seconded the motion. Mayor Pro-Tem Garcia, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.

Town Resident Kim Hopkins stated that she wanted Attorney Chesser to review Mayor’s Town of Shalimar Employee Merit or Performance Raise Justifications based on FY17 performance. Kim Hopkins explained that the language that is written in the document could be harmful to the employee’s futures and wants to know what the potential risk is having the document on the website. Administrator Burns recommended a review of policy on what documents presented to the Commission should be included in meeting minutes.

III. FINAL PUBLIC READING OF ORDINANCE 2018-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2017-2018 – FY18 SALARY SHEET Commissioner McCallister made a motion to approve Ordinance 2018-02. Commissioner Wilton seconded the motion. Mayor Pro-Tem Garcia, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.

NEW BUSINESS:

I. INSURANCE INFORMATION FOR CHIEF CASH

• ACA SPD PRESENTATION, CHIEF CASH’S MEMO

Meeting attendee Tanya Portier made a presentation on the ACA (Affordable Care Act) and the SPD (Shalimar Police Department). She explained the health insurance options for Chief Cash. Tanya Portier reviewed each slide and discussed how much the premiums would be with the options presented. Tanya Portier explained that even with the Town giving Chief Cash a 17% raise, a 3% COLA and the $4500 stipend, this was still not enough for Chief Cash to afford health insurance with a family of three.

Administrator Burns briefed the Commission on his Chief Cash insurance memo. He explained that the Town wants to provide Chief Cash with enough money to afford health insurance equivalent to his FY17 health benefit. Administrator Burns recommended that the Commission make a motion to increase Chief Cash’s salary from $51,163 to $53,041, and stated that it wouldn’t change the budget. Commissioner Wilton stated that he would make a motion to increase Chief Cash’s salary. Commissioner McCallister explained that he wasn’t comfortable with increasing Chief Cash’s salary right now and that he wanted to wait and see how the health insurance policy Chief Cash decides on will play out. Commissioner Wilton stated that the budget has already been voted on. He explained that he did not want to wait until the 6-month budget review and that he wants to review Chief Cash’s health insurance a few months into him having it, to see if changes to Chief Cash’s salary needs to be addressed. There was no motion.

ANNOUNCEMENTS:
September 26, 2017 – Town Commission Workshop at 6:00 p.m.
September 27, 2017 – Planning and Zoning Board Meeting at 6:00 p.m.
October 10, 2017 – Town Commission meeting at 6:00 p.m.
October 19, 2016 – OCLOC Dinner – Hosted by Cinco Bayou

ADJOURNMENT: Commissioner Wilton made motion to adjourn at 6:35 p.m. Commissioner McCallister seconded the motion. Mayor Pro-Tem Garcia, Commissioner Wilton, and Commissioner McCallister all voted for the motion. There were no votes against the motion.

October 10, 2017
Date approved
Town of Shalimar
Town Commission Meeting Minutes
November 14, 2017

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

PRAYER – Town resident Bernard Johnson opened the meeting with a prayer.

PLEDGE OF ALLEGIANCE – Mayor Combs led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Present
Mayor Pro - Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser, Police Chief John Cash, Officer Christian Bigner, Deputy Clerk Jessica Rehr, Bernard and Lois Johnson, Stephen and Kim Hopkins, Gloria Turner, Tanya Portier, Maria Shadwell, John Henderson, Don and Cindy Caudler, Ellis Daugherty.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia reported that the maintenance department is adding a fence around the dumpsters.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – budget vs. actual, assets
Administrator Burns briefed the Commission on the budget vs. actual report. Mayor Combs asked Administrator Burns about the library lease and the trailer storage. Administrator Burns explained that the Town did not budget separately for these items this year, but the items are located in the miscellaneous line item. Commissioner Gable asked if the items will be budgeted next year, Administrator Burns said yes. Administrator Burns stated that he will provide the Commission a report that breaks down how all the payroll taxes are paid in the Town.

Commissioner McCallister reported that residents of the Shalimar Commons Homeowners Association (HOA) have complained to him about the speeding in the Town and they would like speed bumps to be added to Shalimar Commons Homeowners Association...
area. They also want the traffic light located on Eglin Parkway/Cherokee Road to be adjusted. Commissioner Gable stated that he would suggest striping the roads and repainting the yellow lines. Administrator Burns explained that he could make suggestions to the Department of Transportation and see what they say about the issue with the traffic light. Mayor Combs told Commissioner McCallister, that the HOA needs to write a letter to the Town stating that they want speed bumps added, where they want them to be located, and how the traffic signal needs adjusted.

MAYOR COMBS’ REPORT – Mayor Combs had nothing to report.

POLICE REPORT – See report.
Chief Cash reported that members of the Florida Law Enforcement Accreditation, Inc. are visiting the Shalimar Police Department in either October or November. Resident Kim Hopkins asked what the DUI Campaign meant. Chief Cash explained that it’s a competition to see how many tickets are written and it helps get grant money for the police department.

MAINTENANCE REPORT – This agenda item was discussed in Commissioner Garcia’s report.

TOWN ADMINISTRATOR REPORT:

1. Emergency Debris Removal Contract – Administrator Burns briefed the Commission on the Town’s Debris Removal Contract. Okaloosa County’s Emergency Debris Removal Contract expires on September 30, 2017, and the County Board is projected to award one or more new Emergency Debris Removal Contracts at their September 19, 2017 board meeting. Administrator Burns asked the Commission if he could have permission to piggyback on the County-approved contract. Mayor Combs stated that he wanted to read the contract first. Commissioner Gable made a motion to allow the Mayor to read the Debris Removal Contract first and authorized Administrator Burns to sign the contract. Commissioner Garcia seconded the motion. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

2. Health Reimbursement Plan – Administrator Burns briefed the Commission on the Health Reimbursement Plan (HRA.) Administrator Burns asked the Commission if they would approve the Resolution and adopt the plan. He explained that HRA Plan administration would cost the Town approximately $1000, ($100 per employee.) Mayor Combs stated that he did not want Administrator Burns to be the HRA Administer and that he wants the HRA cost to be added to the salary worksheet. Mayor Combs asked Administrator Burns to send him all the information on the HRA Plan and that he will be sending his corrections for Resolution 2017-019 to Administrator Burns.

ATTORNEY’S REPORT – Mayor Combs stated that he did not want any Town employees to request a legal opinion from Attorney Chesser, which might be charged to the Town without an elected official approval.
TOWN RESIDENTS' TIME – Resident Lois Johnson explained to the Commission that there was no “No Parking on Right-of-way” sign on Old Ferry Road. Commissioner Garcia stated that he will have the maintenance department take care of it.

OLD BUSINESS:


Commissioner Gable made a motion to approve the minutes from the August 8, 2017 Town Commission Meeting and the minutes from the August 29, 2017 Commission Workshop as written. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

IX. CODE ENFORCEMENT ACTIVITY:

a. 8 Clifford Drive – August 4, 2017 BTR Fine Certified Letter, August 22, 2017 Code Enforcement Certified Letter (This agenda item document was not presented in the meeting), RESOLUTION 2017-20 Section 1.01.07 GENERAL PENALTY. The Commission decided to hold a special meeting 15 days after Administrator Burns sends a letter changing the meeting date.

b. 183 Richbourg – Occupancy Certificate – Okaloosa County Code Enforcement is taking over the issue.

c. 870 Mande – The residence is currently under observation for landscaping and maintenance.

d. FoodMax – Letter from Attorney Chesser. Attorney Chesser reported that this letter was sent out mistakenly and that the FoodMax file was not being closed.

III. BOND ISSUE DISCUSSION – Attorney Chesser explained that this issue will not be resolved this fiscal year, but is still planned.

IV. SHALIMAR COMMONS HOMEOWNERS’ ASSOCIATION – EASEMENT REMOVAL LETTER, SHALIMAR MAP – Commissioner McCallister briefed the Commission on his easement removal letter. He explained that the HOA doesn’t want to be involved in the easement removal but the four residents impacted by the easement will pay for the easements to be removed. Attorney Chesser stated that he would write a Resolution for the HOA requesting the easement removal. Commissioner McCallister stated that the HOA still intends to fight Mr. Bonezzi for the property between Mande and Brande Court. Commissioner McCallister asked about Dana Court’s street parking agreement and asked to see their agreement.

V. ORDINANCE 2017-05 – Commissioner Garcia made a motion to approve first reading of Ordinance 2017-05. Commissioner Gable seconded the motion. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

VI. GARDNER DRIVE CLOSING AT EGLIN PARKWAY – Administrator Burns briefed the Commission on Gardner Drive closing at Eglin Parkway. He explained that he has
contacted the County traffic engineer and the engineer has no objection to such a closing. He will proceed to contact District 3 of the Department of Transportation concerning feasibility of such a closure.

The Commission took a break at 7:36 p.m. and continued the meeting at 7:47 p.m.

NEW BUSINESS:

I. **RESOLUTION 2017-018 ADMINISTRATIVE POLICY AND PERSONNEL POLICY MANUALS, SPD SPECIAL DUTY PAY AUTHORIZATION FORM** – Manual Resolution 2017-018 was discussed in the previous hearing and will be discussed further at the next Town Commission meeting. There was nothing discussed about the SPD Special Duty Pay Authorization Form.

II. **PROCLAMATION – CONSTITUTION WEEK** – Mayor Combs briefed the Commission that the Town will be proclaiming Constitution Week September 17, 2017 – September 23, 2017.

III. **OKALOOSA COUNTY DEBRIS REMOVAL CONTRACT** – This agenda item was discussed in the Town Administrator report.

IV. **HRA PLAN, RESOLUTION 2017-019** – This agenda item was discussed in the Town Administrator report.

V. **SHALIMAR YACHT BASIN** (This item was added at the meeting) Commissioner Wilton briefed the Commission on the Shalimar Yacht Basin. Commissioner Wilton stated that the Florida Department of Environmental Protection will be sending a representative from their department and the Town will be sending an officer to accompany the representative while they inspect the Live-aboards that are moored at the Shalimar Yacht Basin.
ANNOUNCEMENTS:
- Final Budget Hearing, September 20, 2017 at 6:00 p.m.
- Town Commission Workshop, September 26, 2017 at 6:00 p.m.
- Planning and Zoning Board Meeting, September 27, 2017 at 6:00 p.m.
- Town Commission Meeting, October 10, 2017 at 6:00 p.m.
- OCLOC Dinner, Hosted by Cinco Bayou, October 19, 2017.

ADJOURNMENT – Commissioner Wilton made a motion to adjourn the meeting at 7:55 p.m. The motion was seconded by Commissioner Gable. Mayor Combs, Commissioner Garcia, Commissioner Gable, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.

Jessica Rehr, Deputy Clerk

October 10, 2017
Date approved
CALL TO ORDER: Mayor Combs called the meeting to order at 5:30 p.m.

PRAYER: Town resident Bernard Johnson opened the meeting with a prayer.

PLEDGE OF ALLEGIANCE TO THE FLAG: Mayor Combs led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Jerry McCallister – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser, Police Chief John Cash, Officer Christian Bigner, Deputy Clerk Jessica Rehr, Bernard and Lois Johnson, Stephen and Kim Hopkins, Gloria Turner, Tanya Portier, Maria Shadwell, John Henderson, Don and Cindy Caudler, Ellis Daugherty.

OLD BUSINESS:

I. REVIEW OF TOWN ADMINISTRATIVE AND PERSONNEL POLICY SECTION CHANGES RELATED TO EMPLOYEE PERFORMANCE AND SALARY RAISES

Manual (Resolution 2017-018) Mayor Combs briefed the Commission on changes to the Administrative Policy Manual and the Personnel Policy Manual. Mayor Combs explained that he wants the Administrative Policy Manual section 4.1.3 Department Supervisor Presentation and Financial Forecast, Justification to read; recommended raises higher than published Cost of Living Allowance (COLA) should be based on current fiscal year performance. Commissioner Garcia explained that it shouldn’t just be based on performance and that other specific considerations should be included. The Commission decided to review the changes of the Administrative Policy Manual and Personnel Policy Manual at the October 10, 2017 Town Commission meeting.

II. JUSTIFICATION FOR SALARY RAISES
Mayor Combs gave the Commission a handout that he wrote about each employee explaining his justification why they should or shouldn’t get a raise.

Mayor Combs asked to have a reference for the salary sheets in the minutes.
Resident Kim Hopkins explained that she wanted to send her recommendation on how the Administrative Policy Manual section 4.1.3 Department Supervisor Presentation and Financial Forecast, Justifications could be written. Commissioner Gable stated that Kim Hopkins could send her recommendation to him.

- FY 2013 SALARY FIRST READING
- FY 2014 SALARY SECOND READING
- FY 2015 SALARY FIRST READING
- FY 2016 SALARY WORKSHOP
- FY 2017 6 MONTH SALARY SHEET
- FY 2017 SALARY SHEET APPROVED AT WORKSHOP
- FY 2018 SALARY SHEET

NEW BUSINESS:

I. FIRST PUBLIC READING OF ORDINANCE 2018-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2017-2018 – Commissioner Wilton made a motion to approve Ordinance 2018-01. Commissioner Garcia seconded the motion. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

II. FIRST PUBLIC READING OF ORDINANCE 2018-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2017-2018 – Commissioner Wilton made a motion to approve Ordinance 2018-02. Commissioner Gable seconded the motion. Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. Mayor Combs voted against the motion. The motion passed 4-1.

ANNOUNCEMENTS:

September 20, 2017 – Second Budget Hearing at 6:00 p.m.
September 26, 2017 – Town Commission Workshop at 6:00 p.m.
September 27, 2017 – Planning and Zoning Board Meeting at 6:00 p.m.
October 10, 2017 – Town Commission meeting at 6:00 p.m.
October 19, 2016 – OCLOC Dinner – Hosted by Cinco Bayou.
ADJOURNMENT: Commissioner Garcia made motion to adjourn at 5:50 p.m. Commissioner Gable seconded motion. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

PRAYER – Town resident Bernard Johnson opened the meeting with a prayer.

PLEDGE OF ALLEGIANCE – Mayor Combs led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Absent
Commissioner Jim Wilton, PhD – Present
Commissioner Jerry McCallister – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Police Chief John E. Cash, Deputy Clerk Jessica Rehr, Stephen and Kim Hopkins, Maria Shadwell, Gloria Turner, Bernard and Lois Johnson, Tanya Portier, Anna Montague, Nancy Combs, Jeff and Sherry Davis, John and Sally Henderson.

MAYOR COMBS’ INTRODUCTION – Mayor Combs opened the meeting with comments from his notes which recapped some of his administrative initiatives for the past year. Mayor Combs stated that all he wants is the best for the Town. He was upset that an agenda item was changed at the last Town Commission meeting. If an agenda item is changed, the Commission needs to be notified and given a few days to look over the material. Commissioner Gable explained that nothing on the agenda was changed. He also stated that his salary proposal was similar to the agenda proposal, but added the salaries that the Commission agreed to at the second budget workshop.

Administrator Burns stated that the Mayor had accused him of changing the agenda and making an ethics violation. Administrator Burns wants it on the record that he denies changing the agenda and denies making an ethics violation.

OLD BUSINESS:
I. **ORDINANCE 2017-05**
Administrator Burns briefed the Commission on Ordinance 2017-05, section 14.03.00 – No Parking District. Administrator Burns stated that he would like the Commission’s guidance on how they want the language to be written in section B. Penalty for Violation. Administrator Burns stated that he wants to delete the Penalty Violation section and leave it to the Police Department discretion to write warnings and fines. Commissioner Wilton stated that police officers don’t make laws, and that there has to be law for the police officers to abide by.
Administrator Burns briefed the Commission on Ordinance 2017-05 Section 2.07.08 Commissioner Member Responsibilities and asked how they want the language to be written for this section. Commissioner Wilton stated that he would like items A. and B. to be put in the Administrative Policy. Commissioner Wilton explained that the language in item B. needed some work and that he would like the word “excused” taken out of the section. Commissioner McCallister stated that the word “insuring” in item C. needed to be changed to “ensuring”. Commissioner McCallister explained that agenda items needed to be uploaded to the website the Friday before the meetings. Commissioner McCallister stated that if the Town wants performance evaluations done each year, then the Commission needs to decide on a standard performance evaluation form and a timeline when the performance evaluations are due. Administrator Burns stated he will work on Ordinance 2017-05 and propose a section in the Administrative Policy Manual for performance evaluations.

II. SALARY

a) FY 16/17 approved salary sheet
b) FY 16/17 6 month approved salary sheet
c) FY 17/18 Mayor Combs proposed salary sheet
d) FY 17/18 Commissioner Gable proposed salary sheet

Mayor Combs presented the Commission with a 28-page Power Point presentation about the FY 17/18 salary budget proposal (presentation was not on the agenda but is attached). Mayor Combs explained the salaries for each department, stating that there were no written justifications for pay raises above a COLA adjustment. Mayor Combs stated that there was never a high Town employee turnover rate nor were there any performance evaluations to explain why employees were getting pay raises each year. Mayor Combs stated that the FY 17/18 salary budget proposal sheet was not voted on unanimously. Commissioner Gable stated that the Mayor voted against the budget salary proposal but the Commissioners all voted for the FY 17/18 salary budget proposal and had an agreement.

Commissioner McCallister stated that he was not aware that retirement benefits were calculated based on the Town’s medical benefit paid to employee’s who did not choose the Town’s health insurance, except Chief Cash. Administrator Burns stated that when he briefs the Commission on the salary budget proposal each year that he hasn’t hidden anything from the Commission. Mayor Combs stated if the Commission wants to give the police officers a pay raise, they should reduce the police force. Commissioner Wilton stated that the Commission will, in all probability, not do that. Commissioner Gable explained that the Commission should keep the FY17/18 salary budget proposal as it is and keep the $1200 HRA plan and see if the Town employees use it.

Resident Kim Hopkins briefed the Commission with her ideas on potential revenue sources for salary increases.

1) Continue maintaining police vehicles and not purchasing a new one for three years.
2) Save $25,000 by not paving Town Hall.
3) Designate that future growth in property taxes be used for salary increases over the next three years.
4) Subsidize salaries from reserves.
Kim Hopkins explained that she compared the Town with another municipality similar to the Town and based her data off the amount of work and tasks the Town employees are responsible for completing.

Meeting attendee Tanya Portier expressed her concerns by reading a letter that she wrote to the Commission, explaining how much it would affect her family if the Commission decided to take away the health insurance the Town provides to Chief Cash. She believes the Affordable Care Act (exchange) would be too expensive for Chief Cash and he would have to pay up to a certain amount before the affordable care act insurance would pay for health expenses. Administrator Burns stated that he would help Chief Cash find a plan that he could afford.

III. DISCUSSION OF SHALIMAR COMMONS’ REQUEST TO ACQUIRE TOWN’S OPEN SPACE PROPERTY ADJACENT TO RESIDENTIAL LOTS

a) Letter from Attorney Chesser
b) Final development order- Meigs Executive Park May 28, 1998
c) Town Commission Minutes, April 14, 1998 – P&Z Recommendations for Meigs Executive Park
d) Tidbits April 1999 – Meigs Executive Park development

Mayor Combs briefed the Commission on the issue with the property between Mande/Brande Court and Meigs Executive Park commercial property. Mayor Combs stated that five residents that are a part of the Shalimar Commons Homeowners Association requested that the Town make a quit claim deed between the HOA and the Town. Mayor Combs explained that he asked Attorney Chesser to contact the Meigs Executive Park owner, Bob Bonezzi, to ask him if he would be in agreement with the Town giving a quit claim deed to the property between Mande and Brande Court and Meigs Executive Park.

Administrator Burns briefed the Commission on the letter Attorney Chesser wrote. Administrator Burns explained that (in the attached letter), Attorney Chesser wrote that he can no longer represent the Town on this issue. Administrator Burns explained that Attorney Chesser has represented the Town and Mr. Bonezzi for several years. Attorney Chesser wrote that it has become a conflict of interest for him. Attorney Chesser states in the letter that when he called Bob Bonezzi’s office, he was told that they had paid for the expenses for landscaping and maintaining the park, and that they had been told they must do this. Administrator Burns explained that Bob Bonezzi’s office sent three documents to Attorney Chesser: Final Development Order, Town Commission Minutes from April 14, 1998, and Tidbits from April 1999. (attachments above)

Mayor Combs stated to Commissioner McCallister that if the HOA wanted to get a separate lawyer to pursue this issue, that the Town will support them. (It should be noted that Commissioner McCallister is being addressed as the president of the HOA, not just as the commissioner.)

Commissioner McCallister stated that he still wants the access easements on residential property removed. Mayor Combs asked Commissioner McCallister to write a letter to the Town, explaining which access easements he wants removed. Mayor Combs stated that the easement issue should not cost the Town anything.
NEW BUSINESS:

I. HEALTH REIMBURSEMENT AGREEMENT PLAN (HRA) DEVELOPMENT – Administrator Burns briefed the Commission on the HRA plan. Administrator Burns explained that it would cost the Town $199 to hire an agency to develop a plan to be approved by the Town Commission. Mayor Combs stated that he wanted Administrator Burns to pay the $199 and to figure out what restrictions the Town employees will have when paying for their medical expenses.

II. SPD OFFICER REQUIREMENTS – Mayor Combs stated that in the past the Town has operated successfully with three full-time police officers. Mayor Combs explained that he wants to reduce the number of police officers; his suggestion was to change one full-time position to part-time, which would leave three full-time police officers including Chief Cash.

III. SPEEDING ON GARDNER DRIVE – MAYOR’S PRESENTATION – Mayor Combs briefed the Commission about resident concerns with resurgent speeding issues on Gardner Drive and the idea he came up with to fix the speeding issue. Mayor Combs suggested self-watering plant barrels that could be placed in the middle of Gardner Drive to block through traffic. He does not believe police enforcement is a permanent solution. Administrator Burns stated that if the Town is going to put up a barricade then the Town needs to put up signs saying “No Outlet” and possibly get the Town Attorney involved due to liabilities. Commissioner Gable's concern is that several trucks that are hauling boats go down Gardner Drive and they wouldn't have anywhere to turn around. Commissioner Gable stated that the Town could put the barricade at Highway 85. Administrator Burns agreed that eliminating the turn onto Gardner Drive from Eglin Parkway, would create no dead ends. Administrator Burns stated that he will run this idea by DOT District 3 and will contact Okaloosa County Engineer Randy Showers.

IV. REVIEW OF UPDATE TO TOWN’S ADMINISTRATIVE POLICY MANUAL – Administrator Burns explained that the changes the Mayor proposed will be added to an Administrative Policy Manual change resolution to be attached to the next Town Commission meeting agenda.

V. OTHER BUSINESS – SHALIMAR YACHT BASIN LIVE-ABOARD SANITATION ISSUE – Mayor Combs stated that he was told that boats moored at Shalimar Yacht Basin are pumping their sewage into Garnier’s Bayou. Mayor Combs explained that he has called Florida Fish and Wildlife. Administrator Burns stated that when the owner, George Fussell Jr., purchases his Business Tax Receipt, he has to give an update on the status of live-aboard pump-out plans.

ANNOUNCEMENTS:

- Planning and Zoning Board Meeting, August 30, 2017 CANCELED
- Town Hall Closed Monday, September 4, 2017
- Okaloosa County League of Cities, September 11, 2017 at 12 p.m.
- First Budget Hearing, September 12, 2017 at 5:30 p.m.
- Town Commission Meeting, September 12, 2017 at 6 p.m.
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

- Second Budget Hearing, September 20, 2017 at 5 p.m.
- Town Commission Meeting, October 10, 2017 at 6 p.m.

ADJOURNMENT – The workshop was adjourned at 8:40 p.m.

__________________________________________  __________________________
Jessica Rehr, Deputy Clerk                        Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:01 p.m.

PRAYER – Town resident Bernard Johnson opened the meeting with a prayer.

PLEDGE OF ALLEGIANCE – Mayor Combs led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser, Police Chief John Cash, Captain John Spohn, Lieutenant Steve Shadwell, Officer Carlos Jones and Officer Christian Bigner, Deputy Clerk Jessica Rehr, Sid Cupples, Carol Dowd, Bernard Johnson, Gloria Turner, Michael and Robin Harris, Stephen and Kim Hopkins, Susan Czekanski, Herman Maranon, Jeb Hohl, Tanya Portier, Mark and Connie Wilson, Maria Shadwell and Ray Morgan.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia reported that the Maintenance Department sold items that were auctioned and has deleted them from their inventory.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – budget vs. actual, assets. Linked items were posted with agenda. Commission members agreed that no changes were needed.

MAYOR COMBS’ REPORT – Mayor Combs reported that Deputy Clerk Tina Smith, Administrator Burns, the Maintenance Department, Shalimar Police Department and himself have been working on continuity documents. Mayor Combs stated that he wants a new employee to have direction on what to do when they start working for the Town. Mayor Combs asked to have Deputy Clerk Tina Smith send all the Commissioners a link to all the continuity documents that are drafted. Mayor Combs told the Commission if they wanted to add to the continuity documents, they could.
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

POLICE REPORT – See report – Chief Cash reported that Lt. Shadwell’s Police Car 2011-01 was towed. Chief Cash reported that it was a fuel pump malfunction and that the issue has been resolved.

MAINTENANCE REPORT – Mayor Combs stated that the Maintenance Department was adding a fence around the dumpster beside the Town Hall.

TOWN ADMINISTRATOR REPORT – Marina Tax Renewal Letter Administrator Burns sent a letter to the owner of the Marina, George Fussell Jr. explaining that the Town’s Business Tax Renewal was due on September 31st, 2017. Administrator Burns discussed in the letter that the Town had two issues with the Marina. The first issue is that charter vessels that are used for commercial purposes need to have an annual Business Tax Receipt. The second issue is the potential unlawful dumping of sewage in Garnier’s Bayou that needs to be addressed. Mayor Combs stated that he wants Administrator Burns to call Fish and Wildlife to insure no illegal sewage is being dumped into Garnier’s Bayou. Administrator Burns will research enforcement with Fish and Wildlife.

ATTORNEY’S REPORT – Attorney Mike Chesser had nothing to report.

TOWN RESIDENTS’ TIME –

a. Town resident Gloria Turner asked the Commission to seriously consider recyclable bins with wheels on the bottom of the trash cans. Administrator Burns said he would see how much they would cost. Commissioner Gable said that next year the Commission could look into adding it to the contract.

b. Jeb Hohl, owner of Shalimar Cheers Pub, expressed his concerns to the Commission about having to remove his temporary banner located in front of the restaurant. Jeb Hohl stated since his sign was damaged in a car accident in February, he has been negotiating with his insurance company and is waiting to settle with them. Jeb Hohl asked the Commission if they would consider allowing him to keep the temporary sign banner, he would pay for the temporary fees until he could settle with the insurance company and pay for a new sign. Jeb Hohl explained that taking the banner down will have a negative impact on his business, because of the location of the restaurant. Commissioner Gable asked Jeb Hohl if he could put a less expensive permanent sign in the existing pole structure. Commissioner Gable explained that a permanent sign of any type should be pursued. Administrator Burns explained to Jeb Hohl that his temporary sign permit will expire on August 31, 2017 and that he will need to request another permit for any permanent sign.

OLD BUSINESS:

X. TOWN COMMISSION MEETING MINUTES – Approval of the July 11, 2017 Town Commission Meeting Minutes and July 25, 2017 Town Commission Workshop Minutes. Commissioner Gable made a motion to approve the minutes from the July 11, 2017 Commission meeting and the minutes from the July 25, 2017 Workshop meeting. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.
XI. CODE ENFORCEMENT ACTIVITY:

a. **8 Clifford Drive** – Certified letter was sent regarding Business Tax Receipt (BTR) and returned un-received on July 28. A second certified letter was sent adding $250 penalty to fees due. If not received by August 15, the matter will be turned over to the Town Attorney for collection.

b. **183 Richbourg** – Administrator Burns spoke with Elliott Kempert at Okaloosa County Growth Mgt. and Mr. Kempert indicated the residence does not have an occupancy certificate, still has outstanding inspection items, and will be slated for county code enforcement action.

c. **870 Mande Court** – The vacate residence is currently under observation for landscaping and maintenance.

d. **FoodMax** – A commercial flatbed trailer is no longer parking beside the FoodMax building.

e. **SYB** – Live aboard boat sanitation plans and Business Tax Receipt are issues.

f. **Shalimar Cheers Sign** – Cheers has been given multiple temporary sign permits. The most recent permit will expire on August 30. The Town has not received a formal request for a permanent sign. See discussion above. Owner will request a permanent sign permit.

III. BOND ISSUE DISCUSSION – There is no new activity.

IV. SHALIMAR COMMONS HOMEOWNERS ASSOCIATION - **RESOLUTION**

SHALIMAR MAP – Commissioner McCallister stated that there are only five residents in the Homeowner’s Association that are interested in acquiring a section of the Town’s property directly behind the homes on Brande and Mande Court. Commissioner McCallister stated that they will pay for the quit claim deed and to have the property surveyed. Attorney Chesser stated that the Towns disposal of the property has to be advertised for two weeks prior to any action being taken. Mayor Combs asked Attorney Chesser to get a statement from the property owners that the five residents of the HOA can have the property and ask the adjacent commercial property owner about their gazebo located on the property.

V. FOODMAX LIEN – Still open and haven’t heard from the owner.

VI. **BUDGET FY18** – No new information other than VII below was discussed regarding the FY18 Budget.

VII. **SALARIES** – Administrator Burns briefly mentioned that he and the Mayor had developed a salary proposal, distributed to all Commission members, which included a $2000 health benefit for all employees and adjusted salary increases for those employees who would definitely need and use the health benefit. Administrator Burns explained that Mayor Combs does not feel comfortable with the Town not offering equitable health benefits and that the Mayor had developed the agenda linked salary proposal with a HRA plan (Health Reimbursement Arrangement).

Commissioner Gable explained that he agreed with Mayor Combs on the Town offering the HRA plan, but the salary proposal that Mayor Combs recently made was not what the Commission agreed on during the second Budget Workshop. Commissioner Gable explained that he proposes that instead of having a $2000 HRA
plan, reduce it to a $1200 HRA plan and keep the salaries at the amount the Commission agreed on. Commissioner Gable stated the bottom line is the same as Mayor Comb’s salary proposal and that the overall cost to the Town is the same. Commissioner Gable explained that if the employees use the HRA plan and it works for the Town, that next year at the budget meeting the Commission can vote to increase the HRA plan. Commissioner Gable began a motion to approve his salary proposal. Mayor Combs stated that the Commission does not approve the salary proposal now. It has to be an ordinance and the Commission has two ordinance readings. **Commissioner Gable made a motion to not change the salary budget proposal for FY18 in the Ordinance. Commissioner Wilton seconded the motion.** Commissioner Garcia asked the Commission to match 6% for the Maintenance Department’s retirement policy. Mayor Combs stated that we need a policy change to do this. Commissioner Garcia stated he does not approve the motion to keep the salary budget proposal as is. Commissioner Garcia said he wants a 6% retirement motion for the Maintenance Department included in the salary budget proposal. Attorney Chesser explained that Commissioner Wilton had to withdraw his second in order for Commissioner Gable to amend his motion. **Commissioner Gable moved to amend his original motion to not change the salary budget proposal for FY18 in the Budget Ordinance. Commissioner Wilton withdrew his second.**

**Commissioner Garcia made a motion to not change the salary budget proposal for FY18 in the Budget Ordinance with a 6% matching added to the retirement policy for the Maintenance Department. The motion was seconded by Commissioner Gable. Commissioner Wilton, Commissioner McCallister, Commissioner Garcia and Commissioner Gable all voted for the motion. Mayor Combs voted against the motion.**

**NEW BUSINESS:**

I. **PARKING ON RIGHT–OF–WAY ISSUE** – Parking on right-of-way issue was discussed in the following agenda item.

II. **ORDINANCE 2017-05** – Administrator Burns briefed the Commission on the existing parking on right-of-way section of the current ordinance. Administrator Burns stated that special events are not defined and might be limited to non – overnight parking. Mayor Combs stated that he was against overnight parking on Town right of way where no formal agreement exists. Administrator Burns stated that we need to have a definition for special events. Administrator Burns discussed the parking penalty. Mayor Combs stated that he would like a warning given to residents before ticketing. Commissioner Wilton explained that we need a penalty time period and he asked the Commission for their opinion. Administrator Burns stated that the bug man; a commercial contractor etc., are not visitors. Attorney Chesser explained that we need to set up an ordinance that states what the law is. The police officers can use discretion when they have a law to abide by. Administrator Burns will send the ordinance draft to Attorney Chesser to work on the language. Administrator Burns stated that he will get the ordinance together and have it ready for the first reading at the next Town Commission meeting. Captain John Spohn stated that he has never been directly contacted by a resident complaining about a neighbor parking on the right-of-way. Captain John Spohn said that Mayor Combs was the only person
who has complained to him about residents parking on right-of-way. Mayor Combs stated that in the past Commissioner McCallister has also complained about residents parking on the right-of-way in the Shalimar Commons neighborhood.

Mayor Combs asked the Commission for their opinion on adding Section 2.07.08 to the General Ordinance. Commissioner Wilton stated that he did not agree nor wants the Section 2.07.08 to be added, because he does not want the Commission to be micromanaged. Commissioner Gable explained that he can see justifying Section 2.07.08 because it offers guidelines for the future Commissioners to follow. Commissioner Wilton would agree with Section 2.07.08 if it was in the Town’s Administrative policy manual. Administrator Burns stated that the Commission can discuss Ordinance 2017-05 which includes this section at the next Town Commission meeting or workshop.

ANNOUNCEMENTS (VERBALLY ADDED):

- Labor Relations & Social Media Workshop, August 17, 2017 at 8:00 a.m.
- Town Commission Budget Workshop, August 29, 2017 at 5:30 p.m.
- Tentative Budget Hearing, September 12, 2017 at 5:30 p.m.
- Town Commission Meeting, September 12, 2017 at 6:00 p.m.
- Final Budget Hearing, September 20, 2017 at 5:30 p.m.

ADJOURNMENT – Commissioner Gable made a motion to adjourn the meeting at 7:15 p.m. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner Gable, and Commissioner Wilton Commissioner McCallister all voted for the motion. There were no votes against the motion.

Jessica Rehr, Deputy Clerk

September 12, 2017

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 5:30 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Pro-Tem Ricardo Garcia – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Jerry McCallister – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Police Chief John E. Cash, Captain John Spohn, Lieutenant Steve Shadwell, Officer Carlos Jones and Officer Christian Bigner, Deputy Clerk Jessica Rehr, The Maintenance Department Jeff Adams and Clayton Burns, C Reaves, Bernard and Lois Johnson, Chris and Jennifer Pelfrey, Cleo Battle, Stephen and Kim Hopkins, Kathy (MK) Simpson, Carol Porch, Edward Tillie, Maria Shadwell, Debra Spohn, Tanya Portier and Martha Davis.

OLD BUSINESS:

I. PROPOSED FY 2017/18 BUDGET

- **Background Information for HRA**
  Administrator Burns wanted the Commission to see a website with information on Health Reimbursement Account (HRA).

- **Budget FY 2018 Budget Notes**
  Burns briefed the commission and the Town residents on how the Town has implemented Health Insurance, basically all the employees except Chief Cash take a stipend in lieu of taking the Towns Health Insurance. The Town currently pays for Chief Cash’s Health Insurance and was looking into option’s for employee Health Insurance. The option that Mayor Combs and Burns were interested in is the HRA plan, which is a card that will be given to all employees of the Town and $4,000 would be available for healthcare payments each year. It would cost the Town $400 to set up and $2100 a year to manage. The Mayor stated that looking into the future, the Town providing Health Insurance, the HRA plan would be the best option. Burns researched the HRA plan, made a salary proposal including the HRA plan and explained to each of the Town employees that the $4500 stipend they have been receiving in lieu of not taking the Towns Health Insurance, would be taken out of their salaries and put towards the HRA plan. Burns realized that it wouldn’t work for all the employees and that the Town employees decided that since they all have Health Insurance through another provider, except Chief Cash, they would rather keep the $4500 stipend. Burns wants to get out of Health Insurance completely.
Salaries 2 (No Health Care)
Burns briefed the Commission and the Town residents on a salary proposal that excludes Health Insurance. Burns stated that Chief Cash’s salary would be adjusted (amount of ACA silver plan) and that Chief Cash would be paying for his own healthcare plan. Burns asked the Commission for their opinions on the Town not providing Health Insurance. The general consensus is that all the Commissioners are comfortable with not providing Health Insurance next fiscal year. Burns added a $300 Christmas bonus, $4500 stipend and the $120 cell phone assistance to each employee’s salary. Burns proposed a 6% raise for Lieutenant Shadwell and budgeting what the affordable care act will cost Chief Cash that his salary would have to change by $6000. Mayor Combs asked about the Policy Manuals for the Police Department and wanted to know why there hasn’t been Performance Evaluations done. Commissioner Wilton stated that Chief Cash is working on that and will have Performance Evaluations that will meet the Policy Manuals standards. Mayor Combs asked if any employees have received a Performance Evaluation and Burns stated he understands how important it is for each employee to have one and plans on having one done for each employee. Mayor Combs stated that he did not support the salary that Burns presented. Mayor Combs wants Deputy Clerk Rehr, Officer Bigner and Captain Spohn to get a 2% raise, Lieutenant Shadwell a 4%, and he would like Deputy Clerk Smith to make more than 3%. Mayor Combs asked that it will be stated in the minutes that all employees want the $4500 stipend over the benefits.

Town Residents
Several Town Residents spoke about their concerns about low Police Officers salaries, and that they would be in favor of increasing taxes if used to increase officer’s salaries. A few residents complained that Mayor Combs had a bad attitude and talked down to the employees. Chief Cash explained that he goes over and beyond to help residents and that he doesn’t feel appreciated. A resident stated that he thinks The Commission Meetings should begin with a prayer. The Commission asked if the resident would volunteer to do and, the resident said he would.

Budget
Burns briefed the Commission on his proposed budget by line item. He polled each Commissioner about being in support of drafting the FY 18 budget according to the salaries and line items presented, all Commissioners expressed support for an FY 18 budget as briefed except Mayor Combs.

NEW BUSINESS: There were no New Business

ANNOUNCEMENTS:

- Town Commission Meeting, August 8, 2017 at 6 p.m.
Town of Shalimar  
Town Commission Meeting Minutes  
July 11, 2017

**CALL TO ORDER** – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**ROLL CALL FOR THE RECORD:**  
Mayor Combs - Present  
Mayor Pro - Tem Ricardo Garcia - Present  
Commissioner Jerry McCallister - Present  
Commissioner Jim Wilton, PhD - Present  
Commissioner Brad Gable - Present

**OTHERS IN ATTENDANCE** – Town Administrator Tom Burns, Attorney Mike Chesser, Police Chief John Cash, Lieutenant Steve Shadwell, Deputy Clerks Tina Smith and Jessica Rehr.

**COMMITTEE REPORTS:**  
**Planning & Zoning Board** – Recommendation. The Town Commission discussed and agreed that all P&Z recommendations were appropriate and should be incorporated in the development forms and LDC Ordinance. Administrative support reported that the P&Z recommendations were already incorporated.

**Technical Review Board** – No report

**COMMISSIONER GABLE’S REPORT** – Commissioner Gable had nothing to report.

**COMMISSIONER GARCIA’S REPORT** – Commissioner Garcia had nothing to report.

**COMMISSIONER WILTON’S REPORT** – Commissioner Wilton had nothing to report.

**COMMISSIONER MCCALLISTER’S REPORT** – budget vs. actual, assets  
Commissioner McCallister had nothing to report.

**MAYOR COMBS’ REPORT** – Mayor Combs had nothing to report.

**POLICE REPORT** – See report. Chief Cash reported that members of the Florida Law Enforcement Accreditation, Inc. are visiting the Shalimar Police Department Wednesday (July 19) or Thursday (July 20) to identify what the Shalimar Police Department already has in place to satisfy requirements for Accreditation.

**MAINTENANCE REPORT** – There was nothing to report.

**TOWN ADMINISTRATOR REPORT** – Administrator Burns had nothing to report.

**ATTORNEY’S REPORT** – Attorney Chesser had nothing to report.
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

TOWN RESIDENTS' TIME – Lieutenant Steve Shadwell presented a plaque to Police Commissioner Wilton and Chief John Cash.

OLD BUSINESS:

Commissioner Gable made a motion to approve the minutes from the June 13, 2017 Commission Meeting and the minutes from the June 27, 2017 Commission Workshop as written. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

XIII. CODE ENFORCEMENT ACTIVITY:
   a. 8 Clifford Drive – The Initial Code Enforcement letter was sent.
   b. 183 Richbourg – Administrator Burns sent a letter to the Growth Management Director asking for the status of the Occupancy Certificate but hasn’t heard anything back yet.
   c. 870 Mande – The residence is currently under observation. Chief John Cash stated that the owner’s brother has been mowing the property.

III. BOND ISSUE DISCUSSION – Attorney Chesser explained that there is an agreement waiting to be signed. But it’s going to take a while to get the issue resolved, because the property is currently being held in a Trust Fund controlled by a bank in Oklahoma.

IV. CAPITAL IMPROVEMENTS LIST – There were no changes to the Capital Improvement List. Administrator Burns stated that he went to the Triumph Planning Meeting and learned that our Capital Improvements List is not the projects that they want and our Capital Improvements List would only be helpful towards pushing for the ½ Cents Sales Tax.

V. SECOND READING OF ORDINANCE 2017-04 – Minor Amendments to the Land Development Code – Mayor Combs read the Title of Ordinance 2017-04.
Commissioner Gable made a motion to approve the second reading of Ordinance 2017-04 as written. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Garcia and Commissioner Gable all voted for the motion. There were no votes against the motion.

NEW BUSINESS:

I. FOODMAX LIEN – A letter was sent to the owner of the FoodMax explaining that the Town has a lien against his property and expects payment. Mayor Combs stated to Attorney Chesser that he would like to wait for a business to take action on the property before going forward with a judgement. Commissioner Gable stated at the
end of the meeting that there is a Commercial Flatbed Trailer that is parking beside the FoodMax. Chief John Cash said he would investigate the situation.

II. SHALIMAR HOMEOWNERS’ ASSOCIATION – Commissioner McCallister asked to table this discussion (property vacation) until the next Town Commission Meeting.

III. DEVELOPMENT PROCESS FLOW DIAGRAM AND RELATED DEVELOPMENT FORMS – Mayor Combs stated that Administrator Burns will move forward with drafting up a Resolution to add these forms to the Administrative Policy Manual.

- Development Flow Diagram
- Application for Development
- Application for Single-Family Residential (SR) Development
- Application for Multi-Family Residential (MR) Development
- Application for Variance (VAR)
- Application for Vacating Public Land and Easements (VAC)
- Application for Rezoning (REZ)
- Application for Special Exception (SE)
- Application for Commercial, Planned Use Development and Mixed-Use Developments

Mayor Combs mentioned that the Fall Tidbits article will be coming out soon and that he was discussing the Millage Rate and ½ Cent Sales Tax which he has never done before. Mayor Combs, asked the Commission if they wanted to submit a Tidbits article, they could.

ANNOUNCEMENTS:
- OCLOC Dinner (hosted by Valparaiso), July 18 at p.m.
- Town Commission Workshop, July 25, 2017 at 5:30 p.m.
- Planning and Zoning Board Meeting, July 26, 2017 at p.m.
- Town Commission Meeting, August 8, 2017 at p.m.

ADJOURNMENT – Commissioner Gable made a motion to adjourn the meeting at 6:33 p.m. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner Gable, Commissioner Wilton and Commissioner McCallister all voted for the motion. There were no votes against the motion.

Jessica Rehr, Deputy Clerk
August 8, 2017
Date approved
CALL TO ORDER: Chairman Henderson called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: Chairman Henderson led the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Present
Vice-Chairman Mickey Clements - Absent
Member Rebecca Daniels - Present

OTHERS PRESENT: Town Administrator Tom Burns, Deputy Clerks Tina Smith and Jessica Rehr.

OLD BUSINESS:
II. APPROVE MINUTES FROM THE DECEMBER 28, 2016 P & Z BOARD MEETING – Member Daniels moved to approve the minutes from the December 28, 2016 Planning and Zoning Board Meeting as written. The motion was seconded by Member Battle. Member Daniels, Member Battle, Chairman Henderson, and Member Morgan all voted for the motion. There were no votes against the motion.

NEW BUSINESS:
I. REVIEW DEVELOPMENT FORMS
Development Flow Diagram
Application for Development
Application for Single-Family Residential (SR) Development
Application for Multi-Family Residential (MR) Development
Application for Variance (VAR)
Application for Vacating Public Land and Easements (VAC)
Application for Rezoning (REZ)
Application for Special Exception (SE)
Application for Commercial, Planned Use Development and Mixed-Use Developments

The Planning and Zoning Board discussed the above forms. Chairman Henderson suggested that a disclaimer be added to the forms to cover the Town in the event that something was left off of one of the forms. The applicant should be aware that they might be required to submit more documentation. Member Morgan went over his suggested changes with the Board (listed below).
Development Application recommended changes:
- In the first paragraph at the end of the first line, “...as well as signs and tree removal.” should be reworded. Suggestion, “...as well as sign construction and tree removal.”
- In the first paragraph at the very end, “...prior to any commencement of activity.” should be reworded. Suggestion, “...prior to any activity commencement.”

Single-Family Residential Development Application (SR) recommended changes:
The word “scaled” should not refer to all items listed and should be removed from the first line and added to each individual line item that it pertains to. For example, it should be added in front of “Certified site survey...”, “Certified site development plans...”, and “Construction plans...”.

Variance Application (VAR) recommended changes:
Under #5, the application should also include the reason for the variance request.

Commercial, Planned Unit Developments and Mixed-Use Developments (C) Application recommended changes:
- Under #1, the word “The” should be removed from the beginning of A, B, and C to make everything consistent.
- Under #2, the word “The” should be removed from the beginning of A, B, and J to make everything consistent.
- Under #2, letter I, change the word “Where” to “When”.
- Under #2, letter I, at the end of the first line, “...the plans should include phase lines, a timeline for the development...” should be changed to “...the plans should include a timeline for the development...”
- Under #5, the word, “licenses” should be changed to “licensed”.
- The Planning and Zoning Board found the “Yes” and “No” boxes to be confusing and inconsistent with the other forms. It was decided to recommend adding lines (__________) to the front of all items on all of the forms. When a form is filled in by the Town Administrator, he/she will either enter an ‘X’ or a checkmark (✔) where the item is required or an “N/A” where the item is not required. Also, there will be something posted at the top that states, “All items with an ‘X’ or a checkmark (✔) are required and will be marked with N/A if not required”.
- All questions on this form will be changed to statements.

II. ORDINANCE 2017-04 – Member Morgan had one change to Ordinance 2017-04. He suggested that the word, “attains” be changed to “displays” in the definition for “Flashing Sign”.

Member Battle moved to recommend to the Town Commission that all of the changes and language style discussed here tonight be incorporated in the Development Forms and Ordinance 2017-04 and presented to the Commission. The motion was seconded by Member Daniels. Member Daniels, Member Battle, Chairman Henderson, and Member Morgan all voted for the motion. There were no votes against the motion.

Administrator Burns will email the recommendation out to everyone so they have the opportunity to make corrections before Chairman Henderson signs it.
III. ADVERTISING ON THE WATER (This item was added at the meeting) – Chairman Henderson asked about the rules for a tugboat with a large marquee sign on the back and if it is legally allowed to advertise. Administrator Burns stated that if it is on the water, it’s not the Town’s jurisdiction but that might be different if the marquee is on while it is docked at the Shalimar Yacht Basin. Chairman Henderson stated that he believed they were just testing the sign while it was docked.

ANNOUNCEMENTS:
- Town Commission Meeting, July 11, 2017 at 6 pm
- Town Commission Workshop, July 25, 2017 at 5:30 pm
- Planning and Zoning Board Meeting, July 26, 2017 at 6 pm

ADJOURNMENT: Member Morgan made a motion to adjourn the meeting at 6:53 p.m. Member Daniels seconded the motion. Member Daniels, Member Battle, Chairman Henderson, and Member Morgan all voted for the motion. There were no votes against the motion.

Jessica Rehr, Deputy Clerk ___________________________ Date Approved ___________________________
Town of Shalimar

Town Commission Budget Workshop Minutes
June 27, 2017

CALL TO ORDER – Mayor Combs called the meeting to order at 5:30 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Pro-Tem Ricardo Garcia – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Jerry McCallister – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Police Chief John E. Cash, Deputy Clerks Tina Smith and Jessica Rehr.

OLD BUSINESS – There was no Old Business

NEW BUSINESS:

I. PROPOSED FY 2017/18 BUDGET

• Salaries
Administrator Burns briefed the Commission on his proposed Salary Spreadsheet. Patrolman Bigner will not get a raise this year and will stay an hourly employee. Also, The Commission wants Administrator Burns to break out the health insurance stipend from Patrolman Bigner’s hourly wage. Mayor Combs made a suggestion that both employees in the Maintenance Department make the same salary. Also, Mayor Combs would only agree to Deputy Clerk Tina Smith getting a 10% raise instead of a 14% raise.

• Budget (this was discussed before the Salaries)
The LEF 521-231-line item needs to be adjusted from $5000.00 to $6500.00. Commissioner Gable noted that the Library rent needs to be included in the Miscellaneous Revenues category, which will add $5000.00. Administrator Burns added a travel category for Deputy Clerk Jessica Rehr for any future conferences she might need to attend. Commissioner Wilton asked Administrator Burns for a breakdown of The Town’s subscription expenses (LEF 519-540) and Administrator Burns will email this information. Administrator Burns will also contact the TimeSaver owner and find out when he will be making his final payment of $2500. Mayor Combs would like to see that this is paid before the end of this fiscal year. Also, Town Administrator Burns will make sure that the $120/year cell phone allowance isn’t included in the salary formula. Mayor Combs presented three options for the Health Insurance in the FY 18 budget.

• Capital Improvements
Commissioner Wilton would like to add exercise equipment to Meigs Park or another location on the other side of Town.

- **Tentative Millage Rate**
  The Commission agreed to keep the Millage Rate at 2 mills.

Mayor Combs brought up that the Town was sent a bill for the times he emailed and asked questions to the auditors. Commissioner Gable thought that the contract included inquiries. Administrator Burns will contact Warren Averett and get more information.

**ANNOUNCEMENTS:**
- Planning and Zoning Board Meeting, June 28, 2017 at 6 p.m.
- Town Commission Meeting, July 11, 2017 at p.m.
- Town Commission Workshop, July 25, 2017 at 5:30 p.m.

Everyone was reminded that the next League of Cities Dinner will be on July 18, 2017 at the Mitchell Center in Valparaiso.

Also, it was decided that the next scheduled Workshop on July 25, 2017 will be the second Budget Workshop.

**ADJOURNMENT** – The workshop adjourned at 6:38 p.m.
CALL TO ORDER – Mayor Combs called the meeting to order at 6:01 p.m. and Quin Gable led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser (arrived at 6:06), Police Chief John Cash, Deputy Clerks Tina Smith and Jessica Rehr, Town residents Ursel Behnken and Gloria Turner and Boy Scout Quin Gable.

COMMITTEE REPORTS:
- Planning & Zoning Board – No report
- Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable reported that the first draft for the Commercial Development Application is finished.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia reported that the concrete work is almost finished in all three locations; Old Ferry Road, Richbourg Avenue, and Town Hall.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – budget vs. actual, assets – Commissioner McCallister stated that he wanted Deputy Clerk Tina Smith to get a $2,000 raise. Mayor Combs and Commissioner Gable said they would like to discuss this further at the upcoming budget workshop. Commissioner McCallister made a motion to approve Deputy Clerk Tina Smith to get a $2,000 raise. Commissioner McCallister’s motion died for lack of a second.

MAYOR COMBS’ REPORT – Mayor Combs reported that a ½ Cent Sales Tax Resolution (2017-01) was approved by the Okaloosa County League of Cities (OCLOC) and the Resolution has been signed by President Scott Moneypenny. He also stated that the yearly dues of $150.00 will remain in effect and that Tina Smith is now being contracted by the OCLOC to maintain the website.

POLICE REPORT – See report – Commissioner Wilton reported an internal investigation is ongoing for one of The Town’s Police Officers and the Officer has been suspended for three weeks.
MAINTENANCE REPORT – Mayor Combs stated that the Maintenance Department was doing a great job at organizing their inventory.

TOWN ADMINISTRATOR REPORT – Administrator Burns reported that we received the Lease Agreement from Goodwill Enterprises. He explained to Goodwill that they could start working on the building but it could only be painting and removing flooring. Mayor Combs stated that Goodwill has started interior renovations that need a Building Permit and a Contractor’s Tracking Certificate. After explaining this to Goodwill, they understand and have withdrawn from the renovations until all documents have been submitted.

ATTORNEY’S REPORT – Attorney Chesser reported on the FoodMax Lien issue. Attorney Chesser stated that he would send a letter to the owner of the FoodMax and explain to him that the Town of Shalimar has a Lien against his property and expects payment. The owner could pay the Town of Shalimar with the payments that he’s getting paid by Goodwill. Administrator Burns will forward the lien information to Attorney Chesser. Attorney Chesser will give an update at the next Town Commission Meeting. All Commissioners agreed to proceed with this effort.

TOWN RESIDENTS’ TIME – Town Resident Gloria Turner expressed her concern about the Virginia Creeper vines that have been growing on her property and in the park behind her house. Commissioner Garcia told Mrs. Turner that he will have the Maintenance Department re-look at this issue. Commissioner McCallister suggested the idea of the Town doing a Quit Claim Deed with the Shalimar Homeowners’ Association for the property that backs up to Brande Court and Mande Court and is the property that has the Virginia Creepers. Attorney Chesser stated that he would talk to the owner of the commercial property that abuts the park and make sure he has no interest in it. Commissioner McCallister will be updating the Commission at the next Town Commission Meeting.

OLD BUSINESS:

XIV. TOWN COMMISSION MEETING MINUTES – Approval of the May 9, 2017 Town Commission Meeting and May 23, 2017 Town Commission Workshop Minutes. Commissioner Gable made a motion to approve the minutes from the May 9, 2017 Commission meeting and the minutes from the May 23, 2017 Workshop meeting as written. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

XV. CODE ENFORCEMENT ACTIVITY:

a. 188 Richbourg – The property has been mowed and this item will be removed from next month’s agenda.

b. FoodMax – Illegal parking has been resolved. This item will be removed from next month’s agenda.

c. Dollar General – Management was contacted and told that boxes are only allowed outside on day of pickup. This item will be removed from next month’s agenda.
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

d. **870 Mande Court** – Owners contacted and the yard has been mowed. It is believed that this property will continue to be an issue so the item will stay on the agenda.

e. **Empty Lot on Cherokee** – The lot has been mowed. This item will be removed from next month’s agenda.

f. **7 Clifford Drive** – Owners have been notified and failed to purchase a Business Tax Receipt (BTR). Administrator Burns will make another attempt to contact owner if there is no reply by next meeting, he will take Code Enforcement Action.

g. **183 Richbourg** (this agenda item was added during the meeting) – The owner had no Certificate of Occupancy and cannot pass the Shalimar final inspection because he does not have sidewalks. The Commission wants Administrator Burns to write a formal letter to the county questioning the Occupancy Certificate.

III. **BOND ISSUE DISCUSSION** – There was no new activity with the Bond Issue.

IV. **CAPITAL IMPROVEMENTS LIST** – Mayor Combs asked if the Capital Improvements list could be modified to reflect the following:
   a. Police Car #1102 will be moved to priority 1;
   b. The word, “Bond” will be removed; and
   c. Commissioner Wilton stated that the Taser Fleet x2 has not been completed so the word, “completed” will be removed.

V. **SECOND READING OF ORDINANCE 2017-04** – Amendments to the Land Development Code – Ordinance 2017-04 will be passed once it’s approved by the Planning and Zoning Board. **Commissioner Gable made a motion to delay the second reading of Ordinance 2017-04 until the Commission receives a recommendation from the Planning and Zoning Board. The motion was seconded by Commissioner McCallister.** Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

NEW BUSINESS:

I. **RESOLUTION 2017-017** – AMENDING AND RESTATING TOWN’S 457 RETIREMENT PLAN – Attorney Chesser asked Administrator Burns to make sure that the new agreement met FDLE requirements. **Commissioner Gable made a motion to amend Resolution 2017-017 if Administrator Burns confirms it meets FDLE requirements. The motion was seconded by Commissioner Garcia.** Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

ANNOUNCEMENTS:
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

- Town Commission Budget Workshop, June 27, 2017 at 5:30pm
- Planning and Zoning Board Meeting, June 28, 2017 at 6pm
- Town Commission Meeting, July 11, 2017 at 6pm
- OCLOC Dinner (hosted by Valparaiso), July 18 at 6pm

ADJOURNMENT – Commissioner Gable made a motion to adjourn the meeting at 7:32 p.m. Commissioner Garcia seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner Gable, and Commissioner Wilton Commissioner McCallister all voted for the motion. There were no votes against the motion.

Jessica Rehr, Deputy Clerk

July 11, 2017

Date approved
Town of Shalimar  
Town Commission Workshop Minutes  
4.0  MAY 23, 2017

CALL TO ORDER – Mayor Combs called the meeting to order at 5:37 p.m.

ROLL CALL FOR THE RECORD:  
Mayor Gary Combs – Present  
Pro-Tem Ricardo Garcia – Present  
Commissioner Jim Wilton, PhD – Present  
Commissioner Jerry McCallister – Present  
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Deputy Clerks Tina Smith and Jessica Rehr and The Town’s Health Insurance Agent Lee Harmon.

OLD BUSINESS – There was no Old Business

NEW BUSINESS:

I. HEALTH MEDICAL BENEFITS – Mayor Combs started the discussion by asking Lee Harmon if the Town of Shalimar and employees could get into trouble for taking a stipend in lieu of not having insurance with the Town of Shalimar. Lee Harmon explained that the Town of Shalimar and the employees would not get into trouble if the Health Insurance contract was written in black and white in the employee handbook, and there was no discrimination with age, gender, race, etc. The Mayor also said that he doesn’t want to change anything right now because we are in the middle of the year. Lee Harmon also stated that what you pay in lieu of the employees not taking the Health Insurance has to be the same for all employees. Another question Mayor Combs had: Is it illegal to ask for proof of insurance? Lee Harmon said that it wasn’t illegal for an employee to have to show their insurance card. The Commission will discuss the Health Insurance Benefits more at the budget workshops.

II. LAND DEVELOPMENT CODE PROCESSES – The Commission discussed the Town’s creation of a development process flow chart diagram. This diagram will explain the various development processes and note specific forms to support the development within the Town. Numerous related forms are being drafted. The intent is to have the flow diagram and all development forms available for review prior to the Town’s July Commission Meeting.

III. RESIDENT USE OF TOWN MAINTENANCE EQUIPMENT (this agenda item was added at the meeting) – The Commission also discussed updating The Town’s Equipment Hold Harmless Agreement. There were some questions as to whether residents understand that free use of Town equipment is for local Town personal use only. A statement will be added to the form. It was also discussed that the Town Administration Office should not be the focal point for loaning maintenance
equipment. Residents must pre-coordinate equipment item loans with a Maintenance Department employee. The Administrative Office will continue to assist the processing of Equipment Hold Harmless forms as long as a Maintenance Department employee signs off on any equipment loans.

IV. TOWN PROPERTY IN THE SHALIMAR COMMON’S SUBDIVISION (this agenda item was added at the meeting) – Commissioner McCallister stated that his Homeowner’s Association is interested in purchasing a section of the Town’s property directly behind homes on Brande and Mande Court. This property is currently fenced (back of resident property) between a group of Shalimar Common’s property owners and commercial property on Eglin Parkway. There is a Gazebo used by employees of the commercial business which borders this section of Town property. The Town Commission discussed being open to vacating this property. Commissioner McCallister stated he would address this issue with the Shalimar Commons Homeowner’s Association.

ANNOUNCEMENTS:
- Planning and Zoning Board Meeting, May 31, 2017 at 6:00p.m.
- Town Commission Meeting, June 13, 2017 at 6:00p.m.

ADJOURNMENT – The workshop was adjourned at 7:00p.m.

Jessica Rehr, Deputy Clerk 

Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Absent
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser, Police Chief John Cash, Deputy Clerks Tina Smith and Jessica Rehr, Ronnie Bell and Katie Cowen with Waste Management, Bob McGlothia resident of Unincorporated Okaloosa County and Jennifer Fillmore representing ECHII.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing to report.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – budget vs. actual, assets, salary – Administrator Burns pointed out his changes in red. Mayor Combs stated he wanted to wait until Commissioner McCallister was present to discuss these reports.

MAYOR COMBS' REPORT – Commissioner Gable was given the task by Mayor Combs to update the Town’s development application forms. Commissioner Gable said he would work with Administrator Burns on the update. Mayor Combs indicated that he would not approve Ordinance 2017-04 until the update was done. Mayor Combs also decided that the Shalimar Town Hall will be closed on Thursdays starting May 18 for the next four weeks to allow the administrative department to get caught up.

POLICE REPORT – See report – Commissioner Wilton reported that the Power DMS was working well and that the DEA Take Back Initiative 13, where residents bring their unused or expired prescriptions to the Town of Shalimar, was successful and at the end of day there were 35 pounds of expired prescriptions dropped off.
MAINTENANCE REPORT – Mayor Combs stated that the maintenance department has done a wonderful job at getting the new secure storage unit constructed, which is one step in the Police Department’s Accreditation process.

TOWN ADMINISTRATOR REPORT – Administrator Burns reported that the sidewalk and dumpster pad will start soon. He asked for permission from The Commission to allow the Florida Fish and Wildlife Conservative Commission (FWC) Officer’s trailer to stay parked at Snug Harbor for free, until a resident that’s on the waiting list needs that spot. Commissioner Garcia made a motion to allow Administrator Burns to let the FWC Officer to park his trailer on the Snug Harbor Drive lot until a resident on the waiting list needs that spot and the FWC Officer will sign a Hold Harmless Agreement. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Gable, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.

Administrator Burns also stated that he needed ratification of an unauthorized expense by Chief Cash. Chief Cash authorized vehicle repairs totaling $1400 without prior approval by Police Commissioner Wilton or Mayor Combs. Commissioner Wilton made a motion to ratify the mistake that Chief Cash made for repairing the police car. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Gable, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.

Administrator Burns updated The Commission on the FoodMax possibly turning into a Goodwill receiving center. Attorney Chesser confirmed that The Town’s lien had no bearing on the Business Tax Receipt for that business, but that the Town could go after the rent money paid to the FoodMax owner. Administrator Burns will forward the names of the principle parties involved to Attorney Chesser.

ATTORNEY'S REPORT – Attorney Chesser had nothing to report.

TOWN RESIDENTS' TIME – No residents were present.

OLD BUSINESS:

XVI. TOWN COMMISSION MEETING MINUTES – Approval of April 11, 2017 Commission Meeting Minutes – Commissioner Gable made a motion to approve the minutes from the April 11, 2017 meeting as written. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner Gable and Commissioner Garcia all voted for the motion. There were no votes against the motion.

XVII. CODE ENFORCEMENT ACTIVITY:
- 188 Richbourg - yard work may be done by us and owner will be billed.
- Multiple warnings have been given to the owner of the illegally parked vehicles in the FoodMax parking lot and the issue has been resolved.
- The Dollar General will be contacted about the boxes, by the dumpsters. This will be the last warning.
- Owners at 870 Mande Court will be contacted and told they need to get their yard up to code.
- The resident that owns the empty lot on Cherokee will be receiving a written warning about their overgrown grass.
- The owners of 7 Clifford who seem to be running a business without a Business License will be contacted.

XVIII. BOND ISSUE DISCUSSION – Commissioner Garcia made a motion to approve Mayor Combs signing the Interlocal Agreement for Santa Rosa County Resolution 2017-017. The motion was seconded by Commissioner Gable. Mayor Combs, Commissioner Wilton, Commissioner Garcia and Commissioner Gable all voted for the motion. There were no votes against the motion. Attorney Chesser will send a digital copy to the Deputy Clerk.

XIX. CAPITAL IMPROVEMENTS LIST – Prioritize for 2018 Budget
- Commissioner Wilton would like the Tasers to be moved up on the priority list.
- The Meigs pond needs to be cleaned and brought up to standards.
- Administrator Burns will look into whether one of the sign companies can refurbish the sign for less money than the cost of replacement and possibly add a warranty.
- Administrator Burns is going to get a quote from the engineers to see how much it will cost to pave the Town Hall parking lot and add drainage.

XX. SECOND READING OF ORDINANCE 2017-03 – Minor Amendments to General Ordinances – Commissioner Gable made a motion to approve the second reading of Ordinance 2017-03 with changes. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner Garcia and Commissioner Gable all voted for the motion. There were no votes against the motion.

XXI. BUDGET AMENDMENT RESOLUTION 2017-14 – This item was skipped at the April 11, 2017 Meeting because the issue had been discussed during Commissioner McCallister’s report but there was not a motion to approve the resolution. Commissioner Gable made a motion to approve the Budget Amendment Resolution 2017-14 as written. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Wilton, Commissioner Garcia and Commissioner Gable all voted for the motion. There were no votes against the motion.

NEW BUSINESS:
I. ADMINISTRATIVE UPDATE TO GENERAL ORDINANCES AND LAND DEVELOPMENT CODE – RESOLUTION 2017-015 – Commissioner Gable made a motion to pass the Resolution 2017-015 as written. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner Garcia and Commissioner Gable all voted for the motion. There were no votes against the motion.
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

II. TOWN MEDICAL BENEFITS – Administrator Burns is going to request a meeting with the Town of Shalimar Health Insurance Agent Lee Harmon on May 23. Discussion progressed to the changing of Police Department Patrolman Bigner from part-time to full-time hourly. **Commissioner Wilton made a motion to approve Patrolman Bigner to start working full-time hourly at an hourly rate of $14.50. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Gable, Commissioner Wilton and Commissioner Garcia all voted for the motion. There were no votes against the motion.**

IV. FIRST READING OF ORDINANCE 2017-04 – Minor Amendments to the Land Development Code – **Commissioner Gable made a motion to approve the first reading of Ordinance 2017-04 with changes. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner Garcia and Commissioner Gable all voted for the motion. There were no votes against the motion.**

V. WASTE MANAGEMENT (WM) CONTRACT RENEWAL – letter – 2016 rates – 2017 rates – Commissioner Wilton made a motion to approve the renewal request from Waste Management. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Gable, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.

VI. SUPPORTING A HALF-CENT SALE TAX FOR CAPITAL IMPROVEMENTS – RESOLUTION 2017-016 – distribution table – **Commissioner Garcia made a motion to approve Resolution 2017-016 as written. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Gable, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.**

VII. INTERLOCAL AGREEMENT FOR DISTRIBUTION OF LOCAL OPTION GAS TAX – **Commissioner Gable made a motion to approve the Interlocal Agreement. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Gable, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.**

ANNOUNCEMENTS:
- 2017 Ethics Training, May 12, 2017 at 7:30am (flier attached)
- Town Commission Workshop, May 25, 2017 at 6pm
- Planning and Zoning Board Meeting, May 31, 2017 at 6pm
- Town Commission Meeting, June 13, 2017 at 6pm

ADJOURNMENT – **Commissioner Gable made a motion to adjourn the meeting at 8:15 p.m. Commissioner Garcia seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner Gable, and Commissioner Wilton all voted for the motion. There were no votes against the motion.**
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

Jessica Rehr, Deputy Clerk

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:02 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Combs - Present
Mayor Pro - Tem Ricardo Garcia - Present
Commissioner Jerry McCallister - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Attorney Mike Chesser, Police Chief John Cash, Deputy Clerks Tina Smith and Jessica Varner and Tanya Portier.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia reported that the pocket door located between the kitchen and conference room has been added.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister reviewed the 6 month budget vs. actual and the assets reports. At this point, there was discussion about the budget that was passed at the March Commission Meeting. Mayor Combs did not realize that, by voting on the budget, he was voting to add two new full-time employees. The Commissioners agreed that they all understood that the salary sheet shown reflected those two employees going full time starting on 1 April. Mayor Combs asked that, in the future, all full-time employees be added by name.

MAYOR COMBS’ REPORT – Mayor Combs reported that he has been helping all of the departments get organized.

POLICE REPORT – View report. Chief Cash reported that the Sheriff’s Department will be donating two computers. Commissioner Wilton explained that all the Officers are signed up to take a Narcan class that will train the officers how to help someone who has overdosed on opiates.

MAINTENANCE REPORT – Commissioner Garcia had nothing to report.
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

TOWN ADMINISTRATOR REPORT – Administrator Burns had nothing to report.

ATTORNEY'S REPORT – Attorney Mike Chesser had nothing to report.

TOWN RESIDENTS' TIME – There were no residents present.

OLD BUSINESS:
XXII. TOWN COMMISSION MEETING MINUTES – Approval of March 14, 2017 Commission Meeting Minutes. Commissioner Gable made a motion to approve the minutes of the March 14, 2017 meeting as written. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner McCallister, Commissioner Garcia, Commissioner Wilton, and Commissioner Gable all voted for the motion. There were no votes against the motion.

XXIII. CODE ENFORCEMENT ACTIVITY – Administrator Burns reported that the car at 188 Richbourg is now covered by a legal car cover and that the Maintenance Department will possibly have to mow the property again.

XXIV. BOND ISSUE DISCUSSION, RESOLUTIONS 2017-15, 2017-16, 2017-17 – The Bond Representatives were not present and are still preparing their paperwork.

XXV. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-012 - Commissioner Gable made a motion to approve Resolution 2017-012 with corrections. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Garcia, Commissioner Gable, Commissioner McCallister, and Commissioner Wilton all voted for the motion. There were no votes against the motion.

XXVI. FIRST READING OF ORDINANCE 2017-03 – Minor Amendments to General Ordinances. Commissioner Wilton made a motion to approve the first reading of Ordinance 2017-03. The motion was seconded by Commissioner McCallister. Mayor Combs, Commissioner Gable, Commissioner Garcia, Commissioner McCallister, and Commissioner Wilton all voted for the motion. There were no votes against the motion.

NEW BUSINESS:
I. DRAFT OF ORDINANCE 2017-04 – Minor Amendments to the Land Development Code - Administrator Burns is currently working on the draft of Ordinance 2017-04 and will email it to the Commission members before the next Town Commission Meeting.
II. RESOLUTION 2017-010 – Personnel Policy Manual Update - Commissioner Wilton made a motion to approve Resolution 2017-010 with the following amendment: add the words “by name” to the end of the first sentence in Section 2.2.3. The motion was seconded by Commissioner Gable. Mayor Combs, Commissioner McCallister, Commissioner Garcia, Commissioner Gable, and Commissioner Wilton all voted for the motion. There were no votes against the motion.

III. RESOLUTION 2017-011 – Administrative Policy Manual Update - Commissioner Gable made a motion to approve Resolution 2017-011 with the following amendments: In Section 2.7, add the words “Serial numbers” to the list items and in Section 3.1.4, add the sentence, “Any receipt for a credit card which is not forwarded to the Administrator within five working days will be considered an unauthorized purchase and the amount will be taken out of the employee’s pay check.” The motion was seconded by Commissioner McCallister. Mayor Combs, Commissioner Garcia, Commissioner Wilton, Commissioner Gable, and Commissioner McCallister all voted for the motion. There were no votes against the motion.

IV. RESOLUTION 2017-13 – Oppose HB17 and SB1158 - Commissioner Wilton made a motion to approve Resolution 2017-13. The motion was seconded by Commissioner Gable. Mayor Combs, Commissioner Garcia, Commissioner Gable, Commissioner McCallister, and Commissioner Wilton all voted for the motion. There were no votes against the motion.

V. BUDGET AMENDMENT RESOLUTION 2017-14 – This item was skipped as it had been discussed during Commissioner McCallister’s report. This will be carried as old business until addressed.

ANNOUNCEMENTS:
- OCLOC Dinner (hosted by Shalimar), April 13 at 6pm
- Town Commission Workshop, April 25, 2017 at 6pm
- Planning and Zoning Board Meeting, April 26, 2017 at 6pm
- Town Commission Meeting, May 9, 2017 at 6pm
- 2017 Ethics Training, May 12, 2017 at 7:30am (flier attached)

ADJOURNMENT – Commissioner Gable made a motion to adjourn the meeting at 7:49 p.m. Commissioner Garcia seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable, and Commissioner Wilton all voted for the motion. There were no votes against the motion.
TOWN OF SHALIMAR APPROVED MINUTES
PRESENT – 2004
(Note this document is for reference only)

________________________________________  ________________________________
Jessica Varner, Deputy Clerk                  Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:05 p.m. and led Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser (arrived at 6:07), Police Chief John Cash, Town Administrator Tom Burns, Deputy Clerks Tina Smith and Jessica Varner.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing to report.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton gave the Commission a presentation on how much the Police Officer's make in Valparaiso. Commissioner Wilton stated he would like for the Shalimar Police Officers to make up to an equitable hourly rate.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister reviewed the Asset Report and the Budget vs. Actual Report.

MAYOR COMBS’ REPORT – The Mayor reported that he hired Amber Williams to clean the Town Hall every Tuesday for $50.00 a week.

POLICE REPORT – Chief Cash reported that he hired Christian Bigner as a part-time Police Officer.

MAINTENANCE REPORT – Commissioner Garcia gave the Maintenance Report.

TOWN ADMINISTRATOR REPORT – Administrator Burns reported that at the corner of Shalimar Dr. they are going to start building (something) that has to rise 11ft and that will be up to code with the new Land Development code.
ATTORNEY’S REPORT – Attorney Chesser advised Administrator Burns to query the auditors about possibly adding a line item that would include Business Income (storage lot, Bond closings, Snug Harbor parking, etc.) for tax purposes.

TOWN RESIDENTS’ TIME – There were no residents present.

OLD BUSINESS:

XXVII. TOWN COMMISSION MEETING MINUTES – Approval of February 14, 2017 Commission Meeting Minutes. Commissioner Wilton made a motion to approve the February 14, 2017 Town Commission Meeting Minutes. The motion was seconded by Commissioner Ricardo. Mayor Combs, Commissioner Gable, Commissioner McCallister, Commissioner Wilton, Commissioner Ricardo all voted for the motion. There were no votes against the motion.

XXVIII. CODE ENFORCEMENT ACTIVITY – Administrator Burns reported that he would ask Okaloosa County to enforce the owners of the residence at 183 Richbourg to prove occupancy with a Certificate from Okaloosa County.

XXIX. BOND ISSUE DISCUSSION – Administrator Burns asked the Commissioners for authorization to allow Mayor Combs to sign the letters of intent. The 6 old letters were repackaged as 3 new letters but no other changes were made. Commissioner McCallister made a motion to allow Mayor Combs to sign the letters of intent. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner Wilton, Commissioner McCallister all voted for the motion. There were no votes against the motion.

Also, the first annual bond check for the 2015 bond issue was received.

XXX. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-009 Commissioner Wilton made a motion to approve the Resolution 2017-009. The motion was seconded by Commissioner Gable. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Wilton, Commissioner Gable all voted for the motion. There were no votes against the motion.

XXXI. CAPITAL IMPROVEMENTS DISCUSSION (Mayor) The Mayor asked that the Commissioners to send an email to Town Hall stating what improvements they would want for their department. The Mayor would like to get rid of the storage unit, and add a Paypal account. He proposes that we get a credit card machine, to charge none residents to use our Marquee, it would be $5.00 check, $6.00 credit. Commissioner Wilton stated that the Police Department needs to be
expanded and a holding cell needs to be added. The Mayor discussed the ½ Cent Sales Tax, explaining that the Okaloosa County League of Cities would appreciate it if The Commission would consider being on board with the idea.

NEW BUSINESS:
I. Ordinance 2017-03 (Draft) (I CHESSER APPROVED SOMETHING I CAN'T REMEMBER WHAT IT IS)
II. Updated Fines and Fees Chart (add marquee charge and CC fees)
III. Discuss ½ Cent Sales Tax Discussed earlier with Capital Improvement List
IV. 6-month Budget Review – salary proposal – line item changes
   Mayor Combs discussed taking money from the reserves, except for $40,000.00 for the police car, $40,000.00 for the Cherokee Park Reservation and $7,500.00 for OGS Engineering Services. Commissioner McCallister made the motion to pass the 6-month Budget Review. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Gable, Commissioner, Commissioner Garcia all voted for the motion. There were no votes against the motion.

ANNOUNCEMENTS:
- Town Commission Workshop, March 28, 2017 at 6pm
- Planning and Zoning Board Meeting, March 29, 2017 at 6pm
- Town Commission Meeting, April 11 at 6pm
- OCLOC Dinner (hosted by Shalimar), April 13 at 6pm

ADJOURNMENT – Commissioner Wilton made a motion to adjourn the meeting at 7:32 p.m. Commissioner McCallister seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, and Commissioner Wilton, Commissioner Gable all voted for the motion. There were no votes against the motion.

Jessica Varner, Deputy Clerk
Date approved
CALL TO ORDER— Mayor Gary Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Absent

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Police Chief John Cash, Deputy Clerks Tina Smith and Jessica Varner.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT
COMMISSIONER GARCIA’S REPORT – Commissioner Garcia reported that the cop cars are running well and the dumpsters are up to standards. Mayor Combs told Commissioner Garcia to get a proposal together on what needs to be fixed/updated in the Town of Shalimar.

COMMISSIONER WILTON’S REPORT
COMMISSIONER MccALLISTER’S REPORT
MAYOR COMBS’ REPORT
POLICE REPORT – Chief Cash reported that the recent theft at the storage unit in the Town of Shalimar was solved when the items that were stolen was located down LoveJoy road in Fort Walton Beach.
MAINTENANCE REPORT
TOWN ADMINISTRATOR REPORT: Administrator Burns explained that he had to amend the budget because the Town budgeted $35,000 in the previous fiscal year for the library. But the first half of the payment ($17,500) for the library wasn’t paid until the current fiscal year.
ATTORNEY’S REPORT
TOWN RESIDENTS’ TIME

OLD BUSINESS:
XXXII. TOWN COMMISSION MEETING MINUTES – Approval of January 10, 2017 Commission Meeting Minutes. Commissioner Garcia made a motion to approve the minutes of the January 10, 2017 meeting. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner
McCallister, Commissioner Garcia, Commissioner Wilton all voted for the motion. There were no votes against the motion.

XXXIII. CODE ENFORCEMENT ACTIVITY – No outstanding problems

XXXIV. BOND ISSUE DISCUSSION – Administrator Burns asked the Commissioners if they would give Mayor Combs permission to sign the letters of intent. **Commissioner McCallister made a motion to allow Mayor Combs to sign the letters of intent. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner Wilton, Commissioner McCallister all voted for the motion. There were no votes against the motion.**

XXXV. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-008 Commissioner Wilton made a motion to approve the Resolution 2017-008. Commissioner Garcia seconded the motion. Mayor Combs, Commissioner Wilton, Commissioner McCallister, Commissioner Garcia all voted for the motion. There were no votes against the motion.

NEW BUSINESS:

I. CAPITAL IMPROVEMENTS DISCUSSION (Mayor)

Mayor Combs explained what was on the list and what was important to him. He also asked the Commissioners and the Town employees to add what they thought needed to be on the list as well.

Note: Mayor Combs asked Chief Cash to go talk to a resident who lives at the end of Snug Harbor Dr. about a light that’s at the end of his dock. Mayor Combs wants the light to stop shining into his home.

Commissioner Wilton made a motion to terminate Town Employee, Kent Beck, with whatever accrued benefits that are required by law, effective 28 February. Administrative Leave with Pay will begin 15 February. Mr. Beck will have the option to sign a waiver by February 28, that he will waive all legal claims against the Town. If Mr. Beck agrees to sign the waiver, the Commission will pay $11,000 (compensation for salary) and $9,000 (compensation for health insurance). **Commissioner McCallister seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, and Commissioner Wilton all voted for the motion. There were no votes against the motion.**

ANNOUNCEMENTS:

- Planning and Zoning Board Meeting at 6 p.m. February 22, 2017
- Town Commission Workshop at 6 p.m. February 28, 2017

**Note:** It was agreed that the workshop could be canceled unless an issue comes up to discuss.
ADJOURNMENT: Commissioner Garcia made a motion to adjourn the meeting at 6:49 p.m. Commissioner Wilton seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, and Commissioner Wilton all voted for the motion. There were no votes against the motion.
CALL TO ORDER— Mayor Gary Combs called the meeting to order at 6:00 p.m. and led Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Absent

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Police Chief John Cash, Deputy Clerks Tina Smith and Jessica Varner, Mark Pzinski, Amanda Negron and Bryce Trafford with Okaloosa Leadership Group, Beth Brant P.E., (PolyEngineering), Michael McCowen (Time Saver Owner), Angela Balent and Nate Wolbert (Warren Averett).

COMMITTEE REPORTS:
Planning & Zoning Board – See agenda item NEW BUSINESS I.
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable was not present.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia reported that the Maintenance Department has all of the materials to start building the door that will be located between the conference room and the kitchen.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton’s report is part of the agenda.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister had nothing to report.

MAYOR COMBS’ REPORT – Mayor Combs will be participating in a grant writing class February 24th in Tallahassee with Police Chief John Cash.

POLICE REPORT – View

MAINTENANCE REPORT – The Town of Shalimar Maintenance Department is still trimming the palm trees.

TOWN ADMINISTRATOR REPORT –
- Audit Outbrief - Angela Balent from Warren Averett briefed the Commission on the 2016 fiscal year audit. She said there were no accounting changes, did not see any issues and that The Town of Shalimar is in an overall good position.
ATTORNEY'S REPORT – The issue Attorney Mike Chesser has been working on was discussed under New Business I.

TOWN RESIDENTS' TIME – No residents were present.

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES – Approval of December 13, 2016 Town Commission Meeting Minutes. Commissioner Wilton made a motion to approve the minutes from the December 13, 2016 meeting. The motion was seconded by Commissioner McCallister. Mayor Combs, Commissioner Garcia, Commissioner Wilton, Commissioner McCallister all voted for the motion. There were no votes against the motion.

II. CODE ENFORCEMENT ACTIVITY – No outstanding problems

III. BOND ISSUE DISCUSSION – There was no discussion on this. It was tabled at the last meeting awaiting an appraisal from ECH II.

IV. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-007 – One section of Directive 16.01 (Evidence Handling) needs to be reworded. Commissioners Wilton suggested that he and Chief Cash work on it and can be reviewed next month. Resolution 2017-007 was edited to reflect the omission of Directive 16.01. Commissioner Wilton made a motion to approve Resolution 2017-007. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Wilton, Commissioner McCallister and Commissioner Garcia all voted for the motion. There were no votes against the motion.

V. RICHBOURG SCHOOL PROPERTY – Letter for consideration. There was some discussion about the attached letter. Mayor Combs asked the Commission if they wanted to continue pursuing this issue and they agreed that it should be dropped. Mayor Combs stated that he would drop it for now but if there are any new issues, he will bring it up again. Commissioner Garcia and Commissioner Wilton agreed that it’s the best case scenario when dealing with the School Board.

NEW BUSINESS:
I. PLANNING AND ZONING RECOMMENDATION FOR TIME SAVER PROPERTY
Mike McCowen, the Owner of Time Saver, explained that he has moved the dumpster and agreed to sign the agreement to allow the Town to pave the easement and install an irrigation system. He asked if the Commission would allow him two weeks to find a competitive quote for the concrete driveway. The Mayor suggested that he attempt to negotiate with Floridian Construction and Development, Inc. Mr. McCowen stated he would be attending the meeting with the Engineer and Contractor tomorrow. He also explained that the boat that is located on the Time Saver property will be moved in two weeks.
There were three Okaloosa Leadership Group members at the Commission Meeting who are doing a class presentation on Shalimar and Mayor Combs briefed them on the history of the Town of Shalimar and the services the Town provides.

ANNOUNCEMENTS:
- January 19, 2017 – OCLOC Dinner hosted by Niceville
- January 24, 2017 – 6 p.m. – Town Commission Workshop
- January 25, 2017 – 6 p.m. – Planning & Zoning Board Meeting

Note: It was agreed that the workshop could be canceled unless an issue comes up to discuss.

ADJOURNMENT: Commissioner Garcia made a motion to adjourn the meeting at 6:49 p.m. Commissioner Wilton seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, and Commissioner Wilton all voted for the motion. There were no votes against the motion.

____________________________________
Jessica Varner, Deputy Clerk

________________________
Date approved
Town of Shalimar
Planning and Zoning Board Meeting
December 28, 2016

CALL TO ORDER – Chairman Henderson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG – Chairman Henderson led the Pledge of Allegiance to the flag.

ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Absent
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT – Town Administrator Tom Burns, Deputy Clerk Jessica Varner, and Tina Smith.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE MAY 4, 2016 P & Z BOARD MEETING – Member Morgan moved to approve the minutes from the May 4, 2016 P & Z Board Meeting as written. The motion was seconded by Member Clements and passed unanimously.

NEW BUSINESS:
I. TIME SAVER CODE ENFORCEMENT REVIEW AND RECOMMENDATION – Town Administrator Tom Burns went through the drawing and pictures. He stated that he has started the Code Enforcement Process by sending a certified letter to the owner of the Time Saver. The current property is not in compliance with Shalimar’s Land Development Code; the property owner is required to maintain a Commercial Driveway. They are also required to put their dumpster on a paved pad with a surround barrier.

The 3 sidewalk RFP bid line items for Time Saver include adding a dumpster pad, fixing the driveway where it would be 6” thick on one side of the sidewalk and fixing the driveway where it would be 10” thick on the road side of the sidewalk.

Member Morgan moved to recommend to the Town Commission that they rebuild the dumpster pad, lay the concrete for both parts of the driveway and the sidewalk, and put a lien on the property for the work done. The motion was seconded by Member Clements. Some of the Board members discussed their uneasiness at going through with the project and possibly losing that money. Putting a lien on the property is an option and Administrator Burns stated that they will ask Town Attorney Mike Chesser if the Town’s lien would have any sort of priority.
After the discussion, a vote was called. **Members Morgan and Clements voted yay while Chairman Henderson and Member Daniels voted nay. The motion did not pass.**

**Member Daniels moved to recommend to the Town Commission to remove the dumpster, lay the sidewalk, and assess a fine to the property owner of $250 per day with a cap of $10,300. Chairman Henderson seconded the motion.**

Chairman Henderson stated that it makes sense to do all of the work at one time but he is still concerned that if the owner files for bankruptcy, the Town would lose that money. **Chairman Henderson moved to amend the original motion by striking out the fine cap of $10,300 and raising it to $20,000 and adding that a lien for the fine be placed on the property if it is not paid.**

After more discussion, Member Morgan asked if the board would consider including his original motion in with the recommendation as a secondary option.

**Commissioner Henderson agreed that Member Morgan’s original motion could be included in the recommendation as a secondary option.**

The motion with all amendments was read back to recommend to the Town Commission to remove the dumpster, lay the sidewalk, and assess a fine to the property owner of $250 per day with a cap of $10,300. Chairman Henderson seconded the motion. Chairman Henderson moved to amend the original motion by striking out the fine cap of $10,300 and raising it to $20,000 and adding that a lien for the fine be placed on the property if it is not paid. It was also added that the board’s original motion be included as a secondary option. A secondary recommendation to the Town Commission is to rebuild the dumpster pad, lay the concrete for both parts of the driveway and the sidewalk, and put a lien on the property for the work done.

**The motion was seconded by Member Clements and passed unanimously.**

ANNOUNCEMENTS:
January 10, 2017 - Town Commission - 6:00 p.m.
January 24, 2017 - Town Commission Workshop - 6:00 p.m.
January 25, 2017 - Planning and Zoning Board Meeting - 6:00 p.m.

**ADJOURNMENT – Member Clements made a motion to adjourn the meeting at 6:48. Member Morgan seconded the motion and it passed unanimously.**
CALL TO ORDER – Chairman Henderson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG – Chairman Henderson led the Pledge of Allegiance to the flag.

4.1 ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Absent
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT – Town Administrator Tom Burns, Deputy Clerk Jessica Varner, and Tina Smith.

4.2 OLD BUSINESS:
I. APPROVE MINUTES FROM THE MAY 4, 2016 P & Z BOARD MEETING – Member Morgan moved to approve the minutes from the May 4, 2016 P & Z Board Meeting as written. The motion was seconded by Member Clements and passed unanimously.

NEW BUSINESS:
I. TIME SAVER CODE ENFORCEMENT REVIEW AND RECOMMENDATION – Town Administrator Tom Burns went through the drawing and pictures. He stated that he has started the Code Enforcement Process by sending a certified letter to the owner of the Time Saver. The current property is not in compliance with Shalimar’s Land Development Code; the property owner is required to maintain a Commercial Driveway. They are also required to put their dumpster on a paved pad with a surround barrier.

The 3 sidewalk RFP bid line items for Time Saver include adding a dumpster pad, fixing the driveway where it would be 6” thick on one side of the sidewalk and fixing the driveway where it would be 10” thick on the road side of the sidewalk.

Member Morgan moved to recommend to the Town Commission that they rebuild the dumpster pad, lay the concrete for both parts of the driveway and the sidewalk, and put a lien on the property for the work done. The motion was seconded by Member Clements. Some of the Board members discussed their uneasiness at going through with the project and possibly losing that money. Putting a lien on the property is an option and Administrator Burns...
stated that they will ask Town Attorney Mike Chesser if the Town’s lien would have any sort of priority.

After the discussion, a vote was called. Members Morgan and Clements voted yay while Chairman Henderson and Member Daniels voted nay. The motion did not pass.

4.3 **Member Daniels moved to recommend to the Town Commission to remove the dumpster, lay the sidewalk, and assess a fine to the property owner of $250 per day with a cap of $10,300. Chairman Henderson seconded the motion.**

Chairman Henderson stated that it makes sense to do all of the work at one time but he is still concerned that if the owner files for bankruptcy, the Town would lose that money. **Chairman Henderson moved to amend the original motion by striking out the fine cap of $10,300 and raising it to $20,000 and adding that a lien for the fine be placed on the property if it is not paid.**

After more discussion, Member Morgan asked if the board would consider including his original motion in with the recommendation as a secondary option.

4.4 **Commissioner Henderson agreed that Member Morgan’s original motion could be included in the recommendation as a secondary option.**

The motion with all amendments was read back **to recommend to the Town Commission to remove the dumpster, lay the sidewalk, and assess a fine to the property owner of $250 per day with a cap of $10,300. Chairman Henderson seconded the motion. Chairman Henderson moved to amend the original motion by striking out the fine cap of $10,300 and raising it to $20,000 and adding that a lien for the fine be placed on the property if it is not paid. It was also added that the board’s original motion be included as a secondary option. A secondary recommendation to the Town Commission is to rebuild the dumpster pad, lay the concrete for both parts of the driveway and the sidewalk, and put a lien on the property for the work done.**

The motion was seconded by Member Clements and passed unanimously.

**ANNOUNCEMENTS:**

January 10, 2017 - Town Commission - 6:00 p.m.

January 24, 2017 - Town Commission Workshop - 6:00 p.m. January 25, 2017 - Planning and Zoning Board Meeting - 6:00 p.m.

4.5 **Adjournment – Member Clements made a motion to adjourn the meeting at 6:48. Member Morgan seconded the motion and it passed unanimously.**
CALL TO ORDER - Chairman Henderson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Chairman Henderson led the pledge of allegiance to the flag.

4.6 ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Absent
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT - Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, and Dan Brown from Friends of the Shalimar Library.

4.7 OLD BUSINESS:
I. APPROVE THE JANUARY 27, 2016 P & Z BOARD MEETING - Member Morgan made a motion to approve the minutes. Member Clements seconded the motion and it was unanimously approved.

NEW BUSINESS:
I. LIBRARY DEVELOPMENT ORDER – Technical Review Board report, Landscaping plan – Administrator Burns reported that Mr. Brown and the Friends of the Shalimar Library had come to the Town Commission Workshop and made a presentation requesting to lease the Town property on Richbourg Avenue. At the April meeting the Town Commission approved leasing the property to the Shalimar Library for $5000 per year for 20 years and the building will revert to the Town at the end of the lease.

Mr. Brown hopes to have the ground-breaking for the library by the end of May. They need to be in the building by October 15, 2016 which is when their lease expires at their present location.

Member Morgan asked about the drainage plan. Administrator Burns reported that the drainage plan had been updated to the present code for a 100-year storm event.

Chairman Henderson said that the lot was over populated with trees and many will need to be removed. He said that it may be possible to save four of the Live Oak trees. Mr. Brown said that they would save as many trees as possible. The large (20-inch diameter) Live Oak in the back will be saved. The landscaper is recommending replacing the lost trees with Crepe Myrtles. After a discussion, Chairman Henderson suggested that Administrator Burns and the Friends of the Shalimar Library agree on a landscaping plan the Town Commission will accept.
4.8 After further discussion Member Morgan made a motion to recommend to the Town Commission approval of a Development Order per plans dated May 4, 2016, as submitted by Choctaw Engineering, contingent upon receipt of the Fire Marshall’s review, receipt of an electronic copy of the plans, final submission of the landscape plan, and approval of the concurrency plan by OCWS. He further moved that a variance be granted to allow trees to be non-canopy and no less than 14 in number. Member Daniels seconded the motion and the motion passed unanimously.

ANNOUNCEMENTS:

May 10, 2016 – Town Commission - 6:00 p.m.
May 31, 2016 – Town Commission Workshop - 6:00 p.m.
May 25, 2016 – Planning and Zoning Board Meeting - 6:00 p.m.

4.9 Adjournment: Member Morgan made a motion to adjourn the meeting at 7:00. Member Daniels seconded the motion and it passed unanimously.
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. and led Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Police Chief John Cash, The Deputy Clerk’s Tina Smith, Jessica Varner.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing to report.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister reported that he and Administrator Burns will meet with the auditors tomorrow to receive the outbrief.

MAYOR COMBS’ REPORT – Mayor Combs relayed that he met the new Part-time Police Officer, Carlos Jones. Chief Cash gave some background on Officer Jones and Mayor Combs stated that he is also knowledgeable on Okaloosa County Codes as he is currently a Code Enforcement Officer.
is waiting to see what happens with the Bond Issue before researching investment options for the money.  
- Administrator Burns asked the Commission if he could change Clayton Burns’ status from Part-time hourly to Full-time hourly. No one on the Commission had an objection to this.  
- Chief Cash asked if he could sell back 90 hours of annual leave. Also, Administrator Burns would like to sell back 80 hours.  

**Commissioner Wilton moved to allow Chief Cash to sell back 90 hours of annual leave and Administrator Burns to sell back 80 hours of annual leave. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.**  
- Also, the policy for the Snug Harbor parking spaces will be changed after April 2017. Currently, there are 4 residents who have 2 spaces and 4 people on the waiting list for one spot. Administrator Burns will make the adjustments during the next billing cycle. He will let 3 of the residents with 2 spaces know that they will have to give up their second parking spot. The 4th resident paid for 2 years so they will be allowed to keep their second spot for one additional year. He will also notify those on the waiting list.  
Mayor Combs stated that, if necessary, the Town could give up one spot in the boat trailer storage lot. All storage lots will be billed annually on 1 April each year.  

**ATTORNEY’S REPORT** – Attorney Chesser reported that all Shalimar Ordinances except the Building Codes apply to the Meigs Middle School property. Administrator Burns said he would write a letter to inform the Okaloosa County School Board of Ordinance applicability but the Commission agreed that he should hold off until the Richbourg vacant public parking lots issue is resolved. Mayor Combs asked if Attorney Chesser could talk to the School Board Attorney, Jeff McInnis, and find out if the School Board would be willing to lease the property to the Town. The Town would continue to use those lots for general public parking and fence it off the rear boundary to protect that use.  

**TOWN RESIDENTS’ TIME** – No residents were present.  

**OLD BUSINESS:**  

XXXVI. TOWN COMMISSION MEETING MINUTES – Approval of November 8, 2016 Town Commission Meeting Minutes. Commissioner Gable had a few minor changes to the minutes.  

Commissioner Gable made a motion to approve the minutes from the November 8, 2016 meeting with changes. The motion was seconded by Commissioner McCallister, Mayor Combs, Commissioner Gable, Commissioner Gable, Commissioner McCallister, Mayor Combs, Commissioner Gable, Commissioner McCallister, and Commissioner Gable.
and Commissioner Wilton all voted for the motion. There were no votes against the motion.

XXXVII. CODE ENFORCEMENT ACTIVITY – There is a contractor vehicle parked at Dewrell’s office on 7 Clifford. Administrator Burns stated that he will contact the owner and find out the situation. Also, Chief Cash talked to the Dollar General and they've made significant improvements.

XXXVIII. BOND ISSUE DISCUSSION – There was no discussion on this. It was tabled at the last meeting awaiting an appraisal from ECH II but the appraisal isn’t in yet. Attorney Chesser talked to Mike Kent who said that the appraisal should be received today. The Commission could have a special meeting the last week of December if necessary.

XXXIX. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-006 – There were only two minor changes made to Directive 17.22. Commissioner Gable moved to approve Resolution 2017-006 with the changes. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.

NEW BUSINESS:
I. OLD FERRY ROAD ENGINEERING PROJECT BIDS – Administrator Burns went over the 4 engineering bids opened on November 18. He has attempted to contact the owner of Time Saver about the driveway and dumpster portions of the bid. These three line items are to be paid by Time Saver. The Town has heard nothing back from the owner of Time Saver. Administrator Burns will send a certified letter to the owner of Time Saver to begin the Code Enforcement Process to address these three line items. The bids were narrowed down to the 2 lowest bids; Champion Contractors and Floridian Construction. After speaking with the supplied references, Floridian Construction (being DOT-certified) appeared to have more experience with this type of job. Commissioner McCallister moved to hire Floridian Construction and Development Company, Inc. to do our part of the job. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion. Administrator Burns asked if the Commission would give Mayor Combs permission to sign the contract if there are any changes such as removing the fee for Time Saver’s line items or adding a Performance Bond if that’s necessary.
Commissioner McCallister amended his original motion to allow for Mayor Combs to sign the contract. The motion was seconded by Commissioner Gable. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.

ANNOUNCEMENTS:
- December 25, 2016 – all day – Christmas
- December 26, 2016 – all day – Christmas observed, Town Hall closed
- January 10, 2017 – 6:00 p.m. – Town Commission Meeting
- January 19, 2017 – OCLOC Dinner hosted by Niceville

ADJOURNMENT – Commissioner Garcia made motion to adjourn meeting at 7:00 p.m. Commissioner Gable seconded motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.

Tina Smith, Deputy Clerk  Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

1.1.1.1 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Police Chief John Cash, The Deputy Clerk’s Tina Smith, Jessica Varner.

1.1.1.2 COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing to report.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister reported that he and Administrator Burns will meet with the auditors tomorrow to receive the outbrief.

MAYOR COMBS’ REPORT – Mayor Combs relayed that he met the new Part-time Police Officer, Carlos Jones. Chief Cash gave some background on Officer Jones and Mayor Combs stated that he is also knowledgeable on Okaloosa County Codes as he is currently a Code Enforcement Officer.
POLICE REPORT – View [here](#). Everyone read the police report. Chief Cash confirmed that Officer Jones is already certified as a Police Officer. Mayor Combs met with another potential Part-time officer and asked Commissioner Wilton to consider hiring him.
Commissioner McCallister stated that there is a vehicle parked on the right-of-way on Brande Court and a Basketball goal on the road on Mande Court. Chief Cash will contact both residents.

**MAINTENANCE REPORT** – The Town of Shalimar has upgraded its network and now has faster and better wi-fi connection.

**TOWN ADMINISTRATOR REPORT** – View [Budget vs. Actual](#) and [Asset](#) Report
- The Town is still waiting on the check from ECH II. Administrator Burns is waiting to see what happens with the Bond Issue before researching investment options for the money.
- Administrator Burns asked the Commission if he could change Clayton Burns’ status from Part-time hourly to Full-time hourly. No one on the Commission had an objection to this.
- Chief Cash asked if he could sell back 90 hours of annual leave. Also, Administrator Burns would like to sell back 80 hours. **Commissioner Wilton moved to allow Chief Cash to sell back 90 hours of annual leave and Administrator Burns to sell back 80 hours of annual leave. The motion was seconded by Commissioner Garcia, Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.**
- Also, the policy for the Snug Harbor parking spaces will be changed after April 2017. Currently, there are 4 residents who have 2 spaces and 4 people on the waiting list for one spot. Administrator Burns will make the adjustments during the next billing cycle. He will let 3 of the residents with 2 spaces know that they will have to give up their second parking spot. The 4th resident paid for 2 years so they will be allowed to keep their second spot for one additional year. He will also notify those on the waiting list. Mayor Combs stated that, if necessary, the Town could give up one spot in the boat trailer storage lot. All storage lots will be billed annually on 1 April each year.

**ATTORNEY'S REPORT** – Attorney Chesser reported that all Shalimar Ordinances except the Building Codes apply to the Meigs Middle School property. Administrator Burns said he would write a letter to inform the Okaloosa County School Board of Ordinance applicability but the Commission agreed that he should hold off until the Richbourg vacant public parking lots issue is resolved. Mayor Combs asked if Attorney Chesser could talk to the School Board Attorney, Jeff McInnis, and find out if the School Board would be willing to lease the property to the Town. The Town would continue to use those lots for general public parking and fence it off the rear boundary to protect that use.
TOWN RESIDENTS’ TIME – No residents were present.

1.1.1.3 OLD BUSINESS:

I. TOWN COMMISSION MEETING MINUTES – Approval of November 8, 2016 Town Commission Meeting Minutes. Commissioner Gable had a few minor changes to the minutes. Commissioner Gable made a motion to approve the minutes from the November 8, 2016 meeting with changes. The motion was seconded by Commissioner McCallister. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.

II. CODE ENFORCEMENT ACTIVITY – There is a contractor vehicle parked at Dewrell’s office on 7 Clifford. Administrator Burns stated that he will contact the owner and find out the situation. Also, Chief Cash talked to the Dollar General and they’ve made significant improvements.

III. BOND ISSUE DISCUSSION – There was no discussion on this. It was tabled at the last meeting awaiting an appraisal from ECH II but the appraisal isn’t in yet. Attorney Chesser talked to Mike Kent who said that the appraisal should be received today. The Commission could have a special meeting the last week of December if necessary.

IV. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-006 – There were only two minor changes made to Directive 17.22. Commissioner Gable moved to approve Resolution 2017-006 with the changes. The motion was seconded by Commissioner Wilton, Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.

NEW BUSINESS:

I. OLD FERRY ROAD ENGINEERING PROJECT BIDS – Administrator Burns went over the 4 engineering bids opened on November 18. He has attempted to contact the owner of Time Saver about the driveway and dumpster portions of the bid. These three line items are to be paid by Time Saver. The Town has heard nothing back from the owner of Time Saver. Administrator Burns will send a certified letter to the owner of Time Saver to begin the Code Enforcement Process to address these three line items. The bids were narrowed down to the 2 lowest bids; Champion Contractors and
Floridian Construction. After speaking with the supplied references, Floridian Construction (being DOT-certified) appeared to have more experience with this type of job. **Commissioner McCallister moved to hire Floridian Construction and Development Company, Inc. to do our part of the job. The motion was seconded by Commissioner Garcia, Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.**

Administrator Burns asked if the Commission would give Mayor Combs permission to sign the contract if there are any changes such as removing the fee for Time Saver’s line items or adding a Performance Bond if that’s necessary.

1.1.1.4 **Commissioner McCallister amended his original motion to allow for Mayor Combs to sign the contract. The motion was seconded by Commissioner Gable, Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.**

**ANNOUNCEMENTS:**

- December 25, 2016 – all day – Christmas
- December 26, 2016 – all day – Christmas observed, Town Hall closed
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1.1.1.5 **ADJOURNMENT – Commissioner Garcia made motion to adjourn meeting at 7:00 p.m. Commissioner Gable seconded motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.**
SHALIMAR POLICE DEPARTMENT
JOHN E. CASH, POLICE CHIEF

Monthly Activity Report
November 9th, 2016 - December 13, 2016

Summary:

The Police Department continues to concentrate on neighborhood patrol, traffic enforcement, and community relations. All shifts, officer(s) are checking businesses and houses to ensure all are secure. Walking patrols are conducted each shift. Had 40 calls for service to include dispatched and self-initiated calls.

Action Items for next month/update from previous month:
- Met with Commissioner Wilton each week for debrief of the week.
- Continue work on Police Department Directives.
- Performance evaluations will be completed by 31 Dec. 2016 on each officer.
- Heslep has left the department to join the Fort Walton Beach Police Department.
- Hired a new part-timer, Carlos Jones. He will be trained by the Chief and Spohn. Looking to hire another part-timer soon as interviews can be scheduled.

Crime Update: Chief Cash arrested a female on Richbourg for drug possession. Spohn assisted.

Action Plan: Continue to be vigilant while on patrol to include code enforcement violations.

Vehicles: 11-02 needs a new battery. The patrol vehicle isn’t being utilized, will purchase this week.

Chief of Police

4.10.1 JOHN E. CASH
## General Fund
### Profit & Loss Budget vs. Actual
#### FY 2013

**Accrual Basis**

<table>
<thead>
<tr>
<th>Category</th>
<th>Oct '16 - Sep...</th>
<th>Budget</th>
<th>$ Over Budget</th>
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<tr>
<td><strong>Ordinary Income/Expense Income</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>311-001 · Current Ad Valorem Taxes</td>
<td>30,170.60</td>
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<td>314 · Utility Service</td>
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<td>314-100 · Util Srv Gulf Power</td>
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<td>320 · Licenses and Permits</td>
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<td>321-001 · Prof &amp; Ocean Licences</td>
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<td>321-402 · Contractors License</td>
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<td>1,800.00</td>
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<td>322-000 · Building Permits</td>
<td>240.00</td>
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<td><strong>Total 320 · Licenses and Permits</strong></td>
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<td>323 · Franchise Fees</td>
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<td>323-100 · Franchise Fee Gulf Power</td>
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<td>323-400 · Franchise Fee Okal. Gas</td>
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<td>323-700 · Franchise Fee Solid Waste</td>
<td>708.24</td>
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<td><strong>Total 323 · Franchise Fees</strong></td>
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<td>50,500.00</td>
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<td>334-200 · L &amp; F State Grant</td>
<td>940.96</td>
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<td>335-190 · State HWY Lighting Comp.</td>
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<td>335-191 · Traffic Light maintenance</td>
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<td>6,000.00</td>
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<td>335-190 · State HWY Lighting Comp. - Other</td>
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<td>12,000.00</td>
<td>-12,000.00</td>
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<td><strong>Total 335-190 · State HWY Lighting Comp.</strong></td>
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<td>18,000.00</td>
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<td>335 · Intergovernmental Revenue</td>
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<td>335-120 · State Rev. Sharing/St.Cig.Taxes</td>
<td>1,766.69</td>
<td>70,000.00</td>
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<td>335-140 · FL Mobilehome Lic</td>
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<td>335-150 · Alcoholic Beverage Tax</td>
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<td>335-180 · Local 1/2 Cent Sales Tax</td>
<td>12,788.00</td>
<td>62,000.00</td>
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<td><strong>Total 335 · Intergovernmental Revenue</strong></td>
<td>15,594.26</td>
<td>82,500.00</td>
<td>-66,905.74</td>
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<td>338-000 · Mun share County Occ Lcn</td>
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<td>500.00</td>
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<td>341-004 · Cert/Copy/Record Search</td>
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<td>100.00</td>
<td>-100.00</td>
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<td>344-900 · DOT Maintenance Contract</td>
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<td>351-000 · Court Fines</td>
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<td>351-002 · Police seizures 351-000·Court Fines · Other</td>
<td>358.34</td>
<td>10,000.00</td>
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<td><strong>Total 351-000 · Court Fines</strong></td>
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<td>361-000 · Interest Earnings</td>
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<td>369-000 · Other Misc Revenues</td>
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<td>Sale of property</td>
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<td>369-400 · Bond Issu</td>
<td>1,880.17</td>
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<tr>
<td>369-000 · Other Misc Revenues - Other</td>
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<td>5,000.00</td>
<td>-3,119.83</td>
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<td><strong>Total 369-000 · Other Misc Revenues</strong></td>
<td>1,880.17</td>
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<td><strong>Total Income</strong></td>
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<td>Contingency</td>
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<tr>
<td>Payroll Expenses</td>
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Total 128,216.37

Expense

Contingency

Payroll Expenses

Page 1
Gross Wages
Salary
## Total Gross Wages

| Payroll Expenses - Other | 2,758.07 | 2,758.07 |

## Total Payroll Expenses

| 2,758.07 | 2,758.07 |

## Payroll Taxes FICA

| Medicare | 3,402.04 | 3,402.04 |
| 795.64 | 795.64 |

## Total Payroll Taxes

| 4,197.68 | 4,197.68 |

### 513 · Financial & Admin.

| 513-121 · FA Salary | 10,514.34 | 97,000.00 | 86,485.66 |
| 513-122 · FA Bonus | 2,605.00 | 15,000.00 | 12,400.00 |
| 513-123 · FA hourly wage | 4,724.64 | 15,000.00 | 10,275.36 |
| 513-220 · FA Ret. Contribution | 3,740.26 | 1,000.00 | 1,000.00 |
| 513-320 · Accounting & Auditing | 13,200.00 | 13,250.00 | 50.00 |

## Total 513 · Financial & Admin.

| 34,784.24 | 126,250.00 | 91,465.76 |

### 514-310 · City Attorney Fees

| 2,250.00 | 15,000.00 | 12,750.00 |

### 516-001 · Municipal Code

### 519 · Other Government Services

| 519-310 · OGS Engineering Services | 2,378.00 | 3,000.00 | 7,288.00 |
| 519-340 · Other Contractual Services | 1,500.00 | 1,500.00 | 1,500.00 |
| 519-410 · OGS Communications(Phone) | 562.70 | 3,500.00 | 2,937.30 |
| 519-411 · OGS Postage/Freight | 50.77 | 500.00 | 449.23 |
| 519-430 · OGS Utility Services | 2,074.43 | 8,000.00 | 5,925.57 |
| 519-440 · OGS Rentals & Leases/Copy Mach. | 384.18 | 2,200.00 | 1,815.82 |
| 519-450 · OGS Insurance/GenLib/Prop | 21,000.00 | 21,000.00 | 21,000.00 |
| 519-461 · OGS Repairs & Maint-Equip. | 47.63 | 200.00 | 152.37 |
| 519-462 · OGS Building Repair/Maint | 6,547.72 | 1,500.00 | 5,047.72 |
| 519-480 · OGS Promotional Activity | 976.00 | 3,500.00 | 2,524.00 |
| 519-481 · OGS Legal Advertising | 3,019.80 | 1,800.00 | 1,219.80 |
| 519-490 · OGS Other Curr. Chgs/Obl. | 216.50 | 500.00 | 283.50 |
| 519-491 · OGS Election Expense | 2,250.00 | 15,000.00 | 12,750.00 |
| 519-492 · Bank Service Charge | 30.38 | 30.38 |
| 519-510 · OGS Office Supplies | 530.06 | 1,200.00 | 669.94 |
| 519-520 · OGS Operating Supplies | 162.31 | 1,000.00 | 837.69 |
| 519-540 · OGS Books/Subs/Pub/Memb. | 1,133.97 | 1,000.00 | 133.97 |
| 519-630 · OGS Imp. other than Bldg | 17,515.00 | | |
| 519-640 · OGS Machinery & Equipment | 3,709.05 | 3,600.00 | 109.05 |

## Total 519 · Other Government Services

| 42,749.40 | 55,500.00 | 12,750.60 |

### 521 · Law Enforcement

| 521-121 · LEF Salaries & Wages | 19,378.27 | 180,000.00 | 160,621.73 |
| 521-122 · LEF Bonus | 4,641.00 | | |
| 521-132 · LEF Hourly Wages | 4,641.00 | | |
| 521-230 · LEF Life & Health Ins. | | | |
| 521-231 · LEF HSA contribution | 70.00 | | |
| 521-230 · LEF Life & Health Ins. - Other | 1,880.52 | 1,880.52 |

## Total 521-230 · LEF Life & Health Ins.

| 1,950.52 | 1,950.52 |

### 521-241 · LEF Worker's Comp Ins.

| 4,000.00 | 4,000.00 |

### 521-400 · Travel & Per Diem

| 1,000.00 | 1,000.00 |

### 521-401 · LEF Education/Training

| 1,500.00 | 1,500.00 |

### 521-410 · LEF Communication Services

| 697.80 | 3,500.00 | 2,802.20 |

### 521-411 · LEF Postage/Freight

| 200.00 | -200.00 |

### 521-461 · LEF Rep/Maint Equipment

<p>| 400.00 | -400.00 |</p>
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<tr>
<th>Description</th>
<th>Amount</th>
<th>Original</th>
<th>Adjusted</th>
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<td>521-462 · LEF Rep/Maint-Comm Equip</td>
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<tr>
<td>521-463 · LEF Rep/Maint Vehicles</td>
<td>427.86</td>
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<td>521-510 · LEF Office Supplies</td>
<td>500.00</td>
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<td>521-521 · LEF Fuel &amp; Lubricants</td>
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<td>521-522 · LEF Uniforms</td>
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<td>521-529 · LEF Other Operating Exp</td>
<td>500.00</td>
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<td>521-540 · LEF Books/Sub/Sub/Memb</td>
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<td>521-640 · LEF Machinery &amp; Equipment</td>
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<td>521-641 · LEF State Grant</td>
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<td>521-642 · Police Vehicle 2004</td>
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<td>539 · Physical Environment</td>
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<td>539-121 · PHY Salaries</td>
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<tr>
<td>539-230 · PHY Life &amp; Health Ins.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>539-231 · PHY HSA contribution</td>
<td>499.18</td>
<td></td>
<td>499.18</td>
</tr>
<tr>
<td>539-230 · PHY Life &amp; Health Ins. - Other</td>
<td>1,761.76</td>
<td></td>
<td>1,761.76</td>
</tr>
<tr>
<td><strong>Total 539-230 · PHY Life &amp; Health Ins.</strong></td>
<td>2,260.94</td>
<td></td>
<td>2,260.94</td>
</tr>
<tr>
<td>539-241 · PHY Worker's Comp Ins.</td>
<td></td>
<td>2,000.00</td>
<td>-2,000.00</td>
</tr>
<tr>
<td>539-340 · PHY Animal Control(PAWS).</td>
<td></td>
<td>400.00</td>
<td>-400.00</td>
</tr>
<tr>
<td>539-440 · PHY Rental</td>
<td></td>
<td>600.00</td>
<td>-600.00</td>
</tr>
<tr>
<td>539-460 · PHY Repair/Maint Equipment</td>
<td>5,301.84</td>
<td>2,500.00</td>
<td>2,801.84</td>
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<tr>
<td>539-461 · PHY Repair/Maint Other.</td>
<td>1,203.45</td>
<td>5,000.00</td>
<td>-3,796.55</td>
</tr>
<tr>
<td>539-462 · PHY Beautification.</td>
<td>85.15</td>
<td>600.00</td>
<td>-514.85</td>
</tr>
<tr>
<td>539-490 · PHY Worker's Comp Ins.</td>
<td></td>
<td>98.00</td>
<td></td>
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<tr>
<td>539-521 · PHY Fuel &amp; Lubricants</td>
<td>546.49</td>
<td>3,000.00</td>
<td>-2,453.51</td>
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<tr>
<td>539-522 · PHY Uniforms</td>
<td>428.28</td>
<td>700.00</td>
<td>-271.72</td>
</tr>
<tr>
<td>539-523 · PHY Small Tools</td>
<td>162.42</td>
<td>1,000.00</td>
<td>-837.58</td>
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<tr>
<td>539-529 · PHY Other Operating Supplies</td>
<td>40.30</td>
<td>600.00</td>
<td>-559.70</td>
</tr>
<tr>
<td>539-640 · Machinery and Equipment</td>
<td>579.00</td>
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<td>579.00</td>
</tr>
<tr>
<td><strong>Total 539 · Physical Environment</strong></td>
<td>23,037.08</td>
<td>109,400.00</td>
<td>-86,362.92</td>
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<tr>
<td>541 · Transportation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>541-431 · Traffic Lights</td>
<td>72.30</td>
<td>500.00</td>
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<td>541-432 · Street Lights.</td>
<td>2,300.56</td>
<td>14,000.00</td>
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<td>541-461 · Traffic Light Maintenance.</td>
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<td>12,000.00</td>
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<tr>
<td>541-462 · Street Maintenance.</td>
<td>341.48</td>
<td>9,000.00</td>
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<td><strong>Total 541 · Transportation</strong></td>
<td>2,714.34</td>
<td>35,500.00</td>
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<td><strong>Total Expenses</strong></td>
<td>145,914.00</td>
<td>585,200.00</td>
<td>-439,285.10</td>
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<tr>
<td><strong>Net Ordinary Income</strong></td>
<td>17,698.53</td>
<td></td>
<td>17,698.53</td>
</tr>
<tr>
<td><strong>Net Income</strong></td>
<td>-17,698.53</td>
<td></td>
<td>-17,698.53</td>
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</tbody>
</table>
### Ordinary Income/Expense

#### Income

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>311-001</td>
<td>Current Ad Valorem Taxes</td>
<td>16.3%</td>
</tr>
<tr>
<td>312-400</td>
<td>Local Option Gas Tax</td>
<td>30.2%</td>
</tr>
<tr>
<td>314</td>
<td>Utility Service</td>
<td></td>
</tr>
<tr>
<td>314-100</td>
<td>Util Srv Gulf Power</td>
<td>38.7%</td>
</tr>
<tr>
<td>314-300</td>
<td>Util Srv Okaloosa County</td>
<td>29.7%</td>
</tr>
<tr>
<td>314-400</td>
<td>Util Srv Okaloosa Gas</td>
<td>13.0%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 314 · Utility Service</strong></td>
<td>34.7%</td>
</tr>
<tr>
<td>315-000</td>
<td>Communications Revenue Sharing</td>
<td>27.0%</td>
</tr>
<tr>
<td>320</td>
<td>Licenses and Permits</td>
<td></td>
</tr>
<tr>
<td>321-001</td>
<td>Prof &amp; Occup License</td>
<td>14.1%</td>
</tr>
<tr>
<td>321-002</td>
<td>Contractors License</td>
<td>20.8%</td>
</tr>
<tr>
<td>322-000</td>
<td>Building Permits</td>
<td>20.0%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 320 · Licenses and Permits</strong></td>
<td>15.4%</td>
</tr>
<tr>
<td>323</td>
<td>Franchise Fees</td>
<td></td>
</tr>
<tr>
<td>323-100</td>
<td>Franchise Fee Gulf Power</td>
<td>36.5%</td>
</tr>
<tr>
<td>323-400</td>
<td>Franchise Fee Okal. Gas</td>
<td>9.6%</td>
</tr>
<tr>
<td>323-700</td>
<td>Franchise Fee Solid Waste</td>
<td>28.3%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 323 · Franchise Fees</strong></td>
<td>30.8%</td>
</tr>
<tr>
<td>334-200</td>
<td>LEF State Grant</td>
<td>47.0%</td>
</tr>
<tr>
<td>335-190</td>
<td>State HWY Lighting Comp.</td>
<td></td>
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<tr>
<td>335-191</td>
<td>Traffic Light maintenance</td>
<td></td>
</tr>
<tr>
<td>335-190</td>
<td>State HWY Lighting Comp. - Other</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total 335-190 · State HWY Lighting Comp.</strong></td>
<td></td>
</tr>
<tr>
<td>335</td>
<td>Intergovernmental Revenue</td>
<td></td>
</tr>
<tr>
<td>335-120</td>
<td>State Rev. Sharing/St.CigTx.11</td>
<td>8.8%</td>
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<tr>
<td>335-140</td>
<td>FL Mobilehome Lic</td>
<td>2.4%</td>
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<tr>
<td>335-150</td>
<td>Alcoholic Beverage Tax 335-180 Local 1/2 Cent Sales Tax</td>
<td>20.6%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 335 · Intergovernmental Revenue</strong></td>
<td>18.9%</td>
</tr>
<tr>
<td>338-000</td>
<td>Mun share County Occ Lcn</td>
<td>68.8%</td>
</tr>
<tr>
<td>341-004</td>
<td>Cert/Copy/Record Search</td>
<td></td>
</tr>
<tr>
<td>344-900</td>
<td>DOT Maintenance Contract</td>
<td></td>
</tr>
<tr>
<td>351-000</td>
<td>Court Fines</td>
<td></td>
</tr>
<tr>
<td>351-002</td>
<td>Police seizures 351-000 Court Fines - Other</td>
<td>3.6%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 351-000 · Court Fines</strong></td>
<td>3.6%</td>
</tr>
<tr>
<td>361-000</td>
<td>Interest Earnings</td>
<td>2.1%</td>
</tr>
<tr>
<td>369-000</td>
<td>Other Misc Revenues</td>
<td></td>
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<tr>
<td>369-100</td>
<td>Bond Issue</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total 369-000 · Other Misc Revenues</strong></td>
<td>12.5%</td>
</tr>
<tr>
<td></td>
<td><strong>Total Income</strong></td>
<td>21.9%</td>
</tr>
</tbody>
</table>

#### Expense
Contingency
Payroll Expenses
  Gross Wages
  Salary
### Total Gross Wages

Payroll Expenses - Other 100.0%

### Total Payroll Expenses

100.0%

### Payroll Taxes FICA

Medicare 100.0%

### Total Payroll Taxes

100.0%

#### 513 · Financial & Admin.

- **513-121** · FA Salary 10.8%
- **513-122** · FA Bonus
- **513-123** · FA hourly wage 31.5%
- **513-220** · FA Ret. Contribution 100.0%
- **513-241** · FA Worker’s Comp Ins.
- **513-320** · Accounting & Auditing 99.6%

### Total 513 · Financial & Admin.

27.6%

#### 514-310 · City Attorney Fees

15.0%

#### 516-001 · Municipal Code

#### 519 · Other Government Services

- **519-310** · OGS Engineering Services 101.0%
- **519-340** · Other Contractual Services 519-
- **410** · OGS Communications(Phone)
- **519-411** · OGS Postage/Freight 10.2%
- **519-430** · OGS Utility Services 25.9%
- **519-440** · OGS Rentals & Leases/Copy Mach. 17.5%
- **519-450** · OGS Insurance/GenLib/Prop
- **519-461** · OGS Repairs & Maint-Equip. 21.8%
- **519-462** · OGS Building Repair/Maint 436.5%
- **519-480** · OGS Promotional Activity 27.9%
- **519-481** · OGS Legal Advertising 167.8%
- **519-490** · OGS Other Curr. Chgs/Obl. 43.3%
- **519-491** · OGS Election Expense
- **519-492** · Bank Service Charge 100.0%
- **519-510** · OGS Office Supplies 44.2%
- **519-520** · OGS Operating Supplies 16.2%
- **519-540** · OGS Books/Subs/Pub/Memb. 133.4%
- **519-630** · OGS Imp. other than Bldg 519-
- **640** · OGS Machinery & Equipment 102.0%

### Total 519 · Other Government Services

77.0%

#### 521 · Law Enforcement

- **521-131** · LEF Salaries & Wages 10.2%
- **521-122** · LEF Bonus
- **521-132** · LEF Hourly Wages
- **521-230** · LEF Life & Health Ins.
  - **521-231** · LEF HSA contribution 100.0%
  - **521-230** · LEF Life & Health Ins. - Other 100.0%

### Total 521-230 · LEF Life & Health Ins.

100.0%

#### 521-241 · LEF Worker's Comp Ins.

#### 521-400 · Travel & Per Diem

#### 521-401 · LEF Education/Training

#### 521-410 · LEF Communication Services 10.0%

#### 521-411 · LEF Postage/Freight

#### 521-461 · LEF Rep/Maint Equipment
521-462 · LEF Rep/Maint-Comm Equip
521-463 · LEF Rep/Maint Vehicles
521-510 · LEF Office Supplies 521-
521 · LEF Fuel & Lubricants
521-522 · LEF Uniforms
521-529 · LEF Other Operating Exp
521-540 · LEF Books/Pub/Sub/Memb 521-
640 · LEF Machinery & Equipment
521-641 · LEF State Grant
521-642 · Police Vehicle 2004

Total 521 · Law Enforcement 15.5%

539 · Physical Environment
539-121 · PHY Salaries
539-122 · PHY Bonus
539-123 · PHY Hourly Wage.
539-230 · PHY Life & Health Ins.
   539-231 · PHY HSA contribution
   539-230 · PHY Life & Health Ins. - Other

Total 539-230 · PHY Life & Health Ins. 100.0%

539-241 · PHY Worker's Comp Ins.
539-340 · PHY Animal Control(PAWS),
539-440 · PHY Rental

Total 539 · Physical Environment 21.1%

541 · Transportation
541-431 · Traffic Lights.
541-432 · Street Lights.
541-461 · Traffic Light Maintenance.
541-462 · Street Maintenance.

Total 541 · Transportation 7.6%

Total Expenses 24.9%

Net Ordinary Income

Net Income 100.0%
### General Fund

#### Balance Sheet

**Dec 12, 16**

**As of December 12, 2016**

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>Dec 12, 16</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSETS</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Current Assets</strong></td>
<td></td>
</tr>
<tr>
<td>Checking/Savings</td>
<td></td>
</tr>
<tr>
<td>101-101 · First National Bank &amp; Trust</td>
<td>109,874.34</td>
</tr>
<tr>
<td>101-506 · Regions CD 2/03/16</td>
<td>100,000.00</td>
</tr>
<tr>
<td>101-514 · Regions CD 2 2/03/16</td>
<td>109,666.50</td>
</tr>
<tr>
<td>101-533 · Regions Bank Checking</td>
<td>104,567.88</td>
</tr>
<tr>
<td>101-671 · Regions Business Money Market</td>
<td>-2.07</td>
</tr>
<tr>
<td>101-683 · Regions CD 09/06/2011</td>
<td>111,164.54</td>
</tr>
<tr>
<td>101-801 · FMIvT Bond Fund</td>
<td>107,320.75</td>
</tr>
<tr>
<td>101-802 · FMIvT Bond Fund 2</td>
<td>112,571.62</td>
</tr>
<tr>
<td>101-930 · Hancock Bank CD</td>
<td>111,574.57</td>
</tr>
<tr>
<td>101-945 · Police seized assests</td>
<td>542.18</td>
</tr>
<tr>
<td><strong>Total Checking/Savings</strong></td>
<td>867,280.31</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>867,280.31</td>
</tr>
<tr>
<td><strong>TOTAL ASSETS</strong></td>
<td><strong>867,280.31</strong></td>
</tr>
<tr>
<td><strong>LIABILITIES &amp; EQUITY</strong></td>
<td>0.00</td>
</tr>
</tbody>
</table>
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. and led Pledge of Allegiance.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Absent
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Absent

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Police Chief John Cash, Tina Smith, Jessica Varner, and Town Residents Bernard and Lois Johnson.

COMMITTEE REPORTS:

Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable was not present.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing new to report.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing new to report

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister was not present.

MAYOR COMBS’ REPORT – Mayor Combs had nothing new to report.

POLICE REPORT – The Police Monthly Activity Report was attached. Chief Cash reported that the Performance Evaluations will be performed before the end of the year. Also, the new hire has been informed that he got the job but there is no start date yet. It was agreed that he could utilize the old uniforms until after his probationary period.
MAINTENANCE REPORT – There was no one from the Maintenance Department in attendance.
TOWN MANAGER REPORT – Town Administrator, Tom Burns went over the two attached finance reports (Assets and Budget vs. Actual). He also reported that he closed the Money Market account and moved the money to the checking account because of the fees being charged by Regions Bank. He is waiting to see what happens with the Bond Issue before researching investment options for the money. Mayor Combs asked about the money in the seized asset account. It is money that can only be spent on items for the police department. Commissioner Wilton stated that they will be buying new guns soon and could use the money for that. Mayor Combs would like the Police Department to spend that money so they can remove that line item.

ATTORNEY’S REPORT – Attorney Chesser will write a letter to Attorney Jeff McInnis and recommend that they disallow all rear access from residents on Carl Brandt.

TOWN RESIDENTS' TIME – One of the residents, Lois Johnson, uses the conference room every week and inquired if it would be possible to put a door between the kitchen and the conference room as they have been interrupted by people coming into the building while they are having meetings. Mayor Combs said that they will look into the cost. Mrs. Johnson also asked what types of messages could go up on the marquee.

They’d like to advertise weekly church services. Administrator Burns stated that he could show her the policy the town has in place. For now, though, the town advertises only special events.

1.1.1.8 OLD BUSINESS:

I. TOWN COMMISSION MEETING MINUTES – Approval of October 11, 2016 Town Commission Meeting Minutes. Commissioner Garcia made a motion to approve the minutes from the October 11, 2016 meeting with changes. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.

II. CODE ENFORCEMENT ACTIVITY – No outstanding problems.

III. BOND ISSUE DISCUSSION – There was no discussion on this. It was tabled at the last meeting awaiting an appraisal from Emerald Coast Housing (ECH) II but the appraisal isn’t in yet.

IV. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-005 – Mayor Combs went through his changes to each of the policies. Once the policies were modified. Commissioner Garcia moved to approve Resolution 2017-005 pending one minor change. Commissioner Wilton seconded the motion. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.
NEW BUSINESS – There was no New Business.

1.1.1.9 ANNOUNCEMENTS:

November 11, 2016 – Veteran’s Day

November 24, 2016 – Thanksgiving Day

November 29, 2016 – Town Commission Workshop, 6:00 p.m. November 30, 2016 – Planning and Zoning Board Meeting, 6:00 p.m. December 8, 2016 – Town Christmas Party and Parade, 5:30 p.m.

December 13, 2016 – Town Commission Meeting, 6:00 p.m.

Before the Commission adjourned, Mayor Combs asked if a Workshop was needed this month to discuss the next set of Police Department Directives. It was agreed that, as of today, they would plan to not have a Workshop but that could change if any issues come up.

1.1.1.10 ADJOURNMENT – Commissioner Wilton made motion to adjourn meeting at 7:26 p.m. Commissioner Garcia seconded motion. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion.

There were no votes against the motion.

Tina Smith, Deputy Clerk

Date approved
RESOLUTION 2017-006

A RESOLUTION OF THE TOWN COMMISSION OF SHALIMAR, FLORIDA; STANDARDIZING AND APPROVING TWELVE (12) TOWN POLICE DEPARTMENT POLICY DIRECTIVES.

Whereas, the Police Department Policy Directives have been reviewed by the Town of Shalimar Commission, and;

Whereas, the Town of Shalimar Commission believes approval of these policies will ensure that the Police Department’s operations meet or exceed recognized standards established by various law enforcement accrediting bodies and approval of these policies are in the best interest of the Town of Shalimar;

Now therefore, be it resolved by the Shalimar Town Commission that the following Town of Shalimar Police Department Policy Directives are hereby approved as attached in Annexes 1 through 12:

1.1.1.11 5.02 SPD Promotion and Career Counseling
5.4  SPD Duty Assignment and Leave
5.5  SPD Domestic Violence Firearms Prohibition
5.6  SPD Compensation
5.08 SPD Extra Duty and Off Duty Employment
5.10 SPD Other Personnel Matters
8.04 SPD Professional Responsibility and Philosophy of Enforcement
15.01 SPD Media Relations
17.17 SPD Body Armor
17.22 SPD Mobile Video, Audio and Body Warn Camera
17.27 SPD Use of Temporary Traffic Control Devices
19.01 SPD Fiscal Management

Any previous Town of Shalimar Police Department directives and/or policies with a similar or the same title is hereby rescinded and replaced by these updated directives dated December 13, 2016. Other Police Department policies may remain in effect at the direction of the Shalimar Chief of Police.

1.1.1.12 ADOP TED THIS 13TH DAY OF DECEMBER, 2016 BY:

__________________________________________
Gary Combs, Mayor

1.1.1.13 ATTEST:

______________________________
Tina Smith, Deputy Clerk
### 4.12 Town of Shalimar Bid Opening Minutes November 18, 2016

**4.12.1 The Bid Opening started at 4:01 p.m. The Bids are in the chart below:**

<table>
<thead>
<tr>
<th>Bid Quote Item#</th>
<th>Tagarelli</th>
<th>C.W. Roberts</th>
<th>Champion</th>
<th>Florida Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>53 W. Tarpon Ave.</td>
<td>160 Industrial Park Rd.</td>
<td>P.O Box 155</td>
<td>P.O. Box 2412</td>
</tr>
<tr>
<td></td>
<td>Tarpon Springs, FL 34689</td>
<td>Freeport, FL</td>
<td>Crestview, FL</td>
<td>Santa Rosa Beach, FL</td>
</tr>
<tr>
<td>Old Ferry Sidewalks</td>
<td>$20,000.00</td>
<td>$43,700.00</td>
<td>$4,835.00</td>
<td>$7,096.00</td>
</tr>
<tr>
<td>Old Ferry Sidewalks</td>
<td>$9,630.00</td>
<td>$8,185.50</td>
<td>$5,893.56</td>
<td>$4,786.11</td>
</tr>
<tr>
<td>Old Ferry Sidewalks</td>
<td>$1,185.00</td>
<td>$1,283.75</td>
<td>$725.22</td>
<td>$592.50</td>
</tr>
<tr>
<td>Time Saver</td>
<td>$1,377.00</td>
<td>$1,316.25</td>
<td>$730.62</td>
<td>$660.90</td>
</tr>
<tr>
<td>Time Saver</td>
<td>$17,550.00</td>
<td>$11,232.00</td>
<td>$10,530.00</td>
<td>$9,041.76</td>
</tr>
<tr>
<td>Time Saver</td>
<td>$986.00</td>
<td>$1,044.00</td>
<td>$540.56</td>
<td>$600.30</td>
</tr>
<tr>
<td>Old Ferry Sidewalks</td>
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<td>$4,185.00</td>
<td>$1,957.50</td>
<td>$2,208.60</td>
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<tr>
<td>Old Ferry Sidewalks</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>$680.00</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>Bid Totals</td>
<td>$65,853.00</td>
<td>$75,946.50</td>
<td>$25,892.46</td>
<td>$26,236.17</td>
</tr>
</tbody>
</table>

| Old Ferry Sidewalks (1,2,3,7,8) | $45,940.00 | $62,354.25 | $14,091.28 | $15,933.21 |
| Time Saver Driveway (4,5,6)     | $19,913.00 | $13,592.25 | $11,801.18 | $10,302.96 |
| Bid Totals                    | $65,853.00 | $75,946.50 | $25,892.46 | $26,236.17 |
4.12.2 Four secured bids were opened by the Town Administrator Tom Burns. Representatives from C.W. Roberts Contracting, Inc., Champion Contractors Inc., and Floridian Construction were present at the opening. Items 1-8 of the quote schedule were read aloud with results as tabulated above.

The Bid Opening ended at 4:14 p.m.

________________________________________

Jessica Varner, Deputy Clerk
The Bid Opening started at 4:01 p.m.

The Bids are in the chart below:

<table>
<thead>
<tr>
<th>Bid Quote Item#</th>
<th>Tagarelli 53 W. Tarpon Ave. Tarpon Springs, FL 34689</th>
<th>C.W. Roberts 160 Industrial Park Rd. Freeport, FL 32439</th>
<th>Champion P.O Box 155 Crestview, FL 32536</th>
<th>Florida Construction P.O. Box 2412 Santa Rosa Beach, FL 32459</th>
</tr>
</thead>
<tbody>
<tr>
<td>Old Ferry Sidewalks 1</td>
<td>$20,000.00</td>
<td>$43,700.00</td>
<td>$4,835.00</td>
<td>$7,096.00</td>
</tr>
<tr>
<td>Old Ferry Sidewalks 2</td>
<td>$9,630.00</td>
<td>$8,185.50</td>
<td>$5,893.56</td>
<td>$4,786.11</td>
</tr>
<tr>
<td>Old Ferry Sidewalks 3</td>
<td>$1,185.00</td>
<td>$1,283.75</td>
<td>$725.22</td>
<td>$592.50</td>
</tr>
<tr>
<td>Time Saver 4</td>
<td>$1,377.00</td>
<td>$1,316.25</td>
<td>$730.62</td>
<td>$660.90</td>
</tr>
<tr>
<td>Time Saver 5</td>
<td>$17,550.00</td>
<td>$11,232.00</td>
<td>$10,530.00</td>
<td>$9,041.76</td>
</tr>
<tr>
<td>Time Saver 6</td>
<td>$986.00</td>
<td>$1,044.00</td>
<td>$540.56</td>
<td>$600.30</td>
</tr>
<tr>
<td>Old Ferry Sidewalks 7</td>
<td>$10,125.00</td>
<td>$4,185.00</td>
<td>$1,957.50</td>
<td>$2,208.60</td>
</tr>
<tr>
<td>Old Ferry Sidewalks 8</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>$680.00</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>Bid Totals</td>
<td>$65,853.00</td>
<td>$75,946.50</td>
<td>$25,892.46</td>
<td>$26,236.17</td>
</tr>
</tbody>
</table>

| Old Ferry Sidewalks (1,2,3,7,8) | $45,940.00 | $62,354.25 | $14,091.28 | $15,933.21 |
| Time Saver Driveway (4,5,6) | $19,913.00 | $13,592.25 | $11,801.18 | $10,302.96 |
| Bid Totals | $65,853.00 | $75,946.50 | $25,892.46 | $26,236.17 |

Four secured Bids were opened by the Town Administrator Tom Burns. Representatives from C.W. Roberts Contracting, Inc., Champion Contractors Inc., and Floridian Construction were present at the opening. Items 1-8 of the quote schedule were read aloud with results as tabulated above.

The Bid Opening ended at 4:14 p.m.

Jessica Varner, Deputy Clerk
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. and led Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Absent
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Absent

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Police Chief John Cash, Tina Smith, Jessica Varner, and Town Residents Bernard and Lois Johnson.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable was not present.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing new to report.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton had nothing new to report.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister was not present.

MAYOR COMBS’ REPORT – Mayor Combs had nothing new to report.

POLICE REPORT – The Police Monthly Activity Report was attached. Chief Cash reported that the Performance Evaluations will be performed before the end of the year. Also, the new hire has been informed that he got the job but there is no start date yet. It was agreed that he could utilize the old uniforms until after his probationary period.

MAINTENANCE REPORT – There was no one from the Maintenance Department in attendance.

TOWN MANAGER REPORT – Town Administrator, Tom Burns went over the two attached finance reports (Assets and Budget vs. Actual). He also reported that he closed the Money Market account and moved the money to the checking account because of the fees being charged by Regions Bank. He is waiting to see what happens with the Bond Issue before
researching investment options for the money. Mayor Combs asked about the money in the seized asset account. It is money that can only be spent on items for the police department. Commissioner Wilton stated that they will be buying new guns soon and could use the money for that. Mayor Combs would like the Police Department to spend that money so they can remove that line item.

**ATTORNEY’S REPORT** – Attorney Chesser will write a letter to Attorney Jeff McInnis and recommend that they disallow all rear access from residents on Carl Brandt.

**TOWN RESIDENTS’ TIME** – One of the residents, Lois Johnson, uses the conference room every week and inquired if it would be possible to put a door between the kitchen and the conference room as they have been interrupted by people coming into the building while they are having meetings. Mayor Combs said that they will look into the cost. Mrs. Johnson also asked what types of messages could go up on the marquee. They’d like to advertise weekly church services. Administrator Burns stated that he could show her the policy the town has in place. For now, though, the town advertises only special events.

**OLD BUSINESS:**

**XL. TOWN COMMISSION MEETING MINUTES** – Approval of October 11, 2016 Town Commission Meeting Minutes. **Commissioner Garcia made a motion to approve the minutes from the October 11, 2016 meeting with changes. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.**

**XLI. CODE ENFORCEMENT ACTIVITY** – No outstanding problems.

**XLII. BOND ISSUE DISCUSSION** – There was no discussion on this. It was tabled at the last meeting awaiting an appraisal from Emerald Coast Housing (ECH) II but the appraisal isn’t in yet.

**XLIII. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-005** – Mayor Combs went through his changes to each of the policies. Once the policies were modified, **Commissioner Garcia moved to approve Resolution 2017-005 pending one minor change. Commissioner Wilton seconded the motion. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.**

**NEW BUSINESS** – There was no New Business.

**ANNOUNCEMENTS:**

November 11, 2016 – Veteran’s Day

November 24, 2016 – Thanksgiving Day

November 29, 2016 – Town Commission Workshop, 6:00 p.m.

November 30, 2016 – Planning and Zoning Board Meeting, 6:00 p.m.

December 8, 2016 – Town Christmas Party and Parade, 5:30 p.m.

December 13, 2016 – Town Commission Meeting, 6:00 p.m.
Before the Commission adjourned, Mayor Combs asked if a Workshop was needed this month to discuss the next set of Police Department Directives. It was agreed that, as of today, they would plan to not have a Workshop but that could change if any issues come up.

ADJOURNMENT — Commissioner Wilton made motion to adjourn meeting at 7:26 p.m. Commissioner Garcia seconded motion. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.

Tina Smith, Deputy Clerk

Date approved
TOWN OF SHALIMAR
FINAL BUDGET HEARING MINUTES
FY 2016-2017

November 8, 2016

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 5:32 p.m. and led Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Absent
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Absent

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Police Chief John Cash, Tanya Portier, Tina Smith, Jessica Varner, and Town Residents Bernard and Lois Johnson.

SECOND PUBLIC READING OF ORDINANCE 2017-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2016-2017 – Commissioner Garcia made a motion to approve Ordinance 2017-01. Commissioner Wilton seconded motion. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.

SECOND PUBLIC READING OF ORDINANCE 2017-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2016-2017 – Commissioner Wilton made a motion to approve Ordinance 2017-02. Commissioner Gable seconded motion. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.

DISCUSSION:
- Mayor Combs asked the Commissioners present to start performing Performance Evaluations for the employees in their departments.
- Administrator Burns will get with Commissioner McCallister to come up with something for the Finance and Administration Office.

- Mayor Combs would like to see continuity documents created for all departments.

- The attic has been cleaned out and all of the old documents will be shredded.

- The new employee, Jessica Varner, was introduced to the Commission.

- Administrator Burns gave the Commission an update on Sheila. She passed away on Friday and her husband will be having a Celebration of Life at their house on Sunday from 2-6. The town will buy a card for everyone to sign and a few gift cards to give to Bill to help out with his family.

**ANNOUNCEMENTS:**

November 11, 2016 – Veteran’s Day
November 24, 2016 – Thanksgiving Day
November 29, 2016 – Town Commission Workshop, 6:00 p.m.
November 30, 2016 – Planning and Zoning Board Meeting, 6:00 p.m.
December 8, 2016 – Town Christmas Party and Parade, 5:30 p.m.
December 13, 2016 – Town Commission Meeting, 6:00 p.m.

**ADJOURNMENT** – Commissioner Garcia made a motion to adjourn at 5:49 p.m. Commissioner Wilton seconded motion. Mayor Combs, Commissioner Garcia and Commissioner Wilton all voted for the motion. There were no votes against the motion.

____________________________________  __________________
Tina Smith, Deputy Clerk               Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:05 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Police Chief John Cash, Tina Smith and Michael Kent

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – Commissioner Gable had nothing to report. Mayor Combs asked Commissioner Gable if he had anything to add to the Tidbits, he should get it in to Tina. Then he reminded everyone else that the newsletter will be going out at the end of the month.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing new to report. He stated that the Maintenance Department has been having issues with some equipment but it was all being taken care of.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton stated that he had nothing new. Chief Cash will give the report for the Police Department.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister had nothing new to report.

MAYOR COMBS’ REPORT – Mayor Combs stated that he and Town Administrator, Tom Burns, met with someone who is looking at buying the Shalimar Yacht Basin.

POLICE REPORT – The Police Monthly Activity Report was attached. Commissioner Wilton added that the Police Department also got their new vests.
MAINTENANCE REPORT – There was no one from the Maintenance Department in attendance.

TOWN MANAGER REPORT – Town Administrator, Tom Burns had a few items to discuss:
- He explained that the representatives from the Library have come in to inquire about their final payment. The new roof is on and they are finishing up. Commissioner McCallister made a motion to authorize Administrator Burns to issue the final payment of $17,500 to the Library. Commissioner Gable seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.
- There was some salary discussion about the new part-time employee, Tina Smith. Administrator Burns would like to add Mrs. Smith to the Life Insurance Policy at $22.50 per month. He also explained that, as a part-time employee, Mrs. Smith isn’t allowed to work over 30 hours per week without receiving health care. Administrator Burns calculated how much the medical stipend would be per hour ($2.16) and asked that Mrs. Smith receive a $2.16 per hour raise. Commissioner Gable made a motion to approve both additions as presented by Administrator Burns. The motion was seconded by Commissioner Garcia. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.
- Administrator Burns stated that he needed approval to extend the DRC agreement. Currently, Okaloosa County has a one-year debris removal contract with DRC that the town piggybacks on and it needs to be extended. Commissioner McCallister made a motion to extend the contract we have with DRC Emergency Services for one year, expiring on September 30, 2017. Commissioner Gable seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.

ATTORNEY’S REPORT – Attorney Chesser had nothing to report.

TOWN RESIDENTS’ TIME – There were no residents in attendance.

OLD BUSINESS:
XLIV. TOWN COMMISSION MEETING MINUTES – Approval of September 13, 2016 First Budget Hearing Minutes, September 13, 2016 Town Commission Meeting Minutes, September 20, 2016 Final Budget Hearing Minutes and September 27, 2016 Workshop Minutes. Commissioner Gable made a motion to approve the minutes from all 4 meetings as written. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.

XLV. CODE ENFORCEMENT ACTIVITY – No outstanding problems. It was noted that 188 Richbourg got mowed and Administrator Burns stated that he will keep an eye on the property.
XLVI. BOND ISSUE DISCUSSION – There were 3 resolutions brought to the town by Bond Counsel that needed to be passed tonight. Mayor Combs read the title from Resolution 2017-002. Commissioner Gable made a motion to pass Resolution 2017-002 as read. Commissioner Wilton seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion. Mayor Combs read the title from Resolution 2017-004. Commissioner Gable made a motion to pass Resolution 2017-004 as read. Commissioner Wilton seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion. Mayor Combs read the title from Resolution 2017-003. Commissioner Gable made a motion to pass Resolution 2017-003 as read. Commissioner Wilton seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion. There will be more discussion about the Bond after the appraisals have been received by Michael Kent.

XLVII. SHALIMAR POLICE DEPARTMENT DIRECTIVES AND RESOLUTION 2017-001. Mayor Combs read the title from Resolution 2017-001 for the first twelve Police Department Policies. Commissioner McCallister moved to approve the resolution as read. The motion was seconded by Commissioner Wilton. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion. The next Police Department directives will be discussed at the next workshop.

NEW BUSINESS:
I. Chief Cash asked Commissioner Garcia if he would be available on Saturday to help route the runners. There will be a 5K run in Town starting at 5:30 pm and the Department will need help corralling the participants. Commissioner Wilton also suggested that Chief Cash contact EMS to have them standing by. They don’t have to be here but we may want to give them a heads up.

II. Mayor Combs asked Administrator Burns to send out a letter about the Richbourg School Property Access to the County and the School Board.

ANNOUNCEMENTS:
October 20, 2016 – Okaloosa County League of Cities Dinner 6:00 p.m.
October 25, 2016 – Town Commission Workshop 6:00 p.m.
October 26, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
November 8, 2016 – Town Commission Meeting 6:00 p.m.

ADJOURNMENT: Commissioner McCallister made motion to adjourn meeting at 6:54 p.m. Commissioner Gable seconded motion. Mayor Combs, Commissioner Garcia, Commissioner McCallister, Commissioner Gable and Commissioner Wilton all voted for the motion. There were no votes against the motion.
Tina Smith, Deputy Clerk

Date Approved
Town of Shalimar
Town Commission Bond Hearing
October 11, 2016

CALL TO ORDER – The Hearing was called to order at 5:48 p.m.

OTHERS IN ATTENDANCE – Commissioner Ricardo Garcia, Attorney Mike Chesser, Town Administrator Tom Burns, Michael Kent (representing the borrower), Chris Roe, Richard Lott and Tina Smith.

Chris Roe explained that the hearing is called for purposes of complying with the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982. Notice of Hearing was provided in the manner provided by law and it was published in the Daily News on September 27, 2016.
- Affidavit from the publisher of the Daily News advertisement.
- Electronic copies of the outline describing various aspects of the projects and the financings.

It was observed that no one from the public was present to ask questions or participate.

ADJOURNMENT – The Hearing adjourned at 5:56 p.m.

____________________________________               _________________________
Tina Smith, Deputy Clerk   Date Approved
CALL TO ORDER – Mayor Combs called the Workshop to order at 6:05 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: Present
Mayor Pro-Tem Ricardo Garcia: Present
Commissioner Brad Gable: Present
Commissioner Jerry McCallister: Present
Commissioner James Wilton, PhD: Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns

OLD BUSINESS:
I. Police Department Policy Manual: Mayor Combs reviewed the first 12 Police Policies:
   - 1.01 SPD Written Directives
   - 1.02 SPD Law Enforcement Accreditation
   - 2.01 SPD Mission, Authority, Jurisdiction
   - 2.02 SPD Values
   - 3.01 SPD Oath of Office
   - 3.02 SPD Code of Ethics
   - 3.03 SPD Code of Conduct
   - 5.01 SPD Reassignment
   - 6.01 SPD Uniforms and Personal Appearance
   - 6.02 SPD Individual Equipment
   - 7.01 SPD Weapons
   - 10.01 SPD Use of Force

All changes recommended by the Commission where annotated for change by Mayor Combs.

ANNOUNCEMENTS:
October 11, 2016 at 6:00 – Town Commission Meeting
October 20, 2016 at 6:00 – OCLOC Dinner

ADJOURNMENT:
The meeting adjourned at 7:30 p.m.
CALL TO ORDER: Mayor Combs called the Workshop to order at 6:05 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: Present
Mayor Pro-Tem Ricardo Garcia: Present
Commissioner Brad Gable: Present
Commissioner Jerry McCallister: Present
Commissioner James Wilton, PhD: Present

OTHERS IN ATTENDANCE: Town Administrator Tom Burns

OLD BUSINESS:
I. Police [Department Policy Manual]: Mayor Combs reviewed the first 12 Police Policies:
   - 1.01 SPD Written Directives
   - 1.02 SPD Law Enforcement Accreditation
   - 2.01 SPD Mission, Authority, Jurisdiction
   - 2.02 SPD Values
   - 3.01 SPD Oath of Office
   - 3.02 SPD Code of Ethics
   - 3.03 SPD Code of Conduct
   - 5.01 SPD Reassignment
   - 6.01 SPD Uniforms and Personal Appearance
   - 6.02 SPD Individual Equipment
   - 7.01 SPD Weapons
   - 10.01 SPD Use of Force

All changes recommended by the Commission where annotated for change by Mayor Combs

ANNOUNCEMENTS:
October 11, 2016 at 6:00 – Town Commission Meeting
October 20, 2016 at 6:00 – OCLOC Dinner

**ADJOURNMENT:**
The meeting adjourned at 7:30 p.m.
CALL TO ORDER – Mayor Combs called the meeting to order at 5:34 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: Present
Mayor Pro-tem Ricardo Garcia: Present
Commissioner Brad Gable: Present
Commissioner Jerry McCallister: Present
Commissioner James Wilton, PhD: Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns and Police Chief John Cash

SECOND PUBLIC READING OF ORDINANCE 2017-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2016-2017 – Commissioner McCallister made a motion to approve Ordinance 2017-01. Commissioner Garcia seconded motion. All four Commissioners and the Mayor approved the motion.

SECOND PUBLIC READING OF ORDINANCE 2017-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2016-2017 – Commissioner McCallister made a motion to approve Ordinance 2017-02. Commissioner Gable seconded motion. All four Commissioners and the Mayor approved the motion.

DISCUSSION: Mayor Combs briefed the Commission on his efforts to update and create new Police Department policies in accordance with the format required for State of Florida Police Accreditation guidelines. He believes that approximately 100 policies will need to be meshed with our current policies, and he plans to present them to the Commission in batches of 10 or 12 policies for approval by Resolution. The first batch will be emailed for Commissioner review this week and will be discussed at the workshop on 27 September.

ANNOUNCEMENTS:
September 27, 2016 – Town Commission Workshop
September 28, 2016 – Planning and Zoning Board Meeting 6:00
October 11, 2016 – Town Commission meeting 6:00

**ADJOURNMENT** – Commissioner Garcia made a motion to adjourn at 5:58 p.m. Commissioner McCallister seconded motion. All four Commissioners and the Mayor approved the motion.

______________________________  ______________________
Tom Burns, Town Administrator    Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. and led Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present


COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No Report

COMMISSIONER GARCIA’S REPORT – Discussed equipment repairs and purchases.

COMMISSIONER WILTON’S REPORT – No Report

COMMISSIONER MCCALLISTER’S REPORT – Reviewed 2016 Budget vs Actual and Assets 8-8-2016

MAYOR COMBS’ REPORT – No Report

POLICE REPORT – See link

MAINTENANCE REPORT – No Report

TOWN MANAGER REPORT – Administrator Burns reviewed and discussed the Town’s assets and the Town’s need for 2017 budget amendment due to slippage in library committed funds and any revenue for bond refinancing in progress.

ATTORNEY’S REPORT – No Report
TOWN RESIDENTS' TIME:
1 – Friends of Shalimar Library – Mr. Dan Brown, Representing Shalimar Library, provided update of library building progress on Richbourg lot. The structure was in place and several inspections accomplished or in progress. During the presentation, Mr. Brown discussed an increase in cost of the new roof of approximately $5,000 and requested Town Commission consideration in helping pay this increase. Mr. Brown also discussed funding construction upfront costs and requested the Town Commission approve a portion of the previous agreed to $35,000 for the roof. **Commissioner McCallister made motion for Administrator Burns to pay Friends of Shalimar Library one half of $35,000 commitment based on work accomplished. Commissioner Brad Gable seconded the motion. All four commissioners and Mayor Combs approved motion.**

2 – Shalimar Yacht Basin – Steve Peterson requested clarification of Town resolution allowing parking on Town rights-of-way along Old Ferry Road. Mayor Combs and Commissioner Gable attempted to explain this resolution affected several Old Ferry commercial businesses which were using Town rights-of-way for parking. This resolution formalized the Town’s agreement to continue to permit business parking use of Town right of way for the businesses included in the resolution. Mr. Peterson and Commission members discussed Mr. Peterson’s previous requests for a restaurant on his property. Mr. Peterson also mentioned that he would like to pursue establishment of another restaurant on his property. Attorney Chesser suggested Mr. Peterson schedule a separate meeting to discuss particular business issues.

OLD BUSINESS:
I. **TOWN COMMISSION MEETING MINUTES** – Approval of August 8, 2016 Town Commission Meeting Minutes. *Chair entertained a motion to approve minutes as drafted. Commissioner Gable made motion to approve minutes as drafted and Commissioner Garcia seconded motion. All four commissioners and Mayor Combs approved motion.*

II. **CODE ENFORCEMENT ACTIVITY** – No outstanding problems

NEW BUSINESS:
I. **RESOLUTIONS FOR BOND ISSUE** – Mr. Michael Kent discussed consolidation of 7 bond refinancing resolutions by county resulting in 3 resolutions (low incoming housing properties in Okaloosa County, Santa Rosa County and Escambia County).

**Mayor Combs read Resolution 2016-06. Commissioner Garcia made motion to approve Resolution 2016-06. Commissioner Wilton seconded the motion. All four commissioners and Mayor Combs approved motion.**

**Mayor Combs read Resolution 2016-07. Commissioner Garcia made motion to approve Resolution 2016-07. Commissioner Gable seconded motion. All four commissioners and Mayor Combs approved motion. Mayor Combs read Resolution 2016-08. Commissioner Wilton made motion to approve Resolution 2016-08.**
Commissioner Garcia seconded motion. All four commissioners and Mayor Combs approved motion.

II. DISCUSSION OF BOND ISSUES - Discussion continued with all parties signing 4 copies of each approved resolution. Mr. Kent mentioned that the TERFA hearing will be coordinated prior to the October 2016 Town Commission meeting. Mr. Kent also introduced Mr. Richard Lott, Bond Counsel, and he also acknowledged that Ms. Angela Balent was present. Both individuals were present to respond to commission questions concerning the bond refinancing. Ms. Balent reported that she has begun to review historical data and expects to further refine analysis as information is made available. Both individuals explained their role in the refinancing and committed to protecting the Town’s interest in this endeavor.

ANNOUNCEMENTS:
September 20, 2016 – Second Budget Hearing
September 27, 2016 – Town Commission Workshop 6:00 p.m.

September 28, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
October 11, 2016 – Town Commission Meeting 6:00 p.m.
October 20, 2016 – OCLOC Dinner Meeting – Soundside Club Hurlburt

ADJOURNMENT – Commissioner McCallister made motion to adjourn meeting at 6:39 p.m. Commissioner Garcia seconded motion. All four commissioners and Mayor Combs approved motion to adjourn.

______________________________________________
Tom Burns, Town Administrator ________________________ Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 5:38 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: Present
Mayor Pro-tem Ricardo Garcia: Present
Commissioner Brad Gable: Present
Commissioner Jerry McCallister: Present
Commissioner James Wilton, PhD: Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns and Police Chief John Cash

FIRST PUBLIC READING OF ORDINANCE 2017-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2016-2017 – Commissioner Wilton made motion to approve Ordinance 2017-01. Commissioner Garcia seconded motion. All four Commissioners and the Mayor approved the motion.

FIRST PUBLIC READING OF ORDINANCE 2017-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2016-2017 – Commissioner McCallister made motion to approve Ordinance 2017-02. Commissioner Gable seconded motion. All four Commissioners and the Mayor approved the motion.

ANNOUNCEMENTS:
September 20, 2016 – Final Budget Hearing 5:30 p.m.
September 27, 2016 – Town Commission Workshop
September 28, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
October 11, 2016 – Town Commission Meeting 6:00 p.m.
ADJOURNMENT – Commissioner Gable made motion to adjourn at 5:47 p.m. Commissioner McCallister seconded motion. All four Commissioners and the Mayor approved motion.

__________________________________

Tom Burns, Town Administrator

__________________________________

Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:07 p.m. and led the Pledge to Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present (late)

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Police Chief John Cash.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER McCALLISTER REPORT – Handed out budget vs actual and asset report

POLICE REPORT – See link

MAINTENANCE REPORT – No report

ADMINISTRATOR REPORT – Administrator Burns ask for a motion to approve an amendment to the DOT Traffic Signal Maintenance agreement. **Commissioner Garcia made a motion to approve the amendment. Commissioner McCallister seconded the motion.** Administrator Burns related that the county actually does the maintenance on the traffic signals and the reimbursement to Shalimar is just a pass through to the county. **All five Commissioners voted to pass the motion.**
ATTORNEY'S REPORT – Attorney Chesser related information about the possibility of the Town being the issuer of bonds for low income housing in NW Florida. The 2300 units to be refinanced via a bond issue are different than the units issued by the Town last year. Commissioner Gable asked about the IRS and future grant ramifications of issuing such a large bond issue. Attorney Chesser indicated that he would ask these questions and also that there was a possibility for Mike Kent to address the Commission at their Aug 30 workshop. Attorney Chesser also said an independent auditor would look at all aspects of the bond issue viability. Administrator Burns said the Town had previously passed an agreement with Warren Averett to perform such review on any future low income bond issues. The Commission agreed that low income housing was important to the area and that they would consider the bond issue.

TOWN RESIDENTS' TIME – None

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES – Approval of July 12, 2016 Commission meeting minutes and the July 26 Budget Workshop minutes. Chair will entertain a motion to approve minutes as drafted. **Commissioner Garcia made a motion to approve the minutes of the Town Commission meeting and the Town Commission Workshop as written. Commissioner Gable seconded the motion. All five Commissioners voted to pass the motion.**

II. CODE ENFORCEMENT – The Mayor noted that 188 Richbourg Avenue, and one of the townhomes on Gardner Drive across from the Shalimar Yacht Basin were needing landscaping attention. He also noted large weeds along the fence in Meigs Park. Commissioner Garcia said he would look at these areas.

NEW BUSINESS:
I. POLICE POLICY MANUAL – Mayor Combs briefed the Commission that Deputy Clerk Hansen and he were working on compiling all the Police Policies into one manual whose format would be that of the Town's Admin and Personnel Policy manuals. He said he needed the new Body Camera Policy and any others that have not been turned into Deputy Clerk Hansen.

Mayor Combs asked that all Commissioners review the Policies that were previously emailed and make any comments to the Administrator or the Deputy Clerk. Police Commissioner Wilton said he would email the Camera Policy and gather any others for inclusion in the manual. Mayor Combs indicated that a final draft would probably be ready in 60 days.

**Discussion:** The Mayor discussed his upcoming FLOC conference and the need to make progress on digitizing all Town records that are only on paper. The Commission agreed that a new part-time position devoted to this effort was a good idea. Mayor Combs said that he would be on the lookout for digitization resources at the conference.

ANNOUNCEMENTS:
Aug 30, 2016 – Town Commission Workshop 6:00 p.m.
Aug 31, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
Sept 13, 2016 – Tentative Budget Hearing 5:30 p.m.
Sept 13, 2016 – Town Commission Meeting 6:00 p.m.
Sept 20, 2016 – Final Budget Hearing – 5:30

**ADJOURNMENT** – **Commissioner Garcia made a motion to adjourn at 6:58 p.m.**
Commissioner Gable seconded the motion and all five Commissioners voted to pass the motion.

_________________________________  _________________________
Thomas A. Burns, Town Administrator  Date approved

September 13, 2016
CALL TO ORDER – Mayor Gary Combs called the second Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

7.0 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Jerry McCallister – present
Commissioner Brad Gable – present
Commissioner Jim Wilton PhD – present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns and Deputy Clerk Sheila Hansen.

NEW BUSINESS:
I. PROPOSED FY SALARY POST WORKSHOP 1 – SALARY WORKSHOP 2 MAYOR’S SUGGESTIONS – The Town Commission went over the salary worksheet with Mayor Combs suggestions. The Town Commission all agreed with giving a small salary increase plus a bonus for employees with more than a 1% cost of living raise. Commissioner Wilton said that he would like to see Captain Spohn receive a bonus as well as the suggested 1% raise. After a discussion, it was decided that Captain Spohn would receive a $400.00 bonus. Administrator Burns said that Sergeant Shadwell’s bonus was based on 6 months rather than a full year’s salary as he would be deployed most of the year. Mayor combs said that it should be based on the full year’s salary and the Town Commission agreed.

Administrator Burns said he would like to see Clayton Burns get life insurance through the Town. The Town Commission agreed with adding this benefit to Clayton Burns’ salary.

II. PROPOSED FY 2017 BUDGET – The Town Commission agreed with the items on the proposed budget. Mayor Combs asked if Administrator Burns had budgeted the income from the bond issue. Administrator Burns said that he had not but would research the amount to be received and put it into the budget.
III. SET DATES FOR THE BUDGET HEARINGS — The Town Commission decided that the first budget hearing will be held on September 13, 2016 at 5:30 p.m. before the Monthly Town commission Meeting. The second budget hearing will be on September 20, 2016 at 5:30 p.m.

OLD BUSINESS:

I. Library – Commissioner Wilton asked Administrator Burns about what is happening with the Library. Administrator Burns said he had heard nothing from Dan Brown but Chris Wickliff had called the office and said that the roof would cost approximately $4200.00 more than the original estimate. Administrator Burns also said that Attorney Chesser had called and said that he had some concerns about the library and the building. Attorney Chesser said that he would get back to him this week.

ANNOUNCEMENTS:

July 27, 2016 – Planning and Zoning Board Meeting – 6:00 p.m.
July 29, 2016 – OCLOC Quarterly Dinner Laurel Hill
August 9, 2016 – Town Commission Meeting – 6:00 p.m.
August 30, 2016 – Town Commission Workshop – 6:00 p.m.

ADJOURNMENT – Commissioner Wilton made a motion to adjourned at 6:19 p.m. Commissioner Garcia seconded the motion and it passed unanimously.

__________________________________________________________  ______________________
Sheila Hansen, Deputy Clerk  August 8, 2016

Date approved
Town of Shalimar  
Town Commission Meeting  
July 12, 2016

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

Commissioner Gable made a motion to accept the verbal resignation of Commissioner Grohoske. Commissioner Garcia seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner Wilton, and Commissioner Gable all voted for the motion. There were no votes against the motion.

Attorney Chesser swore Jerry McCallister in as Town Commissioner. Mayor Combs appointed Commissioner McCallister as the Town Finance Commissioner.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jerry McCallister – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, and Mr. and Mrs. Mark Ruben.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER MCCALLISTER’S REPORT – Budget vs Actual and Assets 6-13-2016. Administrator Burns reviewed the finance reports.

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

POLICE REPORT – See link

MAINTENANCE REPORT – No report
TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – No report

RESIDENT’S TIME – Mr. and Mrs. Ruben spoke to the Town Commission about their cat problem on Snug Harbor Drive. Thom Rawlings gets very upset if their cat gets on his property. He gets upset about their black cat being out but there are three black cats in the neighborhood and he has complained when their cat was in the house. They said that they were working to keep their cats indoors but cats that are used to being indoor/outdoor cats are hard to keep in. They try to escape and when the Ruben’s were on vacation their cats got out.

OLD BUSINESS:
XLVIII. TOWN COMMISSION MEETING MINUTES – Approval of June 14, 2016 Town Commission Meeting and June 27 Budget Workshop Chair will entertain a motion to approve minutes as drafted. Commissioner Garcia made a motion to approve the minutes of the Town Commission meeting and the Budget Workshop as written. Commissioner Gable seconded the motion and it passed unanimously. Mayor Combs, Commissioner Garcia, Commissioner Wilton, Commissioner McCallister, and Commissioner Gable all voted to accept the minutes as written. There were no votes against the motion.

XLIX. CODE ENFORCEMENT ACTIVITY – Commissioner Gable suggested that Administrator Burns check on the certificate of occupancy for Robin Schaffer’s house at 183 Richbourg Avenue. The Town Commission also asked him to check on getting a lot on Cherokee Road mowed.


Mayor Combs suggested that bonuses be given to people who have been suggested get a 2% or more raise. He suggested that everybody get a 1% raise and the people that would have gotten a higher percentage receive a bonus of twice the amount of the originally suggested raise. The Town Commission agreed that this would work.

NEW BUSINESS:
I. SET DATE FOR SECOND BUDGET WORKSHOP – SUGGESTED DATE JULY 26, 2016 – The Town Commission agreed on this date for the second budget workshop.

II. APPROVE APPLICATION FOR FLORIDA LEAGUE OF CITIES CONVENTION SCHOLARSHIP FOR MAYOR COMBS. Mayor Combs said that he was on the Resolution Committee for the Okaloosa County League of Cities. There is a scholarship of up to $1000 available for 10 people to attend the convention. Mayor Combs would like the Town Commission to approve applying for the scholarship. Commissioner Gable made a motion to submit the application to the Florida League of Cities. Commissioner McCallister seconded the motion.
Mayor Combs, Commissioner Wilton, Commissioner Gable, Commissioner McCallister, and Commissioner Garcia all voted to approve submitting the application.

Administrator Burns said that he had contacted several contractors about trimming the palm trees in Town. One contractor gave a quote of $65.00 per tree and the other quoted $75.00 per tree. Administrator Burns said that he thinks the Maintenance Department can trim the trees. For the amount of money the contractors want to trim the trees, the Town can buy a cage for the tractor loader and several pole saws. The Town Commission agreed.

Mayor Combs said that he would like the Town to get a new speed sign. Chief Cash said that he would get estimates for a new sign.

ANNOUNCEMENTS:

July 26, 2016 – Town Commission Workshop and Budget workshop 6:00 p.m.
July 27, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
July 29, 2016 – OCLOC Quarterly Dinner hosted by Laurel Hill
August 9, 2016 – Town Commission meeting 6:00 p.m.

ADJOURNMENT – Commissioner Gable made a motion to adjourn at 6:45 p.m. Commissioner Garcia seconded the motion. Mayor Combs, Commissioner Garcia, Commissioner Wilton, Commissioner Gable, and Commissioner McCallister all voted to adjourn.

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Sheila Hansen, Deputy Clerk       August 8, 2016

Date approved
CALL TO ORDER – Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

10.0 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Brad Gable – present
Commissioner Kevin Grohoske – absent
Commissioner Jim Wilton PhD – present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, and Jerry McCallister.

NEW BUSINESS:
I. PROPOSED FY 2017 SALARIES – Administrator Burns went over the proposed 2016 salaries. He recommended a 2% raise for all employees except Jeff Adams. He recommended a 5% raise for Jeff because he had been promised a salary of $20,000 when he was promoted to Maintenance Supervisor. He had been started at $19,200 and the 5% raise brings this amount up to just over $20,000.

Everyone agrees that the 2% raise was okay for the Administration Department.

Administrator Burns said he would like to see Clayton Burns be put on the Town’s health insurance. He said that he had been a loyal, hard worker for the Town for 8 years. He cannot be worked over 30 hours a week due to the rules of the Affordable Care Act. Mayor Combs did not agree with Clayton being put on the Town’s health insurance. The Town had never before given health insurance to a part-time employee. He suggested that Clayton find a full time job that would supply health insurance. Mayor Combs said that the Maintenance Department had two full-time employees and he does not think they need a part-time employee, as well. Commissioner Garcia said that Mr. Burns had not asked for health insurance. It was his recommendation. Mayor Combs said that he was okay with a 2% raise but no benefits. Commissioner Wilton agreed with this.
Kent Beck receiving a 2% raise was discussed. He had been removed from the supervisor position because he could not do the job. Mayor Combs did not think he should get a raise. He has less responsibility for the same money he was making as a supervisor. Commissioner Gable said he did not think Kent’s performance over the last year warranted a raise. Commissioner Garcia said that Kent had not gotten a raise last year and that he was performing his duties now. He said he would rather see him get a 1% raise rather than no raise. Mayor Combs said that a 1% raise would be okay but that Kent’s morale needs to improve. Commissioner Gable said that he would support the 1% raise. Jerry McCallister said that where he works raises are decided on performance. Commissioner Gable and Commissioner Wilton said that they really did not agree with Kent getting a raise.

The Police Department salaries were then discussed. Chief Cash said that he thinks John Spohn and Steve Shadwell are the most reliable. Mayor Combs suggested a 1% raise for both John Spohn and Steve Shadwell. Commissioner Wilton said he does not agree with only a 2% raise for Perry Heslep. He would like to see him get a 4% raise. The Mayor did not agree.

After further discussion, it was decided that Perry Heslep would get a 3% raise, John Spohn would receive a 1% raise, and Steve Shadwell would receive a 2% raise.

The fiscal year 2017 budget was discussed. Administrator Burns went over the income and expense figures. He realized that he had not added the income from the low housing bond issue. He will correct that. Mayor Combs asked if we could switch engineers. Administrator Burns said that we could go out with a RFP.

Administrator Burns explained that the $3600 in machinery for the administration department was for a new phone system. The system we now have is old and beginning to deteriorate.

The Police Department will use the grant money that they receive for new Tasers and first aid kits.

The Maintenance Department wants a cage for the tractor loader for tree trimming. This will be added to the budget.

Commissioner Wilton asked about street lights. Administrator Burns said he has numbers for new lights on Eglin Parkway. The cost would be about $54,000. Mayor Combs and Commissioner Wilton said that they think new street lights in the residential area is more important.
Administrator Burns said that the Town could do something to improve the Community Rating System. Commissioner Gable will check into this. The Town’s present rating is 8 which gets the residents a 10% discount on flood insurance. Okaloosa County has a 5 rating and they get a 25% discount on flood insurance.

Administrator Burns said that another project the Town should do is to digitize the Town records. He had talked to a couple companies but was not really impressed with them. He thinks it will probably be between $50,000 and $60,000. Commissioner Gable will research this also.

OLD BUSINESS – There was no Old Business.

ANNOUNCEMENTS:
June 29, 2016 – Planning and Zoning Board Meeting – 6:00 p.m.
July 12, 2016 – Town Commission Meeting – 6:00 p.m.
July 26, 2016 – Town Commission Workshop – 6:00 p.m.

ADJOURNMENT – Commissioner Gable made a motion to adjourned at 7:13 p.m. Commissioner Wilton seconded the motion and it passed unanimously.

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Sheila Hansen, Deputy Clerk    July 12, 2015

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Kevin Grohoske – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Absent

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, Kent Beck, Attorney Emily Rogers, and Ryan Francis and Joann Roeque of Carr, Rigdon, and Ingram.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER GROHOSKE’S REPORT – Budget vs Actual and Assets 6-13-2016, Administrator Burns explained that the $75,000 from reserves was for the new police car and the money for the library.

POLICE REPORT – See link – Chief Cash said that his car had been repaired and that he had it back.

MAINTENANCE REPORT – No report

TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – Attorney Chesser said that he would be attending the Florida Conference of Municipal Lawyers in July.
OLD BUSINESS:

LI. TOWN COMMISSION MEETING MINUTES Approval of May 10 Town Commission Meeting Minutes. *Chair will entertain a motion to approve minutes as drafted – Commissioner Wilton made a motion to approve the minutes of the Town Commission as written. Commissioner Garcia seconded the motion and it passed unanimously.*

LII. RFP FOR AUDITING SERVICES – Administrator Burns explained that this was the RFP that was done in September. There was no decision made at that time due to being so close to the audit time. Commissioner Grohoske said that they had done a matrix which awarded points to the bidders in September. These had stayed the same except that Carr, Rigdon, and Ingram had lost a point due to the problems that Walton County had had with their auditing services. He recommended that the Town stay with Warren Averett for the next two years and lock the cost in at the present rate. *Commissioner Grohoske made a motion to renew Warren Averett for the next two years at the price quoted. Commissioner Wilton seconded the motion and it passed unanimously.*

LIII. CODE ENFORCEMENT ACTIVITY – Commissioner Grohoske brought up that 30 Shalimar Drive had become a mess. Chief Cash will speak to the resident and, if it is not cleaned up, Administrator Burns will start a code enforcement case.

LIV. PARKING AGREEMENT – Attorney letter for review – *The letter was discussed and Mayor Combs said he did not want to send out a letter saying the Town was not going to enforce the ordinances. Administrator Burns said that there was no formal parking agreement with Dr. Stone’s office, the two churches on Old Ferry Road, Cotton and Gates, 10 and 12 Old Ferry Road, and the Shalimar Yacht Basin for parking on the Town right-of-way. After a discussion, it was decided that Administrator Burns would write a resolution to allow public parking in these areas.*

NEW BUSINESS:

III. KENT BECK LETTER TO TOWN COMMISSION – Kent Beck handed out a copy of a letter to each Commission member and spoke to the Town Commission about how he was being unfairly treated. He said that the Town Commission discusses anything to do with employees in a public forum and he thinks this is unfair. It was explained to him that the only way the Town Commission can discuss anything is in a public forum due to the Sunshine Laws. Mr. Beck then asked Attorney Chesser about the definition of slander. Attorney Chesser said that slander is saying things about a person that are untrue and ridicule that person. Mr. Beck then said that things had been said about him in meetings that he was not there to dispute.

Commissioner Grohoske asked Mr. Beck to explain how he had been mistreated. Mr. Beck said that 9 months ago he was told that things were changing and that he would no longer be the Maintenance Supervisor. Mayor Combs asked Mr. Beck if the job is so bad, why has he not quit. Mr. Beck said the job was not the problem. It was his prior supervisor.

Commissioner Garcia reminded Mr. Beck that they had a meeting and he had told Mr. Beck that he wanted to work with him to get things straighten out. Mayor Combs asked Mr. Beck if he had received letters or been tasked to get certain things done. Mr. Beck said he had been trying to get
the tasks done. Commissioner Garcia said that these things needed doing and that this had been going on for years and the loss of the Supervisor title had been so that Kent could keep working for the Town.

Commissioner Wilton summarized his opinion. 1. Reinstatement of prior position is at the discretion of the Town Commission. 2. Raises are only discussed during budget procedure and Mr. Beck was not going to get a raise. Commissioner Garcia said that the Town Commission can budget for training if the training is advantageous to the Town. Commissioner Wilton said that if Mr. Beck is not happy, maybe it was time he looked for another job.

Commissioner Grohoske said that he was not familiar with the background of Mr. Beck’s complaint and wanted to give Mr. Beck the opportunity to address the Town Commission with his complaints.

Mayor Combs said that Mr. Beck is not a good money manager. He spent too much time going to the store to buy one or two items and would not keep any bench stock. He also asked Mr. Beck if there had been maintenance records on the Ford F-150 that was sold. Mr. Beck said no.

Commissioner Grohoske explained that he knew ending Mr. Beck’s employment had been discussed and that Commissioner Garcia had tried to get Mr. Beck to improve things. He said that he believed Commissioner Garcia was looking out for Mr. Beck’s best interests. Commissioner Grohoske said that Commissioner Garcia’s stepping in had saved Mr. Beck’s employment.

Commissioner Garcia said that when Jeff Adams took over the supervisor position things in Maintenance had gotten better. They are not perfect yet but are greatly improved.

IV. RESOLUTION 2016-04 TO ADOPT LMS – Commissioner Wilton made a motion to adopt the 2016 LMS. Commissioner Garcia seconded the motion and it passed unanimously.

V. SET DATE FOR FIRST BUDGET WORKSHOP – SUGGESTED DATE JUNE 28, 2016 – Administrator Burns said that the preliminary millage rate needed to be in by July 5, 2016. Commissioner Wilton made a motion to set the preliminary millage rate at 2 mills. Commissioner Garcia seconded the motion and it passed unanimously.

VI. PRELIMINARY FLOOD MAPS – Panel A – Panel B – Administrator Burns explained that FEMA was redoing the flood maps. The flood zones in the Town have nearly doubled on their preliminary maps. Mayor Combs asked what can be done. Administrator Burns said that he really did not know. He said he would like to go with an outreach program and notify all of the residents. There is a meeting on June 28, 2016 and he said that he would like to see as many residents as possible attend the meeting and complain about the changes. Administrator Burns said that he is afraid that the new flood zones will lower the property values in town. Three things can possibly be done to change this. 1. Fight the data. 2. Can fight the computer models. 3. Can fight the politics.

Mayor Combs said that he had spoken with Jerry McCallister and that he had agreed to fill the Town Commission seat that Commission Grohoske is vacating. Commissioner Garcia made a motion to
appoint Jerry McCallister as Finance Commissioner until election time. Commissioner Wilton seconded the motion and it passed unanimously.

Mayor Combs presented Commissioner Grohoske with a plaque showing appreciation for his service to the Town of Shalimar. He said that he had enjoyed being involved and regretted that he had to resign.

ANNOUNCEMENTS:
June 28, 2016 – Town Commission Workshop 6:00 p.m.
June 29, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
July 12, 2016 – Town Commission meeting 6:00 p.m.

ADJOURNMENT – Commissioner Garcia made a motion to adjourn at 7:08p.m. Commissioner Wilton seconded the motion and it passed unanimously.
Town of Shalimar
Town Commission Meeting
May 10, 2016

CALL TO ORDER – Mayor Pro-Tem Garcia called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Absent
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Kevin Grohoske – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, Attorney Emily Rogers, Dan and Alice Brown, Bill and Debbie Seidl, Allen Hemmer, Kent Beck, James P. Jones, Ed Johnson, Johann Behnken, and Gloria Crews.

COMMITTEE REPORTS:
Planning & Zoning Board – May 4, 2016 Minutes
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER GROHOSKE’S REPORT – Budget vs Actual and Assets 5-9-2016

POLICE REPORT – See link

MAINTENANCE REPORT – No report

TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – No report

TOWN RESIDENTS’ TIME – Kent Beck read a letter of grievance to the Town Commission.
OLD BUSINESS:

LV. TOWN COMMISSION MEETING MINUTES – Approval of April 12, 2016 Town Commission meeting and April 26, 2016 Town Commission Workshop minutes. Chair will entertain a motion to approve minutes as drafted. **Commissioner Gable made a motion to approve the minutes of the Town Commission meeting and the Town Commission Workshop as written. Commissioner Wilton seconded the motion and it passed unanimously.**

LVI. SHALIMAR LIBRARY – Final Development Order, electronic Copy of plans – Sheet 1, Sheet 2, Sheet 3, Sheet 4, Sheet 5, Sheet 6, Water Sewer Concurrency Plan, Fire Marshall approval, exterior elevation, lease agreement. **Commissioner Gable asked about sheet 3 of the electronic plans being incorrect. Administrator Burns said he had already notified Mark Siner about this and it would be corrected.**

Manager Burns went over the Development Order. There needs to be a correction on the Development Order. Section E says that a 27” oak tree was to be saved; it is actually a 20” oak tree. The library is trying to save 3 other oak trees in the front of the property. This will have to be decided after discussing them with an arborist. **Commissioner Gable made a motion to approve the Development Order with the change to section E. Commissioner Grohoske seconded the motion and it passed unanimously.**

Administrator Burns said that he had spoken to Tom Conley with the Florida League of Cities about adding the library building and property to the Town’s insurance policy and that it would cost approximately $650.00 per year.

Attorney Rogers went over the lease. Administrator Burns said that the address would be 115 Richbourg Avenue.

Dan Brown said he had problems with section 5. He said the library would not want to give up the books and furnishings at the end of the lease. The Town Commission decided that they only needed the building and permanent fixtures. Attorney Rogers said that she would change the lease to reflect this.

Dan Brown said that in section 7e(i) that he thought 72 hours to fix any problems was too short of a time period. After a discussion, it was decided that the library would have 2 working days to respond to the Town about any problems and 30 calendar days to repair and correct unless the Town agrees to a longer period.

Commissioner Wilton said he did not agree with Section 8. He does not think the Town should be paying for the property and liability insurance. Administrator Burns said he thought maybe we could pay this for free membership for the Town residents. It was decided that the Town would pay the insurance and the library would reimburse the Town. Administrator Burns will send an invoice to the library which will be due in October with 30 days from invoice date to pay.

Dan Brown said that the library did not understand what section 9 and 10 meant. Commissioner Wilton explained that a loan can be given on a lease hold and that is what these sections refer to.
Everyone agreed on the rest of the contents of the lease. **Commissioner Grohoske made a motion to authorize Mayor Pro-tem Ricardo Garcia to review and sign the lease.** Commissioner Wilton seconded the motion and it passed unanimously.

LVII. CODE ENFORCEMENT CODE ENFORCEMENT ACTIVITY – No outstanding problems.

LVIII. PARKING AGREEMENT – Under Attorney review

NEW BUSINESS:

I. RESOLUTION 2016-03 – AMENDMENT TO 2016 FY BUDGET
Administrator Burns went over the budget changes. He also reported that Gulf Power had contacted him that day and that their auditors had discovered that there were 69 customers in Shalimar that the Town was not getting credit for on utility taxes and franchise fees. They said that they would go back three years and pay for these customers. This would be an amount of $39,713.00.

Commissioner Garcia read Resolution 2016-03. **Commissioner Gable made a motion to approve the resolution. Commissioner Grohoske seconded the motion and it passed unanimously.**

ANNOUNCEMENTS

May 31, 2016 – Town Commission Workshop 6:00 p.m.
May 25, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
June 14, 2016 – Town Commission meeting 6:00 p.m.

**ADJOURNMENT: Commissioner Wilton made a motion to adjourn at 6:56 p.m. Commissioner Gable seconded the motion and it passed unanimously.**
Town of Shalimar
Planning and Zoning Board Meeting
May 4, 2016

CALL TO ORDER - Chairman Henderson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Chairman Henderson led the pledge of allegiance to the flag.

ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Absent
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT - Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, and Dan Brown from Friends of the Shalimar Library.

OLD BUSINESS:
I. APPROVE THE JANUARY 27, 2016 P & Z BOARD MEETING - Member Morgan made a motion to approve the minutes. Member Clements seconded the motion and it was unanimously approved.

NEW BUSINESS:
I. LIBRARY DEVELOPMENT ORDER – Technical Review Board report, Landscaping plan – Administrator Burns reported that Mr. Brown and the Friends of the Shalimar Library had come to the Town Commission Workshop and made a presentation requesting to lease the Town property on Richbourg Avenue. At the April meeting the Town Commission approved leasing the property to the Shalimar Library for $5000 per year for 20 years and the building will revert to the Town at the end of the lease.

Mr. Brown hopes to have the ground-breaking for the library by the end of May. They need to be in the building by October 15, 2016 which is when their lease expires at their present location.

Member Morgan asked about the drainage plan. Administrator Burns reported that the drainage plan had been updated to the present code for a 100-year storm event. Chairman Henderson said that the lot was over populated with trees and many will need to be removed. He said that it may be possible to save four of the Live Oak trees. Mr. Brown said that they would save as many trees as possible. The large (20-inch diameter) Live Oak in the back will be saved. The landscaper is recommending replacing the lost trees with Crepe Myrtles.
After a discussion, Chairman Henderson suggested that Administrator Burns and the Friends of the Shalimar Library agree on a landscaping plan the Town Commission will accept. After further discussion **Member Morgan made a motion to recommend to the Town Commission approval of a Development Order per plans dated May 4, 2016, as submitted by Choctaw Engineering, contingent upon receipt of the Fire Marshall’s review, receipt of an electronic copy of the plans, final submission of the landscape plan, and approval of the concurrency plan by OCWS.** He further moved that a variance be granted to allow trees to be non-canopy and no less than 14 in number. **Member Daniels seconded the motion and the motion passed unanimously.**

**ANNOUNCEMENTS:**
May 10, 2016 – Town Commission - 6:00 p.m.
May 31, 2016 – Town Commission Workshop - 6:00 p.m.
May 25, 2016 – Planning and Zoning Board Meeting - 6:00 p.m.

**ADJOURNMENT:** **Member Morgan made a motion to adjourn the meeting at 7:00. Member Daniels seconded the motion and it passed unanimously.**

Sheila Hansen, Deputy Clerk

Date Approved
CALL TO ORDER – Mayor Pro-Tem Garcia called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance to the Flag.

11.0 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Absent
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Kevin Grohoske – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, Alice and Daniel Brown III.

12.0 OLD BUSINESS:
I. SHA LIMAR LIBRARY LEASE AGREEMENT – Administrator Burns announce that Mayor Combs had contacted him and expressed no problems with the lease agreement.

Dan Brown said that he had the following questions/comments about the lease.

A. Section # 2: He said he would like to be able to extend the lease past 20 years without having the Town approve the renewal. He said he was willing to add an escalator on the rent after 20 years. Commissioner Wilton said that after 20 years the modular building may not be worth as much as a brick and stick building. He feels that 20 years is a long enough lease. Mr. Brown decided that section could be left as written.

B. Section # 3: Mr. Brown said that the library would prefer the lease payments be paid quarterly or monthly.

C. Section # 6: Mr. Brown said that he would like to have “and surrounding community” added after use of citizens of Shalimar. He also said that he would like the percentage of the building utilized for a thrift shop to be 50%.

Commissioner Grohoske asked whether it was possible that the library would become part of the Okaloosa County Library Cooperative. Mr. Brown said that would not happen and, if it did, the Town would have to support the library. The library is now supported by the thrift shop and donations.

D. Section #7: Mr. Brown said that “Public” needs to be taken out of the name for the library.
It is not a public library. He also said the section E said that Shalimar residents would have free membership. He did not want to do this because the library is run by volunteers and it would be too difficult to keep track of the Town residents. It was decided that this section would be deleted.

**E. Section #11:** The lessee should be “Friends of the Shalimar Library, Inc.”

The Town Commission had the following questions/comments about the lease:

**A.** Commissioner Wilton asked about whether the lessee is “The Friends of the Shalimar Library” or “Friends of the Shalimar Library”. The correct title is Friends of the Shalimar Library.

**B. Section #4:** Commissioner Gable said that the word “construction” needs to be changed to “construct”. Commissioner Wilton said that a line saying “all improvements will be permanently fixed to the land” so that they would be part of the land and not personal property of the library.

**Section #16:** There is a space in the middle of “and” that needs removed.

**II. BUDGET ADJUSTMENT** – Administrator Burns reported that the income was coming in at a normal rate. The Town had leased a new copy machine and that there were up-front fees. There was an increase in advertising due to the Code of Ordinance advertising.

The increase in the Police Department budget of $41,000 were due to repairs on Steve Shadwell’s patrol car and the purchase of a new patrol car for chief Cash for $36,000.

The changes in Physical Environment of $10,900 were due to Jeff Adams going full-time at a salary of $19,800 which is $2,500 higher this fiscal year than his part-time salary. $500 was added for equipment repairs, $400 was added to purchase bench stock, $500 was added for supplies which were not budgeted for, and an additional $6000 for machinery and equipment was added to buy a new mower or a new golf cart.

The Transportation budget had $19,000 under parks and recreation and $16,000 was moved to support LEF, PHY, and street maintenance. The total additional expenditures are $39,650.

Administrator Burns said that he would like to make the budget adjustment be an even $40,000 added from reserves.

Commissioner Grohoske asked about the revenue from the bond issue. Administrator Burns said this revenue does not have to show on the budget.
13.0 ANNOUNCEMENTS:

14.0 APRIL 29, 2016 – PLANNING AND ZONING BOARD MEETING 6:00 P.M.

15.0 MAY 10, 2016 – TOWN COMMISSION MEETING 6:00 P.M.

May 24, 2016 – Town Commission Workshop 6:00 p.m.

ADJOURNMENT – The workshop was adjourned at 6:51 p.m.

______________________________  _________________________
Sheila Hansen, Secretary        May 10, 2016

Date Approved
CALL TO ORDER – Mayor Pro-tem Garcia called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Absent
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Kevin Grohoske – Absent
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, Dan and Alice Brown, Bill and Debbie Seidl, James P. Jones, Ed Johnson, Johann and Ursel Behnken, Mark Ruben, and Gloria Crews.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER GROHOSKE’S REPORT – Budget vs Actual and Assets 4-8-2016 Town Administrator Burns said that he had handed out reports on the budget to the Town Commission. At the April Workshop, he would like to Town Commission to give suggestions on line item changes. These changes will be incorporated in the 6 budget review and amendment at the May 10, 2016 Town Commission meeting.

POLICE REPORT – See link Chief Cash reported that the wall at Richbourg and Shalimar Drive intersection is repaired. Officer Shadwell will be deploying to the mid-east on July 24, 2016 for months. CPR training and shooting recertification will be updated before he leaves.

MAINTENANCE REPORT – No report
TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – No report

TOWN RESIDENTS’ TIME – No residents had anything to say.

OLD BUSINESS:
LIX. TOWN COMMISSION MEETING MINUTES – Approval of March 8, 2016 Town Commission meeting minutes and March 29, 2016 Town Commission Workshop minutes. Chair will entertain a motion to approve minutes as drafted. Commissioner Wilton made a motion to approve the minutes of the Town Commission meeting and the Town Commission Workshop as written. Commissioner Gable seconded the motion and it passed unanimously.

LX. SECOND READING OF ORDINANCE 2016-03 - CODE OF ORDINANCES – Annex A (Old Code), Annex B (General Ordinances), Annex C (Land Development Code), and 2016 Zoning map. Errata Sheet. Mayor Pro-tem Garcia read the heading of Ordinance 2016-03. Attorney Chesser went over the changes he had made to the code enforcement procedures. Commissioner Gable made a motion to approve the second and final reading of Ordinance 2016-06 and Commissioner Wilton seconded the motion. The motion passed unanimously.

LXI. CODE ENFORCEMENT CODE ENFORCEMENT ACTIVITY – No outstanding problems.

LXII. PARKING AGREEMENT – Under Attorney review.

NEW BUSINESS:
I. SHALIMAR LIBRARY PRESENTATION – Don Brown went over a PowerPoint presentation (see attached presentation). He explained that the library had lost their lease and had to be off the property by October 1, 2016. They would like to lease the Town property on Richbourg Drive. They proposed a 20-year lease and will build a 3454 sq. ft. building with a library and a thrift shop. At the end of the lease the building would revert to the Town. They said that they were trying to design the building with the input the Town had given them at the March Town Commission workshop.

They believe they will need an additional $51,518 to complete the project the way they envision. They said that the worst past year they had a $12,000 profit from the thrift shop.

The building upgrades (pitched roof and brick skirting) that the Town has requested would cost $35,000. They cannot afford these items with the cash that they have on hand and the committed donations. They would need to finance the additional money using the building as collateral. They only problem this would cause would be if they defaulted on the loan which they think would not happen with the income from the thrift shop.

Commissioner Gable asked about the siding. The standard is hardy board. Chris Wickline said that stucco put be put over the hardy board but that would be an additional $19,800.00.
Commissioner Wilton asked who would prepare the lease documents. Attorney Chesser said that he would have no problem preparing the lease but that would be done when everything was approved.

Mayor Pro-tem Garcia said that the Town was considering possibly paying for the pitched roof and the siding.

Commissioner Gable asked if the $5000 a year was lease was acceptable to the library board. Don Brown said that the amount was okay as long as they do not have to spend more money on the building or have to borrow money for the building. Commissioner Gable suggested that the Town pay the $35,000 for the upgrades. Don Brown said that would work if there were no unexpected costs. He said that the costs for lot prep had to be spent, the closeout cost could be less than the estimate and it is possible that the equipage could be less.

Commissioner Wilton asked if the library had financial statements that the Town could review. Mr. Brown said that would be no problem.

Commissioner Wilton said that if the Town put up the $35,000 they would not want the building to be encumbered. Administrator Burns suggested that maybe the Town could donate $5000 with the stipulation that it be matched by other donations. Mayor Pro-tem Garcia suggested that the first years rent be waived being that is figured in the start-up costs rather than making a donation.

Don Brown asked about the Town not wanting the building to be encumbered for a loan. He said that if there were any unexpected costs they may still need a loan. Commissioner Wilton said that the Town did not want to be second on a mortgage. Attorney Chesser said that a loan on the lease hold interest could be arranged but that the Town would have to approve the amount of the loan and have the ability to pay the loan off if the library defaulted.

Attorney Chesser asked about what would happen if the library could not remain open for normal hours some time in the future. The Town would be the one getting the complaints. Don Brown said that all complaints should be referred to the library, as they will have the responsibility to run the business.

**Commissioner Gable made a motion that the Town offer to lease the property for 20 years at $5000 per year starting in year two and spend $35,000 for the requested upgrades on the building. The lease will also be subject to Town approval. Commissioner Wilton seconded the motion.**

A discussion was held on the items to be included in the lease. These included the building be used as library and open for a reasonable period of time. Attorney Chesser said that all of these items would be included in the lease and he would have a draft of the lease done by the April 26, 2016 workshop. **The motion passed unanimously.**

**Commissioner Wilton made a motion to waive the applications fees. Commissioner Gable seconded the motion and it passed unanimously.**
Administrator Burns said that the development order would go before the Planning and Zoning Board at their April 27, 2016 meeting and before the Town Commission at their May 10, 2016 Town Commission Meeting. Don Brown said that ideally they would like to start building by the end of May.

II. WASTE MANAGEMENT CONTRACT RENEWAL – Contract – renewal letter –
Administrator Burns went over the letter from Waste Management. He explained that this was a one-year extension on the previous contract. Ronny Bell from Waste Management said that the CPI increase for this year would be .38%. Commissioner Gable made a motion that the Waste Management contract be renewed with a maximum .38% increase. Commissioner Wilton seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
April 26, 2016 – Town Commission Workshop 6:00 p.m.
April 27, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
May 10, 2016 – Town Commission meeting 6:00 p.m.

ADJOURNMENT – Commissioner Gable made a motion to adjourn at 7:40 p.m.
Commissioner Wilton seconded the motion and it passed unanimously.

_____________________________ May 10, 2016
Sheila Hansen, Deputy Clerk  Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance to the Flag.

16.0 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Kevin Grohoske – Present
Commissioner Brad Gable – Present


17.0 OLD BUSINESS:
I. SHALIMAR LIBRARY AND RICHBOURG PROPERTY – Dan Brown did a presentation for the Shalimar Library. The library will no longer be able to lease the property at their present location after October 1 and is looking for a place to relocate. They would like to lease the lot that the Town owns on Richbourg Avenue and put a modular building on the lot which would revert to the Town at the end of the lease. Mayor Combs said that he thought $5000.00 per year for a lease would be reasonable.

Commissioner Grohoske asked about the library/thrift shop. Mr. Brown said that the thrift shop supports most of the overhead for the library. He said that maybe 1/3 of the support comes from donations.

Commissioner Wilton suggested a 20-year land lease at $5000.00 a year with an annual escalator. At the end of the lease or in the case of a default, the building will revert to the Town. The property must be used as a library.

Commissioner Grohoske suggested that the Town also invest in part of the building, making it larger and creating a Community Center along with the library. He felt it would be a positive addition to the Town for the residents. Administrator Burns said that he did not believe the lot would be large enough to add a Community Center. Mrs. Crews said that the library has a conference room, homeschools children, and would have a room for residents to use.
Commissioner Grohoske asked about the modular building design. Chris Wickline, the seller of the buildings, said that the building would be part brick and part stucco. The life of the building is estimated at 27 years. It will have strip slab footings with the building attached to the footings. The building would be built to Florida Building Code.

Administrator Burns asked about the 27-year life of the building. Mr. Wickline said that these were not really expensive buildings so that owners tend not to spend a lot of money for upkeep. With good upkeep the life of the building would be longer.

Attorney Chesser said he thought they should go with a regular building, not with a modular. The people said that they really did not have enough funds for a regular building of that size.

Commissioner Grohoske said he would rather see a public/private partnership where the Town would invest part of the funds for the building.

Administrator Burns asked what the modular building would be made of. Mr. Wickline said it would be a wood frame, sheetrock walls and ceilings. The ceiling insulation would be R30, exterior insulation would be R13, internal insulation R11, and it would have steel and wood floor joists. It would have a very slightly graded roof. Administrator Burns said he did not like the almost flat roof. Don Brown said that he was willing to work with the Town on design as long as it was in their price range.

Commissioner Gable said that the library should bring up the proposal at the April Town Commission meeting.

**II. PARKING AGREEMENT ON OLD FERRY ROAD** – Attorney Chesser asked that the agreement be sent to him to review before a decision is made.

**III. UPDATES ON CODE OF ORDINANCE CHANGES SUGGESTED BY ATTORNEY CHESSER** – Attorney Chesser’s suggested changes on the Code of Ordinances was reviewed.

*General Ordinances*

The suggested changes on page 2 through 6 were okay.

The suggested change on page 16, section 2.03.02 – The Town does want the Mayor to be able to reappoint Planning and Zoning Board members.

Page 19, section 2.05.04 will be redrafted by Attorney Chesser.

Page 41, section 5.08.03 is fine as written. The Town only wants domestic animals that are hit by a motor vehicle to be reported.

Page 43, section 6.03.00 – It was decided to change “demand” by the Code Enforcement Official to “request” remedy as it is the Town Commission’s duty to demand remedies.
Page 44 Administrator Burns will add the notice to owner about hearing in the initial code enforcement letter.

Lines 1226 and 1227 will be rewritten by the Town Administrator.

Page 45 line 1244 – remove resident in sentence. Must be owner.

Lines 1247 and 1248 – decided to remove the Sanitary Lien section from the Ordinance.

Page 45, line 1265 – Okay

Page 46 line 1296-1297 remove the line “such lien shall remain superior…”

Page 46 6.05.00 Nuisances Attorney Chesser’s suggestion okay.

Page 48, line 1347 – remove occupied from sentence.

Page 53 line 1521 – Special event section Administrator Burns will rewrite.

Page 56, Fair Housing – This section will be deleted and rest of General Ordinances renumbered.

Page 71 Section 10.06.00 – leave fireworks as is.

Page 74 line 2060 – Attorney Chesser’s suggestion okay.

*Land Development Code*

Page 1 100.1 No 2 suggestion okay.

Page 4 No. C addition okay add no G

Page 5 1.05.05 lines 145-147 – Change to Attorney Chesser’s wording.

Page 6 1.06.03 – change which to who

Page 8 G Add no 4 change okay.

Page 25 add: subdivision definition

Page 76 4.00.04 Change to 200 sq. ft.

Page 86 4.06.01 Change PUDs to 1 acre.

Page 117 5.01.15 Administrator Burns will rewrite.

Page 118 5.01.15 G add “of the riparian line”

Page 140 Line 4163 5.01.05 A. Cannot condition our permit on any Federal permit.

Page 158 6.01.05 add Attorney Chesser’s recommendation.

Page 186 Section 8.04.02 suggestion okay.

Page 190 Section 9.09.01 suggestion okay.

Page 227 line 9.10.02 E. delete 9.10.06 B. Mitigation schedule – delete

9.10.06 D.4 Delete

9.10.06 E Delete
IV. OTHER BUSINESS – COMMISSIONER GROHOSKE ANNOUNCED THAT HE WILL BE RESIGNING AS OF JUNE 1, 2016. HE IS MOVING TO BIRMINGHAM, AL DUE TO EMPLOYMENT.

18.0 ANNOUNCEMENTS:
March 30, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
April 12, 2016 – Town Commission meeting 6:00 p.m.
April 26, 2016 – Town Commission Workshop 6:00 p.m.

ADJOURNMENT – The workshop was adjourned at 8:12 p.m.

___________________________________ _______________________
Sheila Hansen, Deputy Clerk Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Kevin Grohoske – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Administrator Tom Burns, Deputy Clerk Sheila Hansen, Jim Monte, John and Carol Dowd, and John Dowd Jr.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – Mayor Combs reported that he attended the Executive Board meeting of the OCLOC on Monday. The Board decided that the OCLOC will start charging dues again in January 2017.

COMMISSIONER GROHOSKE’S REPORT – Budget vs Actual and Assets 3-4-2016. Town Administrator Burns said the budget is pretty much where is should be at the 6 month period. Budget review will be done in April and a budget amendment.

POLICE REPORT – See link Chief Cash said he would be sending out an email to everyone about getting emergency badges so that officials and employees could get into Town if the roads are closed due to a hurricane or other emergency.

MAINTENANCE REPORT – No report

TOWN MANAGER REPORT – No report
ATTORNEY'S REPORT – Attorney Chesser said he had gotten a package from Mike Kent and would like to know if the Town was interested in helping with a number of low income housing bonds. The big picture is that there are six or seven entities that have low income housing ranging from $10 million and down. These entities have all had financial difficulties. Mike Kent has proposed to take a write down on these properties and put together another package to be funded by these projects. The projects will be done one at a time and Mike Kent would like the Town to be involved in the first projects.

Attorney Chesser said that he had talked to Angela Balent of Warren-Averett and asked her to look at the projects financially very carefully and make sure there were no discrepancies. Administrator Burns asked if the bond issues would affect the Town’s ability to fund a bond issue of their own. Attorney Chesser did not believe these bond issues would affect the Town’s ability to borrow money.

Manager Burns remarked that the Town could earmark any revenue from these bonds to be used for special projects in Town.

Commissioner Grohoske said that he would like to have it verified that these bond issues would not affect the Town’s credit standing. He also wants to warn the Town Commission that they should not start depending on these types of funds as part of the Town Budget.

TOWN RESIDENTS' TIME – Jim Monte asked about eminent domain. He was worried that a developer could come into Town and ask the Town Commission to use eminent domain to take property to build a development. Attorney Chesser said that the Town could not use eminent domain to for a private interest. The Town Commission assured Mr. Monte that they would not do this even if it was legal.

OLD BUSINESS:
LXIII. TOWN COMMISSION MEETING MINUTES Approval of February 9, 2016 Town Commission meeting minutes and February 23, 2016 Town Commission Workshop minutes. Chair will entertain a motion to approve minutes as drafted. Commissioner Gable made a motion to approve the minutes of the Town Commission meeting. Commissioner Garcia seconded the motion and it passed unanimously. Commissioner Garcia made a motion to approve the minutes of the workshop. Commissioner Gable seconded the motion and it passed unanimously.

LXIV. SECOND READING OF ORDINANCE 2016-03 - CODE OF ORDINANCES – Annex A (Old Code), Annex B (General Ordinances), Annex C (Land Development Code), and 2016 Zoning map. Attorney Chesser said that he had read the Ordinance and that he had significant suggestions and comments that he would like implemented before the final reading. Mayor Combs asked him to get these items to Administrator Burns within 10 days so the Town Commission can review them at the monthly workshop. The Second Reading of the Ordinance can then be advertised for April 12, 2016.
LXV. CODE ENFORCEMENT CODE ENFORCEMENT ACTIVITY – 15 Plew Avenue – Vehicle, storage, and maintenance. The Town Commission agreed to remove this item as old business.

NEW BUSINESS:

III. RESOLUTION 2016-01 TO UPDATE THE ADMINISTRATIVE POLICY MANUAL AND THE PERSONNEL POLICY MANUAL – Commissioner Gable made a motion to pass the Resolution to update the Administrative Policy Manual and the Personnel Policy Manual. Commissioner Garcia seconded the motion and it passed unanimously.

IV. RESOLUTION 2016-02 TO UPDATE THE PLANNING AND ZONING BOARD BY-LAWS – Commissioner Wilton made a motion to pass the Resolution to update the Planning and Zoning Board By-Laws. Commissioner Garcia seconded the motion and it passed unanimously.

Commissioner Gable asked about the new home on Richbourg Avenue. He said the owner still had not put in the required sidewalk. Administrator Burns said that he still had not gotten his permanent certificate of occupancy from Okaloosa County. Commissioner Gable asked Administrator Burns to contact the County and find out how long the owner could have a temporary Certificate of Occupancy.

Mayor Combs said that he may not be in Town for the April and May Town Commission Meetings as he may go on vacation.

ANNOUNCEMENTS:

March 29, 2016 – Town Commission Workshop 6:00 p.m.
March 30, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
April 12, 2016 – Town Commission meeting 6:00 p.m.

ADJOURNMENT – Commissioner Wilton made a motion to adjourn at 7:00 p.m. Commissioner Garcia seconded the motion and it passed unanimously.

_________________________________________  ______________________
Sheila Hansen, Deputy Clerk  April 12, 2015

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

19.0 ROLL CALL FOR THE RECORD

Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Kevin Grohoske – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Town Manager Tom Burns

20.0 OLD BUSINESS:

I. TOWN COMMISSION AS CODE ENFORCEMENT BOARD – General Ordinances – Land Development Code – A discussion was held on the Town Commission being the Code Enforcement Board for both the General Ordinances and the Land Development Code. Everyone on the Commission agreed that this would be okay. There were no suggestions for other changes to the Code of Ordinance.

The Zoning Map was also discussed and it was decided to designate Barron Court, Dana Court, and Shalimar Commons as R-2 zoning with changes to the development standards rather than zoning these areas as Planning Unit Developments (PUD). Snug Harbour will be the only PUD in the Town of Shalimar. The changes to the Ordinance were reviewed and there was a general agreement that the revisions were okay.

II. PLANNING AND ZONING BOARD BY-LAWS – The Planning and Zoning Board by-laws were discussed and everyone agreed that they were acceptable.

III. UPDATE ON TOWN PERSONNEL POLICY, ADMINISTRATION POLICY AND TOWN SCHEDULE OF FEES – The Town Commission reviewed the Town’s Personnel Policy Manual. It was decided that:

1. Manager Burns needs to attach listing of appropriate Personnel related forms.
2. Section 2.8.5.2 should be changed to five (5) years’ experience required for Chief of Police position rather than two (2) years.
3. That the Equipment Loan section (9.0) and the Hold Harmless Form be moved to the
Administrative Policy Manual.

4. Section 3.0 had a numbering problem that needed correcting.
5. In section 4.3 overtime should be changed to 30 hours per week or per Federal requirements.
6. Section 5.2.3 should have “should” changed to “shall” and “approval” to “approved” and a space added after 160.
7. Section 5.2.7 needs to have “not” added as “will not be paid”.
8. Section 5.2.9 needs to have sick leave changed to 4 hours per pay period and 8 hours per month rather than listing as days.

The Town Commission then reviewed the Administrative Policy manual and it was decided that:

1. Manager Burns would rewrite Section 4.2.2 in the Budget section.
2. The Equipment section from the Personnel Policy will be moved into the Administrative Policy manual along with the Hold Harmless form and any other administrative forms.
3. The Fee Schedule will have “Miscellaneous” removed from the Fines heading.

A brief discussion was held on the Animal Control Ordinance regarding restraints of Dogs and Cats. All of the Town Commission members are aware of the cat problems at Snug Harbor.

21.0 ANNOUNCEMENTS:

February 24, 2016 – Planning and Zoning Board Meeting 6:00 p.m.
March 8, 2016 – Town Commission meeting 6:00 p.m.
March 29, 2016 – Town Commission Workshop 6:00 p.m.

ADJOURNMENT: The workshop was adjourned at 8:00 p.m.

______________________________________________  March 8, 2015
Sheila Hansen, Deputy Clerk  Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

22.1.1 ROLL CALL FOR THE RECORD:

Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Kevin Grohoske - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE: Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Bernard and Lois Johnson, John and Carol Dowd, Johann and Ursel Behnken, Cleo Battle, Susan Stephens, Steve Peterson, Vito Tomasello, James Moore, Jim Monty, Jesse Cain, and Cristobal and Rosa Bailon.

22.1.2 COMMITTEE REPORTS:

Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – Mayor Combs reported that he did an update on the Administration Manual and the Personnel Manual. He said that these could be gone over in the February Workshop. He also would like to go over the By-laws for the Planning and Zoning Board and the Code Enforcement Board.

COMMISSIONER GROHOSKE’S REPORT – Budget vs Actual and Assets 2-5-2016 Commission Grohoske reported that the Town was looking at leasing a new copy machine. The contract would be with Harris Business Machines, our present lessor, and would be $125.00 per month versus $190.00 a month for the present contract.
POLICE REPORT – See link Commissioner Wilton reported that the new police vehicle was getting the equipment installed that should be finished next week. The graphics will then be applied and the vehicle will be ready.

MAINTENANCE REPORT – No report
TOWN MANAGER REPORT – No report

ATTORNEY'S REPORT – No report

TOWN RESIDENTS' TIME – There were no residents who wished to speak at this time.

22.1.3 OLD BUSINESS:

I. TOWN COMMISSION MEETING MINUTES – Approval of January 12, 2015 Town Commission Meeting. Chair will entertain a motion to approve minutes as drafted. Commissioner Grohoske made a motion to approve the minutes. Commissioner Garcia seconded the motion and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY –
   A. 15 Plew Avenue – Vehicle, storage, and maintenance. Manager Burns reported that a letter had been sent to the property owner and they had 15 days to correct the problems. The owner did not receive the letter in time to correct the problem by this meeting. He has removed the racecar and his property will be checked again.
   B. 17 Cherokee Road – Vehicles, storage, and outside wiring. Commissioner Garcia and Manager Burns inspected the property and the violations had been resolved.

III. LEAVE POLICY – DISCUSSION CARRIED FORWARD FROM JANUARY MEETING – The Town Commission decided to continue this discussion at the February Town Commission Workshop.

22.1.4 NEW BUSINESS:

I. FIRST READING OF ORDINANCE 2016-03 - CODE OF ORDINANCES – Annex A (Old Code), Annex B (General Ordinances), Annex C (Land Development Code), and 2016 Zoning map – Manager Burns reported that he had taken the input from the Planning and Zoning Board public hearing and removed the lines from the PUD zoning. He has changed the three single family resident at the end of Snug Harbor Drive back to R-1 and the Snug Harbor Townhomes to PUD. He left the Mixed Use zoning category for the three lots across from the Town property on Cherokee Road and made the rest of Cherokee Road, except for Cherokee Park, zoned R-1 Single Family Residential.

He reported that a new Mixed Use category (MU-2) had been created with tighter restrictions. There is nothing in this zoning category at present.

Mr. Dowd’s property by the bridge is zoned R-1 on the Future Land Use Map (FLUM). Mr. Dowd would like to have his property zoned R-3 which is what the present zoning map is or MU-1. Manager Burns said that the FLUM would have to be changed but this could be done in the future. The property will be changed to R-3 on the new Zoning Map.
Steve Peterson from Shalimar Yacht Basin asked why the Yacht Basin zoning was changed from Industrial to Commercial. Manager Burns explained that the Yacht Basin did not need to be Industrial. The Commercial zoning will allow anything type of work that is done at the Yacht Basin now. The Yacht Basin could be changed to MU but the FLUM would have to be changed for this zoning also.

Commissioner Wilton asked why the PUDs were zoned R-1 PUDs. He said that there is no such zoning category. Manager Burns said that these areas were developed as PUDs and that Pat from Blackshear Planning said they need to be designated as PUDs because of different rules when they were built. Mayor Combs suggested that Manager Burns ask Pat about the PUDs and have Attorney Chesser review her response. James Moore asked if the PUDs are rezoned to R-1 would there be a variance requirement to rebuild if the homes were destroyed. Attorney Chesser said that when the PUDs were developed in 1976 the developers wanted to do something different and special. The traditional zoning category required that everything have the same rules. Mayor Combs said that the PUD designation is to protect the residents because of the different setbacks.

The Town Commission discussed the MU-1 and MU-2 zoning categories. Manager Burns explained the difference between the two categories and Mayor Combs said that the MU-2 category is much more restrictive that the MU-1.

22.1.5 COMMISSIONER GABLE MADE A MOTION TO APPROVE THE FIRST READING OF ORDINANCE 2016-03 WITH THE PROPOSED CHANGES TO THE DOWD PROPERTY ON THE ZONING MAP. COMMISSIONER GARCIA SECONDED THE MOTION.

Commissioner Grohoske asked if the residents had a concerns about the Ordinance. Cleo Battle asked about the Shalimar Yacht Basin having a restaurant which, when previously applied for, the residents clearly did not want. It was explained that it was the serving of alcohol that was the problem and that would require a special exception from the Town.

One of the residents asked if the Code Enforcement Officer could go onto their property to inspect it without the owner’s permission. Attorney Chesser said that the ordinance would have to have specific language allowing the Code Enforcement Officer to enter private property. He will research this item and let Town Manager Burns know the answer.

Attorney Chesser said that he would like to review the Code of Ordinances. A discussion was had about the amount of time this would take and the cost of his services. Mayor Combs said that he would like Attorney Chesser to keep the cost of the review below $2,000.00.
22.1.6 **The approval of the first reading of Ordinance 2016-03 was voted on and passed unanimously.**

II. **Part-time Handyman License** - Mayor Combs reported that for anyone to work in the Town of Shalimar a contractor’s license is required. He said he would like for the Town to purchase liability insurance and pay for the licenses for the part-time employees to work as handymen when they are off duty. He thinks that the residents would appreciate being able to hire someone they know to do small jobs around their residences. The liability insurance would cost $600.00 per year, the Okaloosa County license is $30.00, and the Town of Shalimar license is $20.00.

Commissioner Wilton said that he had a problem with the Town giving a financial benefit to an employee. Attorney Chesser said that the payment of the insurance and license would have to be included as income for the employees. He said that he would like to check into the legal status of this idea.

22.1.7 **Announcements:**

February 23, 2016 – Town Commission Workshop 6:00 p.m. February 24, 2016 – Planning and Zoning Board Meeting 6:00 p.m. March 8, 2016 – Town Commission meeting 6:00 p.m.

22.1.8 **Adjournment:** Commissioner Garcia made a motion to adjourn at 7:32 p.m. Commissioner Gable seconded the motion and it passed unanimously.
CALL TO ORDER - Chairman Henderson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Chairman Henderson led the pledge of allegiance to the flag.

22.2 ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Present
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT - Town Manager Tom Burns, John and Carol Dowd, Kirk Vanden, Geno Tucker, Robert Brainerd, Brian McMahon, Jesse Cain, Jim Monte, Monique Larson, Sarah Crews, Brad Gable, Joy Corquett, Don and Cindy Cowden, Cristobal and Rosa Bailon, Pat Dulian, Vito Tomasello, Bernard and Lois Johnson, Richard Davis, Tracy and Gloria Twiddy, Wayne and Vickie Warner, Richard and Helen Hoffert, John Dowd, Jr.

22.3 OLD BUSINESS:
I. APPROVE THE AUGUST 26, 2015 P & Z BOARD MEETING MINUTES - Member Daniels made a motion to approve the minutes. Member Morgan seconded the motion and it was unanimously approved.

NEW BUSINESS:
I. PUBLIC HEARING ON ORDINANCE 2016-03 CODE OF ORDINANCES
Manager Burns reported that a letter had been sent to all property owners in the Town of Shalimar. This Public Hearing was to take property owner’s input on the new Code of Ordinances. He explained that the new Code of Ordinances had been in the works for several years. The new Comprehensive Plan had been passed in 2013. The Future Land Use Map (FLUM) is the long range view of how the Town should be developed. The new Zoning Map has to agree with the FLUM. The new code replaced Part A of the old Code of Ordinances with the General Ordinances in the new code and the Land Development Code replaced Part B of the old code.
He explained that the old Zoning Map had most of the property in Town listed as Multi-family residential R-3. The majority of this zoning is changed to Single-family Residential R-1 on the new Zoning Map. There were two areas zoned Multi-use but there would have to be a lot done before they could be developed as mixed use.
Steve Peterson of the Shalimar Yacht Basin said that there were no clear definitions of Commercial, Industrial, and mixed use. Manager Burns explained what could be developed in the Mixed-Use areas. Mr. Peterson was upset that the Yacht Basin had been changed to Commercial zoning from Industrial and wanted to know why. Manager Burns explained that everything that was allowed in Industrial zoning is also allowed in the Commercial zoning and that there would be no changes that would affect Shalimar Yacht Basin.

Richard Davis said that it looked like the Town was trying to change Cherokee Road to Commercial and did not like this. Manager Burns stated that he would like to go over the Mixed-use zoning and then open the meeting to public comments. The allowed Mix-use businesses could be changed by Ordinance.

A resident asked if multi-unit residential would require handicap parking spaces. Pat Blackshear said that she would check into this. Chairman Henderson said that any development in these areas would not be high-rise apartment buildings due to the height restrictions.

James Moore asked about the Planned Unit Development (PUD) designations in Town. He said he had looked up the definition of PUDs and Barron court, where he lives, did not have any empty lots, no common area, and no longer has a park. There are no shops and amenities. The density is more than R-1 but he does not think any of the PUDs in Town were covered by this definition. He also said he did not like the hash-marks used to designate these areas on the Zoning Map. Pat Blackshear explained that these areas had been originally developed as PUDs. The setbacks are different than is required in R-1 and R-2 zoning. Susan Stephens said that Brandy Court was also listed as a PUD and wanted to know if the open area in Brandy Court could be developed. Manager Burns explained that the open area is required. Manager Burns said that the PUDs were zoned R-1 but the hash-marks were put there to show that they were historically developed as a PUD. Pat Blackshear said that, due to the developments being non-conforming, if the PUD zoning is not listed, if the homes were destroyed they could not be rebuilt under the R-1 zoning without having the Town approve a variance due to the smaller setbacks. Mr. Moore said that he would like to discuss this with Manager Burns and wondered if the neighborhood could have a waiver signed that would allow them to rebuild without getting variances. Pat Blackshear said that to get a variance from the Town there would have to be a hardship for this to be approved and this would not qualify. Mr. Moore said that he would like to have the black hash-marks removed.

Pat Blackshear said that the Town could create a new zoning category that allows smaller lots and setbacks.

Manager Burns returned the discussion to the Mixed-use Category. Pat Blackshear explained that the Mixed-use category requires at least 50% residential and 10% open areas. Therefore, there could be no more than 40% Commercial property.
Wayne Warner asked about the Mixed-use zoning for Snug Harbour. He said that the three homes at the end should be Residential R-1 and everyone who owned those homes agreed.
The Snug Harbor Townhomes were zoned Mixed-use on the new Zoning Map. The residents would like these left as R-3.

Mr. Dowd said that he would like his property rezoned from R-1 and that he wanted this to also be rezoned on the FLUM.

22.4 MEMBER BATTLE MADE A MOTION FOR THE MEMBERS OF THE PLANNING AND ZONING BOARD TO PROVIDE INPUT TO MANAGER BURNS ON THE MEETING AND FOR HIM TO COMPILE THE COMMENTS AND PRESENT THEM TO THE TOWN COMMISSION. MEMBER MORGAN SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

OLD BUSINESS: There was no old business.

22.5 ANNOUNCEMENTS:

February 9, 2016, 6:00 p.m. – Town Commission Meeting and first reading of Ordinance Number 2016-03

February 23, 2016, 6:00 p.m. – Town Commission Workshop February 24, 2016, 6:00 p.m. – Planning and Zoning Board Meeting

22.6 ADJOURNMENT: MEMBER MORGAN MADE A MOTION TO ADJOURN AT 6:51 P.M. MEMBER DANIELS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

23.0 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Kevin Grohoske – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Brad Gable – Present

OTHERS IN ATTENDANCE – Attorney Mike Chesser, Town Manager Tom Burns, and Deputy Clerk Sheila Hansen.

24.0 COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER GROHOSKE’S REPORT – Budget vs Actual and Current Assets. Manager Burns went over the budget vs actual. He said that 70% of the ad valorem has been received. A quarter of the year has passed and nothing on the budget is out of line. Manager then went over the Current...
Asset report. Manager Burns said that the money market account was receiving .2% interest. He would like to transfer $100,000.00 into a 28-month CD at Regions bank which is paying 1.1%.

**POLICE REPORT** – See link Chief Cash showed the Town Commission an example of the new patch that they will have on their uniforms.

**MAINTENANCE REPORT** – No report

**TOWN MANAGER REPORT** – Manager Burns reported that Dr. Kain, from 10 Old Ferry Road, has until January 17, 2016 to continue her appeal.
The cost of the new police vehicle will be $34,945.00 plus the cost of the graphics.

PolyEngineering is finalizing the survey for the sidewalks on Old Ferry Road. The survey will be $1600.00. Roy Petrey will be meeting with the Maintenance Department about the swales on Shalimar Drive and Brandy Court. The Town is going to try to redo the swales in house and, hopefully, this will help with the flooding problems in those areas.

The ads will go out this week for the Code of Ordinances. The Planning and Zoning Board will review it on January 27, 2016. A letter will go out to all residents and businesses notifying them about the new Code of Ordinances and will include copies of the current zoning map and the new zoning map. Mayor Combs asked that Okaloosa County also be sent a copy of the letter.

Manager Burns reported that the Town had gotten a verbal offer ($75,000) on the Richbourg property but this was below asking price. Mayor Combs stated that it would have been reasonable for a residential lot but was too low for commercial property. It was decided that the Town will review any written offer that is a reasonable price.

**ATTORNEY’S REPORT** – Attorney Chesser reported that he had been extremely busy and had been less than active on reviewing the new Code of Ordinances. The Commission directed him to wait on reviewing the Code until after the Planning and Zoning Board hearing results in a baseline draft. He also said that he believed that Dr. Kain’s appeal will be denied.

**TOWN RESIDENTS’ TIME** – There were no residents in attendance.

**AUDIT REPORT** – Angela Ballent from Warren-Averett reported on the results of the 2015 fiscal year audit. She said that there were no accounting procedures that the Town had to change. There were two (2) adjustments. Two years of insurance were paid in fiscal year 2015. The fiscal year 2016 was paid in 2015 fiscal year and had to be transferred to fiscal year 2016 and the business tax receipts were not deposited in September. They were held until October. She said all cash receipts needed to be deposited 3 to 5 days after receipt.

She said of the communities in Okaloosa County that her company audits Shalimar is the only one that has no debt. Shalimar is compliant with the Town’s policy on cash reserves and has more than the policy requires.

There are only two comments on the audit report. One is to make timely deposits and the other comment is a suggestion that the Town have a risk assessment done on its IT security. Commissioner Grohoske commented that he thinks this should be done every three years due to the areas impacted which are business interruption, release of protected information, and the liability of a lawsuit if something is breached. Angela said that she thinks this would be a good investment of funds.
25.0 OLD BUSINESS:

26.01. TOWN COMMISSION MEETING MINUTES – APPROVAL OF DECEMBER 8, 2015

TOWN COMMISSION MEETING. CHAIR WILL ENTERTAIN A MOTION TO APPROVE MINUTES AS DRAFTED. COMMISSIONER GARCIA MADE A MOTION TO APPROVE ALL MINUTES. COMMISSIONER WILTON SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

27.0

28.0II. DISCUSS LAND DEVELOPMENT CODE UPDATE – IT WAS DECIDED THAT, AS SOON AS THE PLANNING AND ZONING BOARD APPROVES THE NEW CODE OF ORDINANCES, ANY NEW CHANGES WILL BE GIVEN TO DEPUTY CLERK HANSEN AND SHE WILL ADD OR DELETE AND HIGHLIGHT THE CHANGES.

29.0

30.0III. CODE ENFORCEMENT ACTIVITY:

31.0A. DR. KAIN LIVING IN COMMERCIAL BUSINESS AT 10 OLD FERRY ROAD AGAINST TOWN ORDINANCE. LAST CHANCE FOR ANY APPEAL EXPIRES ON JANUARY 17, 2016.

32.0

33.0B. 15 PLEW AVENUE – VEHICLE, STORAGE, AND MAINTENANCE. PICTURES OF THE CONDITION OF THE PROPERTY WERE REVIEWED. MANAGER BURNS REPORTED THAT A LETTER HAD BEEN SENT TO THE PROPERTY OWNER AND THEY HAD 15 DAYS TO CORRECT THE PROBLEMS.

34.0

35.0C. 17 CHEROKEE ROAD – VEHICLES, STORAGE, AND OUTSIDE WIRING. PICTURES OF THE CONDITION OF THE PROPERTY WERE REVIEWED. MANAGER BURNS REPORTED THAT A LETTER HAD BEEN SENT TO THE PROPERTY OWNER AND THE PRESENT RESIDENT GIVING 15 DAYS FROM RECEIPT OF THE LETTER TO CORRECT THE PROBLEMS.

The resident is a Town employee and Mayor Combs had been trying to work with him since August 2015 to clean up the property. Commissioner Garcia said that he had gone over the violations with the resident and he had starting cleaning up the problems. Manager Burns will review the property before the February meeting to see if it is compliant and the Town Commission will then make a decision whether it is necessary to follow-up on enforcement.

D. Commissioner Grohoske asked about 2550 Irwin Fleet. He said that there was a car parked across the sidewalk that did not have an engine. Manager Burns said that he would follow up on this item.
36.0 NEW BUSINESS:

37.0 I. BY-LAWS FOR CODE ENFORCEMENT BOARD – It was decided that a resolution will be done with the by-laws for the Code Enforcement Board that will be approved when the new Code of Ordinances is passed.

38.0

39.0 II. KENT BECK LEAVE DEFICIT – December 2015 leave report – Kent Beck is 83 hours in the hole on his annual leave. This was discussed and Commissioner Grohoske suggested that the pay policy should be reviewed and changed in reference to the leave
policy when an employee goes in deficit on annual leave. This will be discussed at the next meeting.

III. PAY OUT OF ACCRUED LEAVE BY CHIEF CASH – Commissioner Wilton asked the Town Commission to approve cash payout for 70 hours of accrued leave for Chief Cash. He explained this was for personal reasons and he agreed with the request. Commissioner Wilton made a motion to compensate Chief Cash for 70 hours of leave. Commissioner Garcia seconded the motion and it passed unanimously.

40.0 ANNOUNCEMENTS:
January 14, 2016 – Okaloosa County League of Cities Dinner hosted by Destin
January 26, 2016 – Town Commission Workshop 6:00 p.m.
January 27, 2016 – Planning and Zoning Board Meeting First LDC Hearing 6:00 p.m.
February 9, 2016 – Town Commission meeting and First reading of new Code of Ordinances 6:00 p.m.

It was decided to cancel the January 26, 2016 Town Commission Workshop.

41.0 ADJOURNMENT – COMMISSIONER WILTON MADE A MOTION TO ADJOURN AT 7:56 P.M. COMMISSIONER GROHOSKE SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

Sheila Hansen, Deputy Clerk

February 9, 2015

Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Kevin Grohoske - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Absent

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Town Manager Tom Burns, and Deputy Clerk Sheila Hansen.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER GROHOSKE’S REPORT- Budget vs Actual and Current Assets. Manager Burns went over the Current Assets report. He said there was over $800,000 in funds and, when the ad valorem funds came in, the Town should have over $1,000,000. Manager Burns said that he would like to purchase $100,000 CD. That would still leave approximately $67,000 in the money market account. Commissioner Wilton asked what the maturity date would be on this CD. Manager Burns said that he could purchase a 3-year CD at 1.25% from Beach Bank and a 24-month CD at .5% interest. Commissioner Garcia made a motion for the finance committee (Manager Burns and Commissioner Grohoske) to make a decision on the investment of $100,000 of the money market funds. They will then notify the Town Commission by email of their decision. Commissioner Wilton seconded the motion and it passed unanimously.
POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – No report
TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – Attorney Chesser reported that Mattie Kain has 10 days to appeal the decision by the court to not hear her case.

TOWN RESIDENTS' TIME – There were no residents in attendance.

OLD BUSINESS:

LXVI. TOWN COMMISSION MEETING MINUTES – Approval of September 8, 2015
Town Commission meeting, September 8, 2015 First Budget Hearing, and September 22, 2015 Final Budget Hearing Chair will entertain a motion to approve minutes as drafted. Commissioner Garcia made a motion to approve all minutes. Commissioner Wilton seconded the motion and it passed unanimously.

LXVII. DISCUSS LAND DEVELOPMENT CODE UPDATE – There was a discussion about the Code of Ordinance and each of the Commissioners will review it and give any suggested changes to Deputy Clerk Hansen. The final Code of Ordinances will go before the Planning and Zoning Board at their January 27, 2016 meeting. The first reading of the Ordinance will be at the February Town Commission meeting and if all is approved the final reading of the Ordinance will be at the March 2016 Town Commission meeting.

LXVIII. CODE ENFORCEMENT ACTIVITY – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Court on November 26, 2014 – Judge Maney issued a court order giving Dr. Kain 90 days from February 20, 2015 to remove herself to a new residence. Rehearing requested by Dr. Kain’s attorney on March 30, 2015. Motion denied by Judge Maney on April 7, 2015. On May 5, 2015 Dr. Kain has filed an appeal before a three judge panel. Appeal denied. Dr. Kain no longer living in commercial building. Dr. Kain sold her share of the property and it is for sale by new owner. Manager Burns is to stop the daily lien placed on the property and place a final value on the lien. Attorney Chesser will get the date the property was sold.

NEW BUSINESS:

I. DISCUSS PURCHASE OF NEW PATROL CAR – Quote – Commissioner Wilton made a motion to purchase a new police cruiser per the attached quote. Commissioner Grohoske asked why we needed a new car. Commissioner Wilton said that the Camry was getting old and the maintenance was becoming more expensive. The Police Department will use the Camry as a back-up vehicle and the Dodge can have
the police equipment removed and be transferred to the Maintenance Department. The Maintenance Department will then sell the Ford maintenance truck. Commissioner Garcia asked if the quote was the lowest price available. Commissioner Wilton said that the price was reasonable and is through the State contract. **Commissioner Garcia seconded the motion and it passed unanimously.** Commissioner Grohoske asked when the car would be purchased. Commissioner Wilton said the process would be started immediately.

Manager Burns brought up making a donation to the EDC and the Choctawhatchee Basin Alliance. He said that these were the only donations the Town does and he had forgotten to budget for the Choctawhatchee Basin Alliance this year. There was no opposition to this donation. The budget will be adjusted for this at the 6-month review.

**ANNOUNCEMENTS:**
December 15, 2015 – Christmas Parade and Party Parade – 5:00 Party to follow
December 29, 2015 – Town Commission Workshop - cancelled
December 30, 2015 – Planning and Zoning Board Meeting 6:00 p.m.
January 12, 2015 – Town Commission meeting 6:00 p.m.

**ADJOURNMENT:** **Commissioner Garcia made a motion to adjourn at 6:52 p.m.**
**Commissioner Wilton seconded the motion and it passed unanimously.**

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Sheila Hansen, Deputy Clerk

January 12, 2015

Date approved
CALL TO ORDER - Mayor Combs led the Pledge of Allegiance to the Flag and called the meeting to order at 5:30 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Brad Gable: present
Commissioner Kevin Grohoske: present
Commissioner James Wilton PhD: present

Others in attendance: Deputy Clerk Sheila Hansen, Town Administrator Tom Burns, and Johann and Ursel Behnken.

HEARING ITEMS:

I. SECOND PUBLIC READING OF ORDINANCE 2016-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2016 – Commissioner Gable made a motion to approve Ordinance 2016-01 as written. Commissioner Garcia seconded the motion and it passed unanimously.

II. SECOND PUBLIC READING OF ORDINANCE 2016-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2015-2016 - Commissioner Garcia made a motion to approve 2016-02 as written and to approve Mayor Combs signing the Town Administrator contract. Commissioner Wilton seconded the motion and it passed unanimously.

III. REQUEST APPROVAL FOR TOM BURNS TO TRANSFER UNUSED LEAVE TIME TO PERRY HESLEP – August 30 Leave Report was attached – Town Administrator Burns explained that he was going to lose leave time because we can only carry 160 hours into the next fiscal year. Lieutenant Perry has a deficit of leave due to the amount of Army training time he has had to do in the last year. Town Administrator Burns would like to
transfer some of his extra leave to Lieutenant Perry to bring his leave back to zero. **Commissioner Garcia made a motion to approve Town Administrator Burns transferring leave to Lieutenant Perry. Commissioner Grohoske seconded the motion and it passed unanimously.**

**IV. APPROVE CONTRACT FOR AUDITOR SERVICES** – Finance Committee Report was attached

**ADJOURNMENT:** Commissioner Wilton made a motion to adjourn at 5:41 p.m. The motion was seconded by Commissioner Gable and it passed unanimously.

___________________________________  _________________________
Sheila Hansen, Deputy Town Clerk                Date approved
Town of Shalimar  
Town Commission Meeting  
*September 8, 2015*

**CALL TO ORDER** – Mayor Pro-tem Garcia called the meeting to order at 6:00 p.m.

**ROLL CALL FOR THE RECORD:**
Mayor Gary Combs - Absent  
Mayor Pro-Tem Ricardo Garcia - Present  
Commissioner Kevin Grohoske - Present  
Commissioner Jim Wilton, PhD - Present  
Commissioner Brad Gable - Present

**OTHERS IN ATTENDANCE** - Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, George Stone, Rick Rausch, and Police Chief John Cash.

**COMMITTEE REPORTS:**
- Planning & Zoning Board – August 26, 2015 minutes  
- Technical Review Board – No report

**COMMISSIONER GABLE’S REPORT** – No report

**MAYOR PRO-TEM GARCIA’S REPORT** – Commissioner Garcia said that the Maintenance Department had given him a list of sidewalks that needed repairs.

**COMMISSIONER WILTON’S REPORT** – No report

**MAYOR COMBS’ REPORT** – No report

**COMMISSIONER GROHOSKE’S REPORT** - Commissioner Grohoske’s Report was attached. Manager Burns went over the Current Assets report. He said that he had paid for liability and workers compensation for FY 2016 which will be carried forward to 2016.

**POLICE REPORT** – The Police Report was attached. The Town Commission read the Police Report. Chief Cash said that he had talked to PAWS about the cat complaint in Snug Harbor. He said that the Town had given the resident with the complaint permission to contact PAWS directly.

**MAINTENANCE REPORT** – No report

**TOWN MANAGER REPORT** – No report
ATTORNEY’S REPORT – Attorney Chesser reported that Mattie Kain’s attorney had filed three motions on the zoning issue. One is to disqualify two of the judges. Attorney Chesser reported that the closing is scheduled for the last couple days of September on the bond issue. He said he would try to arrange that the deposit be made by wire transfer.

TOWN RESIDENTS' TIME – There were no items brought up by residents.

OLD BUSINESS:

LXIX. TOWN COMMISSION MEETING MINUTES – Approval of August 11, 2015 Town Commission meeting, August 11, 2015 Quasi-judicial Hearing, and August 25, 2015 Budget Workshop. Chair will entertain a motion to approve minutes as drafted. Commissioner Gable made a motion to approve all minutes. Commissioner Wilton seconded the motion and it passed unanimously.

LXX. CODE ENFORCEMENT ACTIVITY – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Court on November 26, 2014 – Judge Maney issued a court order giving Dr. Kain 90 days from February 20, 2015 to remove herself to a new residence. Rehearing requested by Dr. Kain’s attorney on March 30, 2015. Motion denied by Judge Maney on April 7, 2015. (See Attorney Chesser’s report). Attorney Chesser reported Dr. Kain had appealed the judgement to a 3 judge Circuit Court. The appeal should be decided within 90 days. Attorney Chesser reported that he had submitted a brief to the Court. The hearing will probably be within 60 days.

NEW BUSINESS:

II. CONSIDER COMMERCIAL ADDITIONS AT 1115 EGLIN PARKWAY - See minutes from Planning and Zoning Board. Manager Burns handed out copies of the drawings Dr. Stone had given him that showed the addition he has planned. Manager Burns said that there was no parking agreement to use the parking spots on the right-of-way on Old Ferry Road. He said that Dr. Stone would have to sign a use and maintenance agreement.

Commissioner Grohoske asked about the sidewalks. Manager Burns said that the Town would like to continue the sidewalks on Old Ferry Road to connect with Eglin Parkway. Dr. Stone recommended that the Town connect to the sidewalk that runs through his property rather than building a sidewalk to the point of Old Ferry Road and Eglin Parkway. He said that was where most people walked anyway.

Attorney Chesser was worried about pedestrians having a clear line of sight in both directions. He also was concerned that the parking was non-conforming due to less parking that is required. Manager Burns explained that there was enough parking to meet requirements.
Attorney Chesser said that getting a sidewalk easement for the Town to use the sidewalk along the side of the building would be simple. He wanted to know if there was any liability for parking on the right-of-way. Manager Burns explained that we had parking on the right-of-way agreements in several other places in Town and never had any problems. Dr. Stone said that he was willing to add the parking area to his liability insurance.

Attorney Chesser said the Town could do the parking agreement and get a sidewalk easement. Commissioner Grohoske said the sidewalk makes him uncomfortable. He would rather the sidewalk be extended to Eglin Parkway along Old Ferry Road. Rick Rausch went over the sidewalk and explained that a hill was along this area of Old Ferry Road and it would be difficult to build a sidewalk along there. Commissioner Grohoske decided using the proposed sidewalk would be acceptable.

**Commissioner Gable made a motion to approve the Planning and Zoning Board recommendation contingent on a parking use and maintenance agreement and a sidewalk easement to the Town. The Town Commission authorized the Mayor to sign these agreements pursuant to the plat approved by the Commission at this meeting. Commissioner Wilton seconded the motion and it passed unanimously.**

III. **RESOLUTION 2015-06 – RESTORE THE GULF** – Commissioner Gable made a motion to approve the Resolution as read. A discussion was held in which several Commissioners said that they did not think this was a good idea. It was getting government too involved. **The motion died for lack of a second.**

IV. **PROCLAMATION MAKING WEEK OF SEPTEMBER 17th, 2015 CONSTITUTION WEEK** – Commissioner Grohoske made a motion to approve the Proclamation as written. Commissioner Gable seconded the motion and it passed unanimously.

Commissioner Gable brought up the Land Development Code. He has reviewed the old by-laws for the Planning and Zoning Board and said that they are in conflict with the new General Ordinances. He said that he will rewrite the by-laws so that they no longer conflict with the General Ordinances. The Town Commission agreed with this.

**ANNOUNCEMENTS:**
September 22, 2015 – Final Budget Hearing 5:30 p.m.
September 29, 2015 – Town Commission Workshop
September 30, 2015 – Planning and Zoning Board Meeting 6:00 p.m.
October 13, 2015 – Town Commission meeting 6:00 p.m.

**ADJOURNMENT:** Commissioner Wilton made a motion to adjourn at 7:06 p.m. Commissioner Gable seconded the motion and it passed unanimously.
CALL TO ORDER - Mayor Pro-tem Garcia called the First Budget Hearing to order at 5:30 p.m. in Town Hall Chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: absent
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Brad Gable: present
Commissioner Kevin Grohoske: present
Commissioner James Wilton PhD: present

Others in attendance: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Police Chief John Cash.

HEARING ITEMS:

V. FIRST PUBLIC READING OF ORDINANCE 2016-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2015-2016.

VI. FIRST PUBLIC READING OF ORDINANCE 2016-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2015-2016. Manager Burns explained the changes from the last budget workshop. He said he had put $3000 more into the police uniform fund. Commissioner Wilton asked if he had taken into consideration bonuses for the Police Department. Manager Burns said that this would be done on the 6-month budget review.

Commissioner Gable made a motion to approve Ordinance 2016-01 and Ordinance 2016-02 as read. Commissioner Wilton seconded the motion and it passed unanimously.
ADJOURNMENT: Commissioner Wilton made a motion to adjourn at 5:41 p.m. The motion was seconded by Commissioner Gable and it passed unanimously.

___________________________________  ____________________________________
Sheila Hansen, Deputy Town Clerk                          Date approved
CALL TO ORDER - Chairman Henderson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Chairman Henderson led the pledge of allegiance to the flag.

ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Present
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT: Deputy Clerk Sheila Hansen, Dr. George Stone IV, Rick Rausch of Triple R Construction, and Town Manager Tom Burns.

OLD BUSINESS:
III. APPROVE THE JULY 29, 2015 P & Z BOARD MEETING - Member Morgan made a motion to approve the minutes. Member Daniels seconded the motion and it was unanimously approved.

NEW BUSINESS:
I. PRELIMINARY DEVELOPMENT ORDER FOR COMMERCIAL ADDITIONS AT 115 EGLIN PARKWAY – Technical Review Board Report

Manager Burns went over the Technical Review Board report.

A discussion was held on the off-street parking requirements. All of the parking for this business is on the Old Ferry Road right-of-way. Manager Burns said that Dr. Stone needed to get a formalized parking agreement with the Town. There are two dentists which require 3 parking spaces each and 6 employees. There are 14 parking spots and this should be adequate parking. The dental office also has an agreement with the Methodist Church across the street to allow overflow parking from the dentist office.

The removal of three protected oak trees was discussed. One of these trees is in the footprint of the new construction, one is damaging the building, and one tree will
interfere with the roofline. Manager Burns stated that there were plenty more trees on the lot and he did not see a reason to require reforestation.

Chairman Henderson asked about the easement area. The parking area is on the right-of-way and if the Town needs to tear up the parking area to get to utilities the dental office will have to allow this. Dr. Stone said that, if this happened, the Methodist Church would let them use their parking lot until work was finished.

Manager Burns explained that the Town was planning on installing sidewalks along Old Ferry Road to Eglin Parkway. Dr. Stone said that he would like the walkway to go onto his property and away from the parking area. He has landscaping plans and is willing to pay for the sidewalk in front of his office. Member Morgan asked if the sidewalk could be made of impervious material such as pavers. Dr. Stone said that he wants to put pavers in.

Manager Burns asked when Dr. Stone wanted to start construction. He said that he would like to start in about 4 weeks.

Dr. Stone explained that he wanted to keep the building as a “landmark piece” and does not plan on changing the architectural style of the building.

Chairman Henderson asked if Dr. Stone needed anything from the Town. Chairman Henderson said he really likes the ideas Dr. Stone has and that he has no problems with the preliminary development order.

Manager Burns said that he would work on getting a parking and use agreement with Dr. Stone before the recommendation goes before the Town Commission.

**Member Clements made a motion to recommend to the Town Commission approval of the development at 115 Eglin Parkway which was requested on August 19, 2015 based on the contingencies that a use and maintenance agreement for parking is formalized with the Town, that a sidewalk is built that is coordinated with the Town, and that Dr. Stone finalizes purchasing the property. Member Morgan seconded the motion and it passed unanimously.**

**OLD BUSINESS:** There was no old business.

**ANNOUNCEMENTS:**
- September 11, 2015 - First Budget Hearing - 5:30 p.m.
- September 11, 2015 - Commission Meeting - 6:00 p.m.
- September 22, 2015 - Final Budget Hearing - 5:30 p.m.
- September 29, 2015 - Town Commission Workshop - 6:00 p.m.
September 30, 2015 - Planning and Zoning Board Meeting - 6:00 p.m.

ADJOURNMENT:  Member Morgan made a motion to adjourn at 6:51 p.m.  Member Daniels seconded the motion and it passed unanimously.

Sheila Hansen, Deputy Clerk

Date Approved
Shalimar Technical Review Committee Report
August 25, 2015

Reviewed Subject: Application for addition to commercial building at 1115 Eglin Pkwy

A Shalimar Technical Review committee met at Town Hall at 10:30 am on August 25, 2015 to review an application by:

Triple R Construction Inc., agent for property owner Dr. George Stone, for two additions to the commercial building at 1115 Eglin Pkwy. Lot is zoned Commercial.

Committee members present:
John Henderson, P&Z Board
Ricardo Garcia, Roads and Grounds Commissioner
Tom Burns, Town Manager

Findings:

1. Application is preliminary.
2. Zoning and allowed density is compatible with application.
3. Setback requirements are compatible with existing building but may be non-conforming for "corner lots".
4. Impervious surface area ratio is approx. 35%.
5. Water and sewer concurrency are met.
6. Flood zone is "x".
7. Off street parking requirements need further info into number of employees. TRB also recommends a formal agreement with the Town to authorize parking on Old Ferry ROW to include maintenance of a proposed sidewalk marked across the parking area.
8. One protected tree will be removed within the boundary of the new construction and two are requested to be removed for damage to existing structure. TRB recommends the tree reforestation requirement be waived as the lot is very narrow and already well forested.
Tom Burns, Town Manager
CALL TO ORDER - Mayor Gary Combs called the Third Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Brad Gable – Present Commissioner
Kevin Grohoske – Present
Commissioner Jim Wilton PhD – Present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen, and Police Chief John Cash.

NEW BUSINESS:
II. PROPOSED FY 2016 SALARIES – Manager Burns went over the Salary Worksheet. He explained the changes in the Maintenance Department. Kent Beck will be in charge of mowing and landscape areas and Jeff Adams will be in charge of the shop and areas that are not gardening.

Manager Burns went over the health coverage for Kent Beck and John Cash. The cost of the insurance had stayed the same but the deductible will go up for FY 2016. He also explained that the stipend for employees with other health insurance will be raised by $30.00 per month.

A discussion was held about Lieutenant Heslep’s salary. Commissioner Wilton would like to see him get a 2% raise and Mayor Combs does not agree. After further discussion, it was decided that a bonus would be given to Lieutenant Heslep and Officer Shadwell at the 6-month budget review if their performance is acceptable.
Commissioner Grohoske said that he would like to see a salary structure created with step grade salary levels. Mayor Combs said that he had suggested this several years ago but the Town Commission at that time did not agree. This may be looked at again.

III. PROPOSED FY 2016 BUDGET – Manager Burns went over the Budget Worksheet. He explained that the contingency fund had been lowered to $16,000 from the original $34,000. This was partially due to adding $20,000 to PHY improvements for repairs on the matting on the playground areas of Cherokee Park.

Manager Burns explained that the Audit costs may go down. The unsolicited bid the Town had received was considerably lower and the present auditor said that they could probably do a lower bid due to the Town no longer having a police retirement fund. A RFP for bids has been published and the Town will know after the bids are opened and one is accepted.

During the last Town Commission meeting is was decided that the Town would go out with a RFP for the insurance also. When the present insurer (FLOC) matched an unsolicited bid it was decided that the Town would wait till next year before considering this RFP.

Commissioner Wilton asked if there was enough money in the budget to repair the sidewalks on Shalimar Drive. Manager Burns said there was some money in the budget and there was concrete in the maintenance building to begin the project in house. He will have the new supervisor look at the sidewalks. He said we could use money from the bond issue income to repair the sidewalks. The Town could go out for bids on this project. It would only require the passing of a resolution.

IV. BURNS EMPLOYEE AGREEMENT - The Town commission had all looked at the agreement and nobody had any comments.

OLD BUSINESS:

I. Code of Ordinances – Mayor Combs said that the Town Commission needs to get a plan for the General Ordinances and the Land Development Code. He explained that he had repeatedly gone through them and still found errors. When he finds no more errors he will send them out to the Town Commission to review again.
Mayor Combs said that the by-laws of the Planning and Zoning Board need to be rewritten to match the new Code of Ordinances. He would like Commissioner Gable to do this. Commissioner Gable agreed.

Mayor Combs said the by-laws for the Technical Review Board also need to be written. Manager Burns said he did not think the TRB needed to have by-laws.

Commissioner Wilton asked about the Zoning Map for the Code of Ordinances. Manager Burns said that would be published with the rest of the code.

45.0 ANNOUNCEMENTS:
August 26, 2015 – Planning and Zoning Board Meeting – 6:00 p.m.
September 8, 2015 – First Budget Hearing – 5:30 p.m.
September 8, 2015 – Town Commission Meeting – 6:00 p.m.
September 22, 2015 – Second Budget Hearing – 5:30 p.m.
September 29, 2015 – Town Commission Workshop – 6:00 p.m.

ADJOURNMENT – The workshop adjourned at 7:15 p.m.

__________________________________________  _____________________________
Sheila Hansen, Secretary  September 8, 2015  Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:10 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Kevin Grohoske - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Maintenance Manager Kent Beck, Dave Daigle, and Police Chief John Cash.

COMMITTEE REPORTS:
Planning & Zoning Board – See link
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – Mayor Combs reported that he was going to pursue selling the lot on Richbourg Avenue. He thinks the Town should ask $200,000 and negotiate from there. He would like to get a real estate agency to advertise the property. Attorney Chesser said that the Town could not sell the property as Commercial real estate until the new zoning map is passed. It can be sold with a contingency that it will be zoned Commercial. Commissioner Garcia made a motion to have a real estate agent list the property. Commissioner Wilton seconded the motion and it passed unanimously.

COMMISSIONER GROHOSKE’S REPORT - Commissioner Grohoske’s Report was attached. Commissioner Grohoske went over the Budget vs Actual report. He explained that revenue was a little lower than expected but so were the expenses. He said that nothing noticeably stood out.
Town Manager Burns reported that the final Budget Workshop would be on August 25, 2015 and the first Budget Hearing would be at 5:30 on September 8, 2015 before the regularly scheduled Town Commission meeting.

Commissioner Grohoske went over the Assets report. He said there were no significant changes. The Evidentiary Account has a negative balance due to bank charges. Manager Burns said that he would transfer funds from the Seized Assets account.

Mayor Combs asked about the Bond Issue. Attorney Chesser said that it will close in September.

POLICE REPORT – The Police Report was attached. Chief Cash reported that the Town will get $1100.00 from Bryne Grant this year. He said that the Department would purchase an additional body camera and a radio with this money. Mayor Combs said that there had been a complaint about Officer Shadwell. He, Chief Cash, and Town Manager Burns reviewed the film from Officer Shadwell’s body camera and said that they thought he had been very professional. Mayor Combs said that the body cameras are very good.

MAINTENANCE REPORT – No report

TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – No report

TOWN RESIDENTS' TIME – There were no items brought up by residents.

OLD BUSINESS:

LXXI. TOWN COMMISSION MEETING MINUTES – Approval of July 14, 2015 Town Commission meeting and July 28, 2015 Budget Workshop Chair will entertain a motion to approve minutes as drafted. Commissioner Garcia made a motion to approve all minutes. Commissioner Gable seconded the motion and it passed unanimously.

LXXII. CODE ENFORCEMENT ACTIVITY – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Court on November 26, 2014 – Judge Maney issued a court order giving Dr. Kain 90 days from February 20, 2015 to remove herself to a new residence. Rehearing requested by Dr. Kain’s attorney on March 30, 2015. Motion denied by Judge Maney on April 7, 2015. (See Attorney Chesser’s report). Attorney Chesser reported Dr. Kain had appealed the judgement to a 3 judge Circuit Court. The appeal should be decided within 90 days. Attorney Chesser reported that he had submitted a brief to the Court. The hearing will probably be within 60 days.
III. CODE OF ORDINANCES – Mayor Combs brought up the “Town Manager” title for Tom Burns. Town Manager Burns said that Attorney Chesser had written a new Ordinance to change the title. He said that Attorney Chesser suggested that the Town use a stand-alone Ordinance to make this change. Attorney Chesser said that having a Town Manager would change the Town’s form of government. He said that the Ordinance he had written will say Tom Burns takes his instructions from the Town Commission at the meetings. Between the meetings he will take his instruction from the separate town Commissioners. It was decided that this Ordinance would not be done until after the new Code of Ordinances had gone into effect.

A discussion was held on the Gun Ordinance. The State of Florida has a law that says a municipality cannot pass an Ordinance restricting the carrying of guns. The Town Commission decided to remove the Gun Ordinance from the Code of Ordinances.

A discussion was held on the Fair Housing Chapter of the Code of Ordinances. It seems to have too much content for the Town of Shalimar. Town Manager Burns said Pat Blackshear is checking on what can be removed from the Chapter.

NEW BUSINESS:

I. SET BUDGET HEARING DATES – Town Manager Burns said the First Budget Hearing will be at 5:30 on September 8, 2015. He recommended that the Second Budget Hearing be held on September 22, 2015. The Town Commission agreed with these dates.

Commissioner Grohoske brought up that the Town had received an unsolicited bid for both the Auditor services and the liability and worker’s compensation insurance. A discussion was held whether we would need to put out a RFP to change the auditor. Attorney Chesser said he would check the Statutes. The Town Commission decided to go out with RFP. **Commissioner Grohoske made a motion to go out for bids for both the auditor services and the insurance contract for FY 2016. Commissioner Garcia seconded the motion and it passed unanimously.**

Commissioner Grohoske asked if he could go to the Institute of Professional Training for financial training. There were no objections.

Mayor Combs brought up the Ethics Training for Commissioner Gable and Commissioner Grohoske. They have one year after they are elected to go to the training. Deputy Clerk Sheila Hansen will check into classes for them.

ANNOUNCEMENTS
August 25, 2015 – Third Budget Workshop 6:00
August 26, 2015 – Planning and Zoning Board Meeting 6:00
September 8, 2015 – Town Commission meeting 6:00

ADJOURNMENT - Commissioner Garcia made a motion to adjourn at 7:08 p.m. Commissioner Wilton seconded the motion and it passed unanimously.

_________________________________________  _________________________
Sheila Hansen, Deputy Clerk  September 8, 2015

Date approved
Town Commission Budget Workshop 2
Minutes
July 30, 2013

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Town of Shalimar
Special Town Commission Meeting
August 11, 2015

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Kevin Grohoske - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Maintenance Manager Kent Beck, Dave Daigle, and Police Chief John Cash.

NEW BUSINESS:
II. CONSIDER SPECIAL EXCEPTION FOR ALCOHOL SALES FOR TOM THUMB STORE AT 1101 EGLIN PARKWAY - Attorney Chesser swore Town Manager Burns in and he stated that he had attended the Planning and Zoning Board meeting and heard the Board decide to recommend that the Town Commission grant a special exception for the Tom Thumb Store to sell alcohol.

The Town Commission reviewed the minutes from the Planning and Zoning Board. Attorney Chesser asked if the Special Exception was consistent with the Town of Shalimar zoning regulations. Town Manager Burns replied that yes, it was consistent. Mayor Combs stated that the gas station had previously sold alcohol before it had closed. The Special Exception had to be renewed because the store had been closed for more than 6 months.

Commissioner Garcia made a motion to accept the recommendation of the Planning and Zoning Board (Member Morgan made a motion to send a recommendation to the Town Commission to approve the Special Exception as requested with alcohol sales restricted to the structure of the building. Member Daniels seconded the motion. The motion passed unanimously.) Commissioner Grohoske seconded the motion. Commissioner Gable asked if the store would be operating 24/7 and if the sales were for off premise consumption. Manager Burns said yes. The motion passed unanimously.
ANNOUNCEMENTS:
August 25, 2015 – Third Budget Workshop 6:00
August 26, 2015 – Planning and Zoning Board Meeting 6:00
September 8, 2015 – Town Commission meeting 6:00

ADJOURNMENT: Commissioner Gable made a motion to adjourn the meeting at 6:09 p.m. Commissioner Garcia seconded the motion and it passed unanimously.

_________________________________  ________________________
September 8, 2015  Date approved

Sheila Hansen, Deputy Clerk
CALL TO ORDER - Chairman Henderson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Chairman Henderson led the pledge to the allegiance of the flag.

ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Present
Member Cleo Battle - Present
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT: Deputy Clerk Sheila Hansen, Teresa Smith, and Town Manager Tom Burns.

OLD BUSINESS:
IV. APPROVE THE MAY 27, 2015 P & Z BOARD MEETING. Member Clements made a motion to approve the minutes. Member Daniels seconded the motion and they were unanimously approved.

NEW BUSINESS:
I. CONSIDER SPECIAL EXCEPTION FOR ALCOHOL SALES FOR TOM THUMB STORE AT 1101 EGLIN PARKWAY – Manager Burns explained the Special Exception Ordinance. To sell alcohol in the Town of Shalimar, a Special Exception must be granted by the Town Commission. In the case of the Tom Thumb Store, the business had been closed for more than 6 months and the business wants to change the sale hours to 24 hours a day.

Manager Burns explained he had sent a notice to everyone within 150 feet of the store. Chairman Henderson read the letter from the Tom Thumb Store to the Planning and Zoning Board.

Manager Burns explained that the State of Florida would require the outline of the structure so that there could be no outside sales. He recommended that this be added into the Planning and Zoning Board’s recommendation to the Town Commission.
Manager Burns reported that the only thing he had required with the building permit was a letter saying the drainage works correctly and that the dumpster had to be fully enclosed.

Member Battles asked about damages from previous hurricanes and was there any mold problems in the building. Theresa Smith explained that the entire building had been gutted and was down to a bare dirt floor so there would be no problems with mold.

**Member Morgan made a motion to send a recommendation to the Town Commission to approve the Special Exception as requested with alcohol sales restricted to the structure of the building. Member Daniels seconded the motion.** Member Clements asked if this Special Exception was consistent with the other businesses in Town. Manager Burns said “Yes”. **The motion passed unanimously.**

**OLD BUSINESS:** There was no old business.

**ANNOUNCEMENTS:**
August 11, 2015 - Commission Meeting – 6:00 p.m.
August 25, 2015 – Town Commission Budget Workshop 6:00 p.m.
August 26, 2015– Planning and Zoning Board Meeting 6:00 p.m.

**ADJOURNMENT:** **Member Clements made a motion to adjourn at 6:21 p.m.** Member Daniels seconded the motion and it passed unanimously.

________________________________________________________________________
Sheila Hansen, Deputy Clerk                        Date Approved
CALL TO ORDER - Mayor Pro-tem Ricardo Garcia called the Second Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Absent
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Brad Gable – Present Commissioner
Kevin Grohoske – Absent
Commissioner Jim Wilton PhD – Present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen

NEW BUSINESS:
V. PROPOSED FY 2016 SALARIES – Manager Burns went over the Salary Worksheet. There were no questions.

VI. PROPOSED FY 2016 BUDGET – Manager Burns went over the Budget Worksheet. Commissioner Wilton asked about the sidewalk repairs. Manager Burns said that the sidewalks were in the FY 2015 budget. Commissioner Wilton said he thought the sidewalks were a priority and the repairs needed to be budgeted in the FY 2016 budget as well.
Commissioner Garcia said that reorganization of the Maintenance Department had been discussed. With two part-time employees, there were not enough hours to get the work done. He said that he would like to make Clay Burns full-time with 40 hours per week. This could be as an hourly employee or a salaried employee. Manager Burns said they would like to reorganize the Department responsibilities. Commission Garcia said that he would like to see a test period to see how the reorganization will work. Maintenance Manager Beck has not stepped up to the management side of his position. Therefore, Commissioner Garcia would like to divide the Department into Grounds Manager and Equipment Manager. Kent Beck would be in charge of the grounds mowing and
landscaping and Clay Burns would be in charge of the equipment and maintenance in town. Commissioner Garcia that this is being done as a productivity effort.

Manager Burns said he would like the Town Commission to consider replacing the street lights on Eglin Parkway. He said that he was going to check with DOT to see if any grant money was available. Commission Gable asked about the cost. Manager Burns explained there were three different setups ranging between $39,000 and $63,000.

Commissioner Wilton asked about the income from the bond issue in accounting practices. Manager Burns said that would depend on when we get the money. It will be in the fiscal year the Town receives the income.

Commissioner Wilton asked about replacing the lights in the residential area. Manager Burns said that the bulbs could be retrofitted to improve brightness and if there were areas that were too dark the Town could add poles.

OLD BUSINESS:

II. PART B LAND DEVELOPMENT CODE – Manager Burns said that there was no section covering the Contractor Tracking Certificates and this would need to be added. Also, Attorney Chesser is concerned about the title Town Manager for Manager Burns when the Town has a Commission form of government.

Manager Burns said that the hearings would be set up and that he would send letters to all residents in Town. The zoning map is going to be changed.

Commissioner Wilton said that he would like to see the Pond Cypress and the Wall Cypress added to the protected tree list because they soak up a lot of water.

49.0 ANNOUNCEMENTS:

July 29, 2015 – Planning and Zoning Board Meeting – 6:00 p.m.
August 11, 2015 – Town Commission Meeting – 6:00 p.m.
August 25, 2015 – Town Commission Workshop – 6:00 p.m.

ADJOURNMENT – Commissioner Wilton made a motion to adjourn and Commissioner Gable seconded the motion. The motion passed unanimously. The workshop was adjourned at 6:40 p.m.
Sheila Hansen, Secretary

July 14, 2015

Date Approved
Town of Shalimar  
Town Commission Meeting  
July 14, 2015

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present  
Mayor Pro-Tem Ricardo Garcia - Present  
Commissioner Kevin Grohoske - Present  
Commissioner Jim Wilton, PhD - Present  
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Maintenance Manager Kent Beck, Thom and Debra Rawlings, and Police Chief John Cash.

COMMITTEE REPORTS:
  Planning & Zoning Board – No report  
  Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER GROHOSKE’S REPORT – Commissioner Grohoske’s Report was attached. The Town Commission reviewed the reports and had no questions.

POLICE REPORT – The Police Report was attached. The Town Commission reviewed the report and had no questions.

MAINTENANCE REPORT – No report

TOWN MANAGER REPORT – Manager Burns reported that the Planning and Zoning Board will be addressing a request from Tom Thumb Stores for a recommendation to allow alcohol sales at 1101 Eglin Parkway.
ATTORNEY’S REPORT – Attorney Chesser reported that Okaloosa County signed off on the Bond Issue at their last meeting. He also suggested the Town Commission address an Ordinance to control the number of people living in a residence.

TOWN RESIDENTS’ TIME – There were no items brought up by residents.

OLD BUSINESS:

LXXIII. TOWN COMMISSION MEETING MINUTES – Approval of June 9, 2015 Town Commission meeting, June 23, 2015 Budget Workshop and June 23, 2015 Special Bond Hearing. Chair will entertain a motion to approve minutes as drafted. Commissioner Gable made a motion to approve all minutes. Commissioner Garcia seconded the motion and it passed unanimously.

LXXIV. CODE ENFORCEMENT ACTIVITY:

A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Court on November 26, 2014 – Judge Maney issued a court order giving Dr. Kain 90 days from February 20, 2015 to remove herself to a new residence. Rehearing requested by Dr. Kain’s attorney on March 30, 2015. Motion denied by Judge Maney on April 7, 2015. (see Attorney Chesser’s report). Attorney Chesser reported Dr. Kain had appealed the judgement to a 3 judge circuit court. The appeal should be decided within 90 days. Attorney Chesser said that there was a very poor chance that the appeal will be accepted.

B. LAND DEVELOPMENT CODE – A discussion was held on the land Development Code. Mayor Combs said the Town Commission should review the code and bring any suggestions or changes to Deputy Clerk Sheila Hansen or Town Manager Tom Burns at the Town Hall. Deputy Clerk Hansen will make a list of questions for the Town Commission to discuss. Manager Burns said that at the July 28th Town Commission Workshop the changes to the LDC will be discussed and dates for the hearings will be set. Attorney Chesser brought up keeping copies of each update of the code.

NEW BUSINESS:

I. There was no new business.

ANNOUNCEMENTS

July 28, 2015 – Town Commission Workshop 6:00 p.m.
July 29, 2015 – Planning and Zoning Board Meeting 6:00 p.m.
August 11, 2015 – Town Commission meeting 6:00 p.m.
ADJOURNMENT: Commissioner Wilton made a motion to adjourn at 6:22 p.m. Commissioner Garcia seconded the motion and it passed unanimously.
CALL TO ORDER - Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – resent
Commissioner Brad Gable – present Commissioner
Kevin Grohoske – present
Commissioner Jim Wilton PhD – present

Others in attendance - Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen

NEW BUSINESS:

I. Mayor Combs said that a decision needed to be made setting the FY 2016 millage rate. After a short discussion, the Commission agreed to set a tentative millage rate of 2 mills.

II. Manager Burns went over the overall budget compared to previous year and explained that the ad valorem was expected to go up $5000 according to the notice from the Tax Appraiser’s Office. He went through the budgeted income for the year and expected income is $2100 less than last year. The proposed budgeted expenses for fy 2016 includes a contingency fund of $35,600.00.

III. Manager Burns went over the proposed 2016 SALARIES. He recommended a 1% raise for Deputy Clerk Hansen, 2% raise for the part time maintenance workers, and a 7% raise for himself. He said he had been on a 3 year set contract and would like that raise and a 1-year contract. Mayor Combs said he thought 7% was too much and he did not understand why Manager Burns wanted a contract.

Manager Burns said that he proposed a $30.00 per month raise on the stipend in lieu of medical insurance. The cost of insurance had gone up considerably for the two employees the Town pays insurance for and he thought the fair thing would be to raise the stipend.
Commissioner Wilton said that the Officer that had been promoted to Lieutenant should be given a raise. Mayor Combs explained that there were issues happening at the moment and he did not believe the officer should get a raise until the issues were straightened out.

The salaries were discussed and it was decided to have another workshop to make final decisions.

OLD BUSINESS:

III. PART B LAND DEVELOPMENT CODE - Discussion on Chapter 8, Chapter 9, and adult entertainment section. Commissioner Gable said that he would like to see flow charts for the Development Order procedures.

Chapter 7 – Commissioner Gable asked why all the adult entertainment sections were connected to alcohol. Mayor Combs said that the Town could not legally ban adult entertainment but that, if alcohol was not allowed to be sold in adult entertainment establishments, it would discourage anyone from trying to open such an establishment in the Town.

Commissioner Grohoske brought the chapter that discussed curfew in Part A. He thought it was overly strong. He has a 15-year-old daughter and thought the curfew would restrict her from going to movies and doing evening things with her friends. Mayor Combs went over the exceptions for the curfew and that most of the curfew restrictions were on public property and for loitering. Teenagers are allowed to be in cars, on the property at home, and next door.

Figure 4.00.02 (D) was discussed. Commissioner Grohoske wanted to know if “flood level” on height of the building was correct or if it should be “floor level”. Manager Burns said that it should be minimum finished floor level which would be “flood level”. He will discuss this terminology with Pat Blackshear.

Section 8.01.05 - It was discussed why, if a non-conforming building was damaged, the owner had to get a building permit to rebuild within 24 months. It was decided that this was in the Code to eliminate non-conforming buildings if they are not rebuilt or abandoned. The Town Commission decided to change the time to 12 months.

It was decided that the rest of the Code would be discussed at the Town Commission Workshop in July. Mayor Combs said to get any comments to Deputy Clerk Hansen. He also said that, when everyone was happy with the code, then he would like Pat
Blackshear to read it again and send a statement to Attorney Chesser saying she thinks it is correct according to Florida Statutes.

53.0 ANNOUNCEMENTS:

June 24, 2015 – Planning and Zoning Board Meeting – 6:00 p.m.
July 14, 2015 – Town Commission Meeting – 6:00 p.m.
July 28, 2015 – Town Commission Workshop – 6:00 p.m.

ADJOURNMENT – The workshop was adjourned at 6:55 p.m.

____________________________________  July 14, 2015
Sheila Clerk, Deputy Clerk  Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Kevin Grohoske - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Michael Kent, Laura Wright, Jennifer Fillmore, Richard Lott, and Chris Roe.

NEW BUSINESS:
I. ECH II – CAPTAINS QUARTERS BOND – Resolution 2015-05 and Draft Amendment to Inter-local Agreement. The Town Commission reviewed Resolution 2015-05. Attorney Chesser went over the Findings in Section 3, explaining that this is low income housing that will help people that work in Shalimar and Okaloosa County and the Town will have no liability. Richard Lott said that provisions referred to are in the Florida Statutes. He said that it is most important for the community to understand that these bonds provide low income housing for people that work in Shalimar and surrounding areas. Okaloosa County also has to approve the bonds. The findings are the same as in 2007 when the bonds were originally issued and, therefore, there should be no reason not to go forward.

Attorney Chesser stated that he was required by the Florida Bar Association to advise the Town Commission that he was involved with the issuance of these bonds but believes there is no conflict of interest as the Town’s attorney.

Commissioner Garcia made a motion to approve Resolution 2015-05. Commissioner Gable seconded the motion.
Commissioner Grohoske asked if these were the facilities that Manager Burns had looked at. Manager Burns said he had not seen these facilities but had seen pictures at the time of the original bond issue. Richard Lott said that the facilities were well kept and in better condition than they were at the time of the original bond issue. He also said that the motion should allow Mayor Combs to sign any documents involved in the refinance with the approval of Attorney Chesser. Commissioner Garcia amended his motion to allow Mayor Combs to sign any necessary documents with the approval of Attorney Chesser. Commissioner Gable seconded the amendment. The passage of the resolution and the amendment was unanimous.
Commissioner Wilton made a motion to sign the inter-local agreement. Commissioner Garcia seconded the motion. Richard Lott explained that this document said that Okaloosa County agrees to the refinancing of the bonds. Attorney Chesser said that he had a property conditions report and forecast to be added to the minutes. The motion passed unanimously. Richard Lott said that there was a slight amendment to the inter-local agreement. This is Exhibit A and allows the bond issuers to refinance again without getting Okaloosa County to sign off. Mayor Combs read Exhibit A to the Town Commission. Commissioner Garcia made a motion to accept Exhibit A. Commissioner Gable seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
June 24, 2015 – Planning and Zoning Board Meeting 6:00
July 14, 2015 – Town Commission meeting 6:00
July 28, 2015 – Town Commission Workshop 6:00

ADJOURNMENT: Commissioner Gable made a motion to adjourn at 5:55 p.m. Commissioner Garcia seconded the motion and it passed unanimously.

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Sheila Hansen, Deputy Clerk   July 14, 2015
Date approved
CALL TO ORDER — Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Kevin Grohoske - Present
Commissioner Jim Wilton, PhD - Absent
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, and Police Chief John Cash.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT — Mayor Combs reported that the Bond Issue is offering .5% to the Town. Initially Attorney Chesser had thought that it would be closer to 1%. Mayor Combs is trying to negotiate a higher rate.

COMMISSIONER GROHOSKE’S REPORT – Commissioner Grohoske’s Report was attached.

POLICE REPORT — The Police Report was attached. Chief Cash said that, now that school was out, the department would start doing vehicle checks at night to make sure resident’s vehicles are secure.

MAINTENANCE REPORT — The Maintenance Report was attached.

TOWN MANAGER REPORT — Manager Burns reported to the Town Commission that Tom Thumb had purchased the Shell Station. He said that he wanted to make sure that the
drainage in the parking lot is working correctly. He said that he would make sure their signage is correct and that they would need to ask for a special exception to sell alcohol because the business had been closed for more than 6 months and they would probably want different alcohol sales hours than the previous station.

ATTORNEY’S REPORT – Attorney Chesser brought up the lien on the old Food Max property. He said that he had spoken to a local attorney who was researching purchasing the property. The attorney said that he could find no liens on the property other than the one the Town has. Attorney Chesser said that he had told him that he probably should check closer because there had been multiple liens on the property. Attorney Chesser said that he had told the attorney that the Town would probably work with him to release the lien.

TOWN RESIDENTS’ TIME – There were no items brought up by residents.

OLD BUSINESS:

LXXV. TOWN COMMISSION MEETING MINUTES – Approval of May 12, 2015 Town Commission meeting and May 26, 2015 Town Commission Workshop. Commissioner Garcia made a motion to approve the minutes. Commissioner Gable seconded the motion and it passed unanimously.

LXXVI. CODE ENFORCEMENT ACTIVITY – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Court on November 26, 2014 – Judge Maney issued a court order giving Dr. Kain 90 days from February 20, 2015 to remove herself to a new residence. Rehearing requested by Dr. Kain’s attorney on March 30, 2015. Motion denied by Judge Maney on April 7, 2015. (see Attorney Chesser’s report). Attorney Chesser reported Dr. Kain had appealed the judgement to a 3 judge circuit court. The appeal should be decided within 90 days. Attorney Chesser said that there was a very poor chance that the appeal will be accepted.

III. INTERJURISDICTIONAL DEVELOPMENT REVIEW MEMORANDUM OF UNDERSTANDING – Mayor Combs explained about the original document and that it was old enough that almost everyone had forgotten that it existed. He said that when the MOU was signed it would be posted on the Okaloosa County League of Cities (OCLOC) website. He reported that he had been tasked by OCLOC to get the signatures from the municipalities. Commissioner Garcia made a motion to allow Mayor Comb to sign the MOU. Commissioner Gable seconded the motion and it passed unanimously.

NEW BUSINESS:

II. There was no new business.

ANNOUNCEMENTS
Manager Burns asked if everyone would be available on June 23 or June 30 for a special meeting at 5:30 to discuss the bond issue and pass a resolution. He said that he also would like to hold the first budget workshop that evening.

June 30, 2015 – Town Commission Workshop, 6:00 p.m.
June 24, 2015 – Planning and Zoning Board Meeting, 6:00 p.m.
July 14, 2015 – Town Commission meeting, 6:00 p.m.

**ADJOURNMENT:** Commissioner Garcia made a motion to adjourn at 6:46 p.m. Commissioner Gable seconded the motion and it passed unanimously.

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Sheila Hansen, Deputy Clerk    July 14, 2015

Date approved
CALL TO ORDER: Chairman Henderson called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: Chairman Henderson led the Pledge to the Allegiance of the flag.

ROLL CALL FOR THE RECORD:
Chairman John Henderson - Present
Member Ray Morgan - Absent
Member Cleo Battle - Present
Vice-Chairman Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, and Brad Gable.

SWEAR IN NEW PLANNING AND ZONING BOARD MEMBERS – Town Manager Burns swore in Cleo Battle and John Henderson. They both signed the Oath of Office.

OLD BUSINESS:
I. APPROVE FEBRUARY 26, 2015 P & Z BOARD MEETING. Member Clements made a motion to approve the minutes. Member Daniels seconded the motion and they were unanimously approved.

II. LAND DEVELOPMENT CODE – Manager Burns asked the Planning and Zoning Board to review Part B of the Land Development Code by the end of June and give any suggestions for changes to him or Deputy Clerk Hansen. The Board discussed things that would be used for code enforcement.

III. CODE ENFORCEMENT BOARD: Manager Burns explained that the Planning and Zoning Board would also be the Code Enforcement Board for the Land Development Code. They will have the authority for fines and the authority to mitigate violations. They will also have the authority to place liens on property to collect fines or pay for mitigation of violations. Manager Burns suggested the Board review the Florida Statutes to become familiar with the rules of the Code Enforcement Board.
SUNSHINE LAWS – Manager Burns reminded the Board about the Sunshine Laws and that they could not discuss matters that come before the Board with other Board members unless they were at a public meeting.

NEW BUSINESS:

I. ELECT VICE CHAIRMAN – Member Clements volunteered to accept the position of Vice-Chairman. The Board voted and he was unanimously approved.

ANNOUNCEMENTS:
June 9, 2015 - Commission Meeting – 6:00 p.m.
June 30, 2015 – Town Commission Workshop 6:00 P.M.
June 24, 2015 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT: Member Daniels made a motion to adjourn at 6:35 p.m. Member Clements seconded the motion and it passed unanimously.

___________________________  _______________________
Sheila Hansen, Deputy Clerk                  Date Approved
CALL TO ORDER – Mayor Combs called the workshop to order at 6:00 p.m. and led the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Brad Gable - Present
Commissioner Kevin Grohoske - Absent
Commissioner James Wilton, PhD – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, and Rebecca Daniels.

I. LAND DEVELOPMENT CODE DISCUSSION
A discussion on code enforcement was held. Code enforcement violations will be discussed at a quasi-judicial hearing if there is no response from violator after notification from the Town Manager.
The Town Commission went over the first 4 chapters of Part B of the Land Development Code. There were a number of changes done on the Part B draft. It was decided that the definitions would all be in the definition section with references in the specific chapters. There were a number of items that Manager Burns will discuss with Pat Blackshear, including uses for public lands, why FAR is only limited for commercial developments and not for residential.

ANNOUNCEMENTS:
May 27, 2015 – Planning & Zoning Board Meeting – 6:00 p.m.
June 9, 2015 – Town Commission Meeting – 6:00 p.m.
June 30, 2015 – Town Commission Workshop – 6:00 p.m.

ADJOURNMENT: The workshop adjourned at 7:45 p.m.
Town of Shalimar
Town Commission Meeting
May 12, 2015

CALL TO ORDER – Mayor Pro-Tem Ricardo Garcia called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Absent
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Kevin Grohoske - Absent
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Maintenance Supervisor Kent Beck, Laura B. Wright from Emerald Coast Non-profit, Michael Kent, Jennifer Fillmore, Richard Lott, and Thom and Debra Rawlings.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – See link

COMMISSIONER GABLE’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – No report

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER GROHOSKE’S REPORT – Commissioner Grohoske’s Report was attached.

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – No report

TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – Attorney Chesser reported Dr. Kain had appealed the judgement to a 3 judge circuit court. The appeal should be decided within 90 days. Attorney Chesser said that there was a very poor chance that the appeal will be accepted.
TOWN RESIDENTS' TIME – There were no items brought up by residents.

OLD BUSINESS:

LXXVII. TOWN COMMISSION MEETING MINUTES – Approval of April 14, 2015
Town Commission Meeting Minutes. Commissioner Wilton made a motion to approve the minutes. Commissioner Gable seconded the motion and it passed unanimously.

LXXVIII. CODE ENFORCEMENT ACTIVITY – Dr. Kian living in commercial business at 10 Old Ferry Road against Town Ordinance. Court on November 26, 2014 – Judge Maney issued a court order giving Dr. Kain 90 days from February 20, 2015 to remove herself to a new residence. Rehearing requested by Dr. Kain’s attorney on March 30, 2015. Motion denied by Judge Maney on April 7, 2015. (See Attorney Chesser’s report). Attorney Chesser reported Dr. Kain had appealed the judgement to a 3 judge circuit court. The appeal should be decided within 90 days. Attorney Chesser said that there was a very poor chance that the appeal will be accepted.

NEW BUSINESS:

III. ECH II – CAPTAINS QUARTERS BOND – Resolution 2015-04. Manager Burns asked the following questions and Michael Kent responded with the following answers.

Question (1) Could you please describe the facility to be financed with the Bonds? The Bonds are being issued for the purpose, among other things, of financing the costs to refinance all or a portion of the outstanding Town of Shalimar, Florida Multi-Jurisdictional Multi-Family Housing Revenue Bonds (ECH II – Captains Quarters, LLC Project), Series 2007A and Subordinated Series 2007B (the “Refunded Bonds”), which Refunded Bonds financed 355 units of multi-family residential rental facilities (the “Facilities”) (16 properties as described below), in Okaloosa County, Florida (the “County”), as follows:

- Cape Drive; 20-26 Cape Drive, 12 units, 1.29 acres
- Captains Headquarters; 19 Chestnut Avenue; 80 units, 1.88 acres
- Glenwood; 201 Troy Street and 50 Kelly Avenue; 22 units, .71 acres
- Landview; 511 Landview Drive; 4 units, .18 acres
- Lowery Village; 401-405 Lowery Drive; 16 units, .32 acres
- Monta Villa; 517-523 Circle Drive; 12 units, .53 acres
- Niceville; 203 Kelly and 700 Howell Road; 20 units, .99 acres
- Oak Leaf; 14020-1408 Beverly Street; 16 units, 1.01 acres
- Shangra Woods; 940-949 Ashley; 48 units, 1.15 acres
- Soft Breeze; 103 Water Street; 16 units, .57 acres
- Sugar Loaf; 958 Denton Boulevard; 7 units, .45 acres
- Third Street; 206 3rd Street; 18 units, .34 acres
- Union Village; 515-517 Union Street; 16 units, .55 acres
- Viking; 401 Rogers Street; 10 units, .34 acres
- Walton Isle; 362 Bluefish Drive; 8 units, .28 acres
- Wesvue Apartments; 951 and 953 McFarlan Avenue; 52 units, 1.31 acres

The Facilities are owned by ECH II— Captains Quarters, LLC, a Florida limited liability company, hereinafter referred to as the “Borrower”), whose principal place of business is 205 Brooks Street, Suite 201, Fort Walton Beach, FL 32548. The initial manager of the Facilities is Progressive Management of America, Inc., a Florida for Profit Corporation.

**Question 2) How will the Bond proceeds be used?** The proceeds of the Bonds will be loaned to the Borrower for the purpose of, among other things, of (i) refinancing the Refunded Bonds, which Refunded Bonds financed the Facilities, (ii) financing the establishment of reserves; and (iii) financing the payment of certain costs of issuing the Bonds (collectively, the “Project”).

**Question 3) What is the public purpose for the Bond Issue?** The public purpose for this bond issue is to provide and preserve safe, sanitary and affordable housing for families of low and moderate income and to lessen the burden of local government relating to the rental housing needs of the County.

**Question 4) Will the Town or the County be responsible for repaying the Bonds?** The Bonds will expressly state that none of the Town of Shalimar, the County, the State, or any other municipality, political subdivision, or public agency of the State is liable to pay the principal of or interest on the Bonds.

**Question 5) What is the maximum amount of tax-exempt Bonds that will be issued?** The maximum amount of tax-exempt Bonds to be issued to provide funds for the Project will be approximately $13,000,000.

1) Persons attending and offering comments, if any, are noted in the attached record of persons appearing at the hearing.

A member of the audience asked what interest the Town of Shalimar has in this. Manager Burns said that the Town’s Comprehensive Plan states that the Town will support low income housing even though it is not within the Town limits.

Attorney Chesser asked about who the residents were in these low-income housing units. Mr. Kent replied that the residents were low income people, some with little or no income. Some of these people would be living on the streets without this housing.
A member of the audience asked what the interest rate on these bonds is at present and what the new interest rate would be. Mr. Kent replied that the present interest rate is 7% and the new rate would be 5%. This would save about $200,000.00. The audience member then asked if the funds were being used for upkeep on the facilities. Mr. Kent answered “Certainly”. Laura Wright, the executive director said that they make every effort to upkeep the properties. The audience member then asked if the payments were being made to the bond-holders. Mr. Kent replied that “yes, the payments were being made”.

Attorney Chesser asked when they thought they would close on the new financing. Mr. Kent said that, hopefully, it would be in July 2015. Commissioner Gable asked what the benefits would be to the Town. Mr. Kent said that would be decided in June 2015.

2) No oral or written communication was received by the City concerning the public hearing.

The public hearing was then concluded. Resolution 2015-04 was read. **Commissioner Gable made a motion to approve the resolution as written. Commissioner Wilton seconded the motion and it passed unanimously.**

IV. APPROVAL OF NEW DOT TRAFFIC SIGNAL MAINTENANCE AGREEMENT – Manager Burns explained that this is a pass-through payment. The Department of Transportation sends the payments to the Town of Shalimar because the traffic signals are within the town. The Town then sends the payment to Okaloosa County which does the maintenance on the traffic signals. **Commissioner Gable made a motion to accept the agreement. Commissioner Wilton seconded the motion and it passed unanimously.**

ANNOUNCEMENTS
May 26, 2015 – Town Commission Workshop 6:00
May 27, 2015 – Planning and Zoning Board Meeting 6:00
June 9, 2015 – Town Commission meeting 6:00

**ADJOURNMENT:** Commissioner Wilton made a motion to adjourn at 6:34 p.m. Commissioner Gable seconded the motion and it passed unanimously.
Shalimar Technical Review Committee Report

Friday April 24, 2015

Reviewed Subject: Application for new construction of single family residence at 20 Shalimar Dr.

A Shalimar Technical Review committee met at Town Hall at 4:30 pm on April 24, 2015 to review an application by:

RYAD Construction Inc., agent for property owners Eric and Mandy Aden, for a single family residence to be constructed on a currently undeveloped lot at 20 Shalimar Dr.. Lot is zoned R3, Multi-family Residential.

Committee members present (Roads and Grounds Commissioner unavailable):
John Henderson, P&Z Board
Brad Gable, Commissioner
Tom Burns, Town Manager

Findings:

1. Application appeared complete.
2. Zoning and allowed density is compatible with application.
3. All setbacks requirements are met.
4. Impervious surface area ratio is approx. 35%.
5. Water and sewer concurrency are met.
6. Flood zone is "AE-8" and planned FFE is 9.3 Ft. Elevation certificate is dated 4/03/15. An official Grading Plan to meet minimum FFE was presented by Choctaw Engineering, Inc. and certified to meet all Town Code requirements.
7. Off street parking requirements are met.
8. One protected tree will be removed within the boundary of the principle structure. The tree reforestation requirement is one tree. Additional tree removal will require P&Z review.
9. At the time of issuing the construction permit, the Town Manager will add sidewalk requirement to the building permit and recommend the developer consider underground electric service.

**Final observation:** No variances to Shalimar Code appear necessary for this construction application. No P&Z action is required and Town Manager may issue construction permit.

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Tom Burns, Town Manager
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Kevin Grohoske - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Brad Gable - Present

OTHERS IN ATTENDANCE - Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Maintenance Supervisor Kent Beck, Linda Shelton Kilpatrick, Mary Sauvageau, Fort Walton Beach SWAT (5), Florida Department of Health (3), and Steve Peterson.

Attorney Chesser had Gary Combs, Brad Gable, and Kevin Grohoske take the Oath of Office and the new Town Commission was seated.

Mayor Combs reported that, due to the election of members Gable and Grohoske to the Town Commission, he recommended Cleo Battle and John Henderson to fill the vacancies on the Planning and Zoning Board. **Commissioner Wilton made a motion to appoint Cleo Battles and John Henderson to the Planning and Zoning Board. Commissioner Gable seconded the motion and it passed unanimously.**

Attorney Chesser explained about the Sunshine Laws and quasi-judicial meetings to the new commissioners.

**Commissioner Wilton made a motion to have Commissioner Garcia remain as Mayor Pro-Tem. Commissioner Gable seconded the motion and it passed unanimously.**

Mayor Combs assigned Town Commission seats. Commissioner Garcia was appointed as Roads and Grounds Commissioner, Commissioner Wilton will remain Police Commissioner, Commissioner Gable will be Special Projects Commissioner, and Commissioner Grohoske will be Finance Commissioner.
Mayor Combs reported that the updated Land Development Code draft should be available to the Town Commission by the end of April.

**COMMITTEE REPORTS:**
- Planning & Zoning Board – No report
- Technical Review Board – No report

**COMMISSIONER GABLE’S REPORT** – No report

**MAYOR PRO-TEM GARCIA’S REPORT** – Mayor Pro-Tem Garcia’s Report was attached.

**COMMISSIONER WILTON’S REPORT** – No report

**MAYOR COMBS’ REPORT** – No report

**COMMISSIONER GROHOSKE’S REPORT** – No report

**POLICE REPORT** – No report

**MAINTENANCE REPORT** – The Maintenance Report was attached.

**TOWN MANAGER REPORT** – *Six Month Budget Review* - Manager Burns went over the six month budget review and explained the line item changes. Commissioner Garcia made a motion to accept the line item changes. Commissioner Gable seconded the motion and it passed unanimously.

**ATTORNEY’S REPORT** – Attorney Chesser reported that the Final Order has been done on the lawsuit against Dr. Kain. She has 90 days from April 7, 2015 (the date the judge refused the rehearing) to vacate her office building. Commissioner Wilton asked what would happen if she did not vacate by then. Attorney Chesser said that the judge will make an Order of Assist and the County Sheriff would then remove her. This item will be brought up in the July Town Commission meeting.

**TOWN RESIDENTS’ TIME** – No residents spoke.

**OLD BUSINESS:**
- **LXXIX.  TOWN COMMISSION MEETING MINUTES** – Approval of March 10, 2015 Town Commission meeting.  **Commissioner Gable made a motion to approve the minutes.  Commissioner Garcia seconded the motion and it passed unanimously.**
LXXX. GULF POWER FRANCHISE – Commissioner Garcia made a motion to approve the Gulf power franchise agreement. Commissioner Gable seconded the motion. The motion passed unanimously.

LXXXI. UNPERMITTED TREE REMOVAL - 26 Old Ferry Road Resolution 2015-02.
Commissioner Gable said that the bottom line is that the tree was removed. He felt there may have been a communication issue. He proposed that the Town Commission lower the fine to $100.00. Commissioner Gable made a motion that the Town Commission fine Mrs. Kilpatrick $100.00 and make her plant another protected tree. Commissioner Grohoske seconded the motion. Mrs. Kilpatrick wanted to know why the tree was protected. Commissioner Grohoske explained that certain trees were more valuable to save. Native trees that have been growing for a long time need to be protected.
Mrs. Kilpatrick said that she had asked for a permit to cut down the other tree and Manager Burns told her he could not approve that permit. Commissioner Gable explained to her that she needed to go through the proper channels to remove a protected tree. She needs to go before the Planning and Zoning Board for approval to cut the tree down. If there is a legitimate reason, they will approve the removal of the tree.
Commissioner Wilton stated that the Town Commission does not have subpoena power; therefore she was invited to attend the Town Commission meeting. He said that he wanted her to plant another tree and that she needed to care for and maintain that tree for at least 5 years. Commissioner Garcia said that the problem he had was the intention of the resolution was to punish Mrs. Kilpatrick for breaking the law. He feels that due to the time frame, it had taken her too long before she came to the Town Commission. The Commission voted and the motion passed unanimously. Manager Burns will modify the resolution to fine her $100.00. Commissioner Wilton made a motion that the replacement tree must survive for at least 5 years. Commissioner Grohoske seconded the motion and it passed unanimously. Manager Burns asked Mrs. Kilpatrick how she would like to receive the resolution and letter. She said to send it by regular mail.

LXXXII. CODE ENFORCEMENT ACTIVITY - Dr. Kian living in commercial business at 10 Old Ferry Road against Town Ordinance. Court on November 26, 2014 – Judge Maney issued a court order giving Dr. Kain 90 days from February 20, 2015 to remove herself to a new residence. Rehearing requested by Dr. Kain’s attorney on March 30, 2015. Motion denied by Judge Maney on April 7, 2015. (see Attorney Chesser’s report).

LXXXIII. DANA COURT PARKING AGREEMENT – Mary Sauvageau working with Fire Department to work out agreement. Ms. Sauvageau has requested that this be delayed to the February Town Commission Meeting. The Mayor said he believed an agreement with the Dana Ct. residents was still possible if the Town could limit any
liability for executing a parking on the cul-de-sac agreement. Attorney Chesser agreed to look at the current draft agreement with the purpose of limiting any Town liability. Resident Sauvageau briefed that one of the seven residences on Dana Ct. had just been sold and she said she would make contact with the new owners and make sure they are willing to sign a parking agreement if passed by the Commission. Mrs. Sauvageau spoke to the Town Commission about the parking agreement. Commissioner Gable asked if parking in the right-of-way would be a problem for garbage pickup. Mrs. Sauvageau said that there had never been a problem and they had been parking on the right-of-way for several years. Commissioner Garcia made a motion to approve the parking agreement. Commissioner Gable seconded the motion and it passed unanimously.

LXXXIV. BUSINESS LICENSE FEES FOR HOME BUSINESSES – Mayor Combs explained that the business license tax for a home business was $50.00 which is the same as the fees for restaurants, retail stores, and gas stations. The fees had been $25.00 prior to 2002 and were raised to $50.00. The home businesses that were licensed prior to 2002 were grandfathered in at the $25.00 rate. Mayor Combs would like to see the business license tax for home businesses lowered. Mayor Combs said that he thought the home business tax should be no more than $10.00. The business tax is a way to control home businesses so that they do not break the Town Ordinances. Commissioner Garcia made a motion to lower the business tax to $10.00 on home businesses. Commissioner Grohoske seconded the motion. Commissioner Wilton wanted to know why the Town is controlling home businesses. He feels that the Town does this just because they can. Manager Burns explained that most people wanted a license so that they could write off their home offices on Income Tax. The motion passed unanimously.

LXXXV. PROCLAMATION ON DIXIE PHONICS MUSIC – Commissioner Gable made a motion to approve the Proclamation. Commissioner Garcia seconded the motion and it passed unanimously.

NEW BUSINESS:
V. STUDENTS WORKING AGAINST TOBACCO – Resolution 2015-03 – One of the students handed out information and group did a presentation. Commissioner Grohoske asked what got them interested in the SWAT group. They all said that they had started as a club and gotten more involved as they learned more. Commissioner Wilton made a motion to pass the resolution. Commissioner Garcia seconded the motion and it passed unanimously.

VI. POLICE DEPARTMENT POLICY MANUAL – Mayor Combs explained that the Police Department Policy Manual needs to be formalized and approved by the Town Commission. This will be done in the near future.
Commissioner Wilton asked about email addresses for the new Commissioners. Deputy Clerk Hansen said that they already had email addresses from being on the Planning and Zoning Board. Attorney Chesser explained to the new Commissioners that all emails should be sent from their official Shalimar.org addresses or cc’d to Deputy Clerk Hansen or Town Manager Burns.

ANNOUNCEMENTS:
April 28, 2015 – Town Commission Workshop 6:00
April 29, 2015 – Planning and Zoning Board Meeting 6:00
May 12, 2015 – Town Commission meeting 6:00

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 7:52 p.m. Commissioner Gable seconded the motion and it passed unanimously.

_____________________________ May 12, 2015
Sheila Hansen, Deputy Clerk

Date approved
Town of Shalimar  
Town Commission Meeting  
March 10, 2015

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present  
Mayor Pro-Tem Ricardo Garcia - Absent  
Commissioner Tim Smith - Present  
Commissioner Jim Wilton, PhD - Present  
Commissioner John Henderson - Present

OTHERS IN ATTENDANCE - Police Chief John Cash, Thomas and Debra Rawlings, Attorney Mike Chesser, Brad Gable, Stacy and Matt Bahr, Herbert J. “Kuntry” Carter, and Linda Shelton Kilpatrick.

COMMITTEE REPORTS:  
Planning & Zoning Board – Report attached – Mayor Combs brought up that when the new Land Development Code was finished that the Planning and Zoning Board will also be the Code Enforcement Board for violations other than nuisance violations.

Technical Review Board – No report

COMMISSIONER SMITH’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – Mayor Pro-Tem Garcia’s Report was attached.

COMMISSIONER WILTON’S REPORT – Commissioner Wilton’s Report was attached.

MAYOR COMBS’ REPORT – No report

COMMISSIONER HENDERSON’S REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – No report

TOWN MANAGER REPORT – No report
ATTORNEY'S REPORT – Attorney Chesser reported that Dr. Kain’s attorney had filed a motion of rehearing. This will put the Judge’s order on hold until Judge Maney decides on this motion. Attorney Chesser said that he will respond tersely to the motion because he did not think there was any new evidence in the motion.

Commissioner Smith asked if the Town would get any legal fees reimbursed on the lawsuit. Attorney Chesser said that the only time this happens is in divorces and civil lawsuits.

TOWN RESIDENTS' TIME – Herbert (Kuntry) Carter spoke to the Town Commission about having the Town do a Proclamation that stating that Dixie Phonics be recognized as a cultural and artistic manifestation of music unique to the Panhandle Region of Florida and South Georgia area. Dixie Phonics recognizes the culture of the lyrics in each song. Commissioner Wilton recommended the Town Commission have Manager Burns create a proclamation and bring before the April Town Commission meeting.

Linda Shelton Kilpatrick of Old Ferry Road spoke to the Town Commission about the $500.00 the Town Commission had fined her for cutting down a protected tree without getting a permit. She said that her husband had spoken to a tree cutter and asked him to give him a quote to remove the two trees by his front gate. The quote given was accepted and he was supposed to return the next day to do the work. She said they left their home to go to a banquet and the tree cutter got done with his previous job and decided to start her trees that evening. When she came home the tree cutter informed her the police had shut them down due to the noise ordinance and that she needed a permit. She said that she had gone to the Town Hall twice to get a permit but Manager Burns was not there either time and the last time she asked to have him call her. When Manager Burns called her she told him that it was a safety issue for her neighbors being that the trees were leaning towards their property. She also wanted to put a pool in her back yard and the pool contractors had told her this could not be done because the trees were in front of the gate and they could not get into her back yard with their equipment.

Mayor Combs asked her if she had received the letters Manager Burns had written in January requesting that she attend the Town Commission meeting and explain her reason for removing a protected tree without a permit. She said that she had received the letters but did not think the letters meant she was required to meet with the Town Commission. The letter she received on December 17th invited her to the Town Commission to explain any mitigating circumstances but she did not think this was a requirement. The letter she received on February 11 said that it was a protected tree and that Manager Burns has said she could plead ignorance to the Town Commission. Mayor Combs said that there had been other residents fined for removing trees with a permit. He explained that she needed a licensed tree service to remove a tree in Shalimar or, if her husband was removing it himself, he could get a permit if there was legitimate reason to remove the tree.
Mayor Combs asked Mrs. Kilpatrick what she wanted from the Town Commission. She said that she wanted to give her side of the story. Mayor Combs asked her if she could come to the next Town Commission meeting when the Town Commission would have more information available and Manager Burns would be present. She agreed to be at the meeting.

Commissioner Wilton showed Mrs. Kilpatrick a copy of the Land Development Code and told her that the ordinances book needed to be followed and she should have checked before cutting the tree down.

OLD BUSINESS:

LXXXVI. TOWN COMMISSION MEETING MINUTES – Approval of February 10, 2015
Town Commission meeting. **Commissioner Wilton made a motion to approve the minutes.** Commissioner Smith seconded the motion and it passed unanimously.

LXXXVII. GULF POWER FRANCHISE – The link on the agenda did not work so it was decided that this would be delayed until the April Town Commission Meeting.

LXXXVIII. DANA COURT PARKING AGREEMENT – Mary Sauvageau working with Fire Department to work out agreement. Ms. Sauvageau has requested that this be delayed to the February Town Commission Meeting. **The Mayor said he believed an agreement with the Dana Ct. residents was still possible if the Town could limit any liability for executing a parking on the cul-de-sac agreement.** Attorney Chesser agreed to look at the current draft agreement with the purpose of limiting any Town liability. Resident Sauvageau briefed that one of the seven residences on Dana Ct. had just been sold and she said she would make contact with the new owners and make sure they are willing to sign a parking agreement if passed by the Commission. Resident Sauvageau was not able to attend the meeting. The seven signed agreements had been turned into the Town with a change made by Attorney Chesser to limit the Town’s liability. It was decided this would be voted on at the April Town Commission meeting.

III. TRANSPORTATION MEMORANDUM OF AGREEMENT – Mayor Combs explained that this item is a recommendation for Okaloosa County to form a cooperative of the local municipalities to run the local transit. Attorney Chesser said that this agreement leaves everything open and is not enforceable. Mayor Combs said that he would be willing to sign the agreement but does not want the Town to pay a share of the transit cost. **The Town Commission agreed with this.**

NEW BUSINESS:

I. BUSINESS LICENSE FEES FOR HOME BUSINESSES – Mayor Combs explained that the business license tax for a home business was $50.00 which is the same as the fees for restaurants, retail stores, and gas stations. The fees had been $25.00 prior to 2002 and were
raised to $50.00. The home businesses that were licensed prior to 2002 were grandfathered in at the $25.00 rate. Mayor Combs would like to see the business license tax for home businesses lowered to the former $25.00. Commissioner Smith said he thinks the home license fees should be $50.00. Commissioner Wilton said he did not think the Town should charge a license fee for home businesses. It was decided that this issue would be on the April agenda.

**ANNOUNCEMENTS**

April 14, 2015 – Town Commission meeting 6:00
April 28, 2015 – Town Commission Workshop 6:00
April 29, 2015 – Planning and Zoning Board Meeting 6:00

**ADJOURNMENT:** Commissioner Smith made a motion to adjourn at 7:07 p.m. Commissioner Wilton seconded the motion and it passed unanimously.
Town of Shalimar
Planning and Zoning Board Meeting
February 25, 2015

CALL TO ORDER - Ray Morgan called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Member Morgan led the Pledge of Allegiance to the flag.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Absent
Member Ray Morgan - Present
Member Kevin Grohoske - Present
Member Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT - Deputy Clerk Sheila Hansen, Rique Gwin, Brent Acree, and Michael Turk.

OLD BUSINESS:
V. APPROVE MINUTES FROM THE DECEMBER 17, 2014 P & Z BOARD MEETING.
Member Clements made a motion to approve the minutes. Member Daniels seconded the motion and they were unanimously approved.

NEW BUSINESS:
I. VARIANCE REQUEST FOR NEW CONSTRUCTION AT 23 PLEW AVENUE – Brent Acree requested a variance for the front setback on his property. He requested a 21 foot setback. He said that the house next door was 25 feet from the street and that Plew Avenue had a 75 foot right of way. Member Daniels made a motion to approve the setback. Member Clements seconded the motion. The board had a discussion in which Member Grohoske asked how much the variance would be. It was decided this was a variance of approximately 4½ feet. The board voted and the motion passed unanimously.

II. VARIANCE REQUEST FOR 38 SHALIMAR DRIVE FRONT SETBACK – Rique Gwin asked the Board to approve building of a 20’ x 20’ garage on the front of his house and extend his driveway. He said the garage door would be 18’ from the edge of the street.

Member Morgan pointed out that his next door neighbors lot line was at an angle and this would make his side yard setbacks non-conforming also. Mr. Gwin said that he
would be willing to move his garage over to the edge of his house so that he had correct side yard setbacks. Member Morgan showed the Board a picture of the front yard. Mr. Gwin said that the previous owner had incorporated part of the garage into the kitchen and the garage was no longer big enough to hold a car. He has 4 cars and needs space to park them. Member Morgan said that Mr. Gwin would have to present the boards with drawings that would include moving the garage over. Member Daniels said she thought the neighbors visibility triangle would be effected by the garage being so close to the street. Mr. Gwin said that there was already an opaque fence that went as far forward as the garage would. Member Grohoske asked if the lot would still have enough impervious surface if the garage was approved as well as the driveway extension. Member Morgan said he thought this could be a problem. Member Grohoske made a motion to table this request until Mr. Gwin could supply the board with dimensions, impervious surface ratio, and a final design. Member Clements seconded this motion and it passed unanimously.

Resident Michael Turk brought up the lot on Plew Avenue again. He said it was a large house being built on a small lot. He wanted to know about the impervious surface ration on that construction project. Member Grohoske made a motion to determine the impervious surface ration on 23 Plew Avenue. Member Daniels seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
MARCH 10, 2015 – Commission Meeting – 6:00 p.m.
MARCH 24, 2015 – Town Commission Workshop 6:00 p.m.
MARCH 25, 2015 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT: Member Clements made a motion to adjourn at 6:41 p.m. Member Grohoske seconded the motion and it passed unanimously.

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Sheila Hansen, Deputy Clerk     June 26, 2013
____________________________  ______________________
       Date Approved
Town of Shalimar  
Town Commission Meeting  

February 10, 2015

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present  
Mayor Pro-Tem Ricardo Garcia - Present  
Commissioner Tim Smith - Absent  
Commissioner Jim Wilton, PhD - Present  
Commissioner John Henderson - Absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Police Chief John Cash, Thomas and Debra Rawlings, Mary Sauvageau, Attorney Mike Chesser.

COMMITTEE REPORTS:  
Planning & Zoning Board – No report  
Technical Review Board – No report

COMMISSIONER SMITH’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – Mayor Pro-Tem Garcia’s Report was attached.

COMMISSIONER WILTON’S REPORT – Comm. Wilton reported that the new police body cameras were now being used by all officers.

MAYOR COMBS’ REPORT – No report

COMMISSIONER HENDERSON’S REPORT – No report

POLICE REPORT – hard copy

MAINTENANCE REPORT – Manager Burns reported that the Golf cart was in the shop for repairs.

TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – No report
TOWN RESIDENTS' TIME – No residents spoke

OLD BUSINESS:
LXXXIX. TOWN COMMISSION MEETING MINUTES – Approval of January 9, 2015 Town Commission meeting. Commissioner Wilton made a motion to approve the minutes. Commissioner Garcia seconded the motion and it passed unanimously.

XC. CODE ENFORCEMENT ACTIVITY - Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. making a decision until January 27, 2015 Manager Burns, Attorney Chesser, and Chief Cash met with Dr. Kain and her attorney in Judge Maney’s Chambers on November 26, 2014. There were 20 days left for comments on the bankruptcy court to abandon previous sale by trustee. Her attorney had several items he wanted to pursue, including possibly restarting the procedure with the Town Commission. Attorney Chesser had informed him that the Town would not be interested in doing this. He told them Dr. Kain had a period in which she could have appealed the Town Commission’s ruling and had not done so. Her attorney wanted to pursue some other items before Judge Maney rules on the case therefore Judge Maney postponed until January 27, 2015. Attorney Chesser reported that he, Manager Burns, Police Chief Cash, and the defendant's attorney had met with Judge Maney on Jan 27, 2015. He said that he and the plaintiff's attorney had presented Judge Maney with the briefs requested at this meeting and that he expected Judge Maney to rule on the case any day now. Discussion turned to the LDC update and after the Mayor briefed a pending meeting with the land planner, Commissioner Wilton recommended putting line numbers on the new draft ordinances.

IV. SNUG HARBOUR ROW USE AGREEMENT – Test agreement underway. Manager Burns reported that the ribbon curbing for the eastern area parking lot was complete. Resident Rawlings reported sporadic enforcement problems with the first parallel spots and Commissioner Wilton agreed to emphasis the issue in the Police Department. The Commission approved the test agreement as the formal agreement and set the annual parking spot fee at $60.00. They also agreed that the new spots would be offered to the eastern most Snug Harbour building beginning with the western unit.

IV. DANA COURT PARKING AGREEMENT – Mary Sauvageau working with Fire Department to work out agreement. Ms. Sauvageau has requested that this be delayed to the February Town Commission Meeting. The Mayor said he believed an agreement with the Dana Ct. residents was still possible if the Town could limit any liability for executing a parking on the cul-de-sac agreement. Attorney Chesser agreed to look at the current draft agreement with the purpose of limiting any Town liability. Resident Sauvageau briefed that one of the seven residences on Dana Ct. had just been sold and she said she would make contact with the new owners and make sure they are willing to sign a parking agreement if passed by the Commission.
V. APPROVAL OF INTER-LOCAL COORDINATION AGREEMENT WITH OKALOOSA COUNTY. APPROVAL OF INTER-LOCAL COORDINATION AGREEMENT WITH OKALOOSA COUNTY - The Town Commission discussed the agreement at the November regular meeting and Attorney Chesser suggested that, because Section 6-C (Failure to provide notice as required in the MOU cannot form the basis of any objection by a Party, or any third party, to proposed development activity, nor shall failure to provide notice constitute grounds for a delay, or request for delay, in the processing of a development application by the Party with responsibility for such processing.) makes the agreement unenforceable, he would review the agreement and make changes. The Town Commission agreed. Mayor Combs asked that this item of old business be dropped until further action is taken by the Okaloosa County League of Cities.

VI. UNPERMITTED TREE REMOVAL - 26 Old Ferry Road - Certified letter sent to residence requesting attendance at February 2015 commission meeting. The Mayor noted continued lack of any response from the residents at 26 Old Ferry Rd. Manager Burns reported that he sent the photos taken by Maintenance Supervisor Beck (on November 20, 2014) to a certified arborist who confirmed the species as a Live Oak and that the trunk diameter at breast height was 12 inches. Commissioner Wilton made a motion to approve Resolution 2015-01 and accompanying letter with a fine of $500.00. Commissioner Garcia seconded the motion. Discussion revolved around the potential for the resident to continue to ignore Town notices. Commissioner Wilton amended his motion to approve Resolution 2015-01 with a fine of $500.00 and to amend the notification letter to state that if the fine was not paid in the 90 day period allowed for the reforestation, the fine would be filed as a lien against the property at 26 Old Ferry Rd. Commissioner Garcia seconded the amended motion and it passed unanimously.

NEW BUSINESS:

II. APPOINT POLLING COMMITTEE FOR MARCH ELECTION - Commission to appoint canvassing board for the March 2015 election. Board consists of - Town Clerk, one Commissioner and a “Town Representative”. Recommend we ask Ray Morgan as a resident, and John Henderson to be on the board. Commissioner Garcia volunteered to be on the canvassing board as the "Commissioner" Commissioner Garcia made a motion to allow the mayor to appoint the "Town representative." Commissioner Wilton seconded the motion and it passed unanimously.

ANNOUNCEMENTS
March 10, 2015 – Town Commission meeting 6:00
February 24, 2015 – Town Commission Workshop 6:00
February 25, 2015 – Planning and Zoning Board Meeting 6:00
ADJOURNMENT - Commissioner Garcia made a motion to adjourn at 6:47 p.m. Commissioner Wilton seconded the motion and it passed unanimously.

______________________________  _______________________
Sheila Hansen, Deputy Clerk          March 10, 2014

______________________________  _______________________
            Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Tim Smith – Present
Commissioner Jim Wilton, PhD – Present
Commissioner John Henderson – Present

OTHERS IN ATTENDANCE – Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Police Chief John Cash, Maintenance Manager Kent Beck, Thomas and Debra Rawlings, Jennifer Costello and Angela Balent from Warren Averett, Mark Siner from Choctaw Engineering, and Brad Gable.

COMMITTEE REPORTS:
   Planning & Zoning Board – No report
   Technical Review Board – No report

COMMISSIONER SMITH’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – Mayor Pro-Tem Garcia’s Report was attached.

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER HENDERSON’S REPORT – No report

POLICE REPORT – The Police Report was attached

MAINTENANCE REPORT – The Maintenance Report was attached. Mayor Combs suggested that Maintenance purchase a new pole saw rather than trying to repair the old one. Commissioner Smith and Manager Burns agreed with this.

TOWN MANAGER REPORT – No report
ATTORNEY’S REPORT – No report

TOWN RESIDENTS’ TIME – No residents spoke.

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES – Approval of December 9, 2014 Town Commission meeting. Commissioner Garcia made a motion to approve the minutes. Commissioner Wilton seconded the motion and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY - Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. making a decision until January 27, 2015 Manager Burns, Attorney Chesser, and Chief Cash met with Dr. Kain and her attorney in Judge Maney’s Chambers on November 26, 2014. There were 20 days left for comments on the bankruptcy court to abandon previous sale by trustee. Her attorney had several items he wanted to pursue, including possibly restarting the procedure with the Town Commission. Attorney Chesser had informed him that the Town would not be interested in doing this. He told them Dr. Kain had a period in which she could have appealed the Town Commission’s ruling and had not done so. Her attorney wanted to pursue some other items before Judge Maney rules on the case therefore Judge Maney postponed until January 27, 2015. Attorney Chesser reported that Judge Maney requested that the attorneys stipulate the facts to the court before the hearing. Attorney Chesser he had spoken to Dr. Kain’s attorney several times and requested his facts. Dr. Kain’s attorney had not supplied Attorney Chesser with his facts.

III. SNUG HARBOUR ROW USE AGREEMENT – Test agreement underway. Manager Burns reported that the contractor had been given the go-ahead to start the ribbon curbing and the eastern area parking lot. This will be continued forward on the Town Commission Agenda until construction on the parking lot is completed.

IV. DANA COURT PARKING AGREEMENT – The parking agreement has been signed by all the residents but still needs approval by the Fire Marshall. The Fire Marshall would not sign off on the agreement and Mrs. Sauvageau is trying to work with the Fire Department to find a solution. This item was carried forward to the February Town Commission Meeting.

V. APPROVAL OF INTER-LOCAL COORDINATION AGREEMENT WITH OKALOOSA COUNTY - The Town Commission discussed the agreement at the November regular meeting and Attorney Chesser suggested that, because Section 6-C (Failure to provide notice as required in the MOU cannot form the basis of any objection by a Party, or any third party, to proposed development activity, nor shall failure to provide notice constitute grounds for a delay, or request for delay, in the processing of a development application by the Party with responsibility for such processing.) makes the agreement unenforceable, he would review the agreement and make changes. The Town Commission agreed. Manager Burns had attended a meeting of the LMS and had done a straw poll of the municipalities to get their
opinion of the agreement. Most of the other municipalities had not made any decisions on the agreement. Mayor Combs said that he would place this on the March Okaloosa County League of Cites agenda.

VI. ANNEXATION OF MEDINA PROPERTY – Second reading of Ordinance 2015-03 Exhibit 1 – Annexation of Deeded Property - **Commissioner Garcia made a motion to approve the second reading of Ordinance 2015-03. Commissioner Henderson seconded the motion and it passed unanimously.**

VII. UNPERMITTED TREE REMOVAL - 26 Old Ferry Road - Manager Burn’s letter to resident hand delivered by Shalimar Police Department on December 17, 2014. The residents from 26 Old Ferry Road were not present at the meeting. Mayor Combs asked Manager Burns what his opinion was on this code violation. Manager Burns said that he thought the resident should be fined $100.00 and be required to plant another indigenous tree to replace the removed tree. Manager Burns will write a nuisance resolution to be voted on at the February meeting. Commissioner Henderson said that he did not feel that $100.00 was a large enough fine. Commissioner Smith said that he did not think hand delivering the notice to appear at the Town Commission Meeting, rather than sending by certified mail, was appropriate. Manager Burns will send another letter to the resident by certified mail that will clearly explain the tree ordinance and how much the maximum fine for violation of the order could be.

NEW BUSINESS:
I. ANGELA BALENT OF WARREN-AVERETT TO BRIEF TOWN COMMISSION ON FY 2014 AUDIT REPORT. Angela Balent gave a report on the FY 14 Town audit. She explained that the Town’s financial statements are done by standard accounting procedures.

There were only two compliance finds which are actually the same issue. The first find was that line item expenses had been changed and there should have been a budget change request for sent to the Finance Commissioner. The second compliance issue was that there was no purchase order for $6300.00 purchases for equipment which was expected to be paid for with grant funds. She explained that, even with grant funds used, the Town’s Code of Ordinances require that a purchase order is done for any item over $1000.00.

Commissioner Smith asked if the financial statements showed a profit or loss for the Town for FY 14. Ms. Balent explained that the Town showed a loss of $19,000 for the year but the loss was backed by reserves.

II. DEVELOPMENT ORDER FOR SHERIFF’S OFFICE STORAGE LOT – The Planning and Zoning Board recommendation to the Town Commission was to approve the Development Order with the stipulation that the specifications that the Town would be presented with an opaque fence design, the lighting plan, and a stormwater plan to be reviewed by the Town engineer. The stormwater plan had been received and approved by
the Town Engineer with a minor change, however, the fence specifications and the lighting plan had not yet been received.

Mayor Combs asked about the removal of trees on the lot. The Planning and Zoning Board’s recommendation did not require any replacement of trees being the development is a storage lot. There are trees in the landscaping plan.

Mayor Combs said that he did not think the development order should be approved until all of the required information had been received. Mark Siner said that he had done numerous engineering projects for the County and this was a very simple project. He said that the lighting plans and fencing are small details that will be taken care of.

**Commissioner Henderson made a motion to approve the development order with the stipulation that the fence and lighting plans be approved before construction begins.** He **further amended this motion to allow the Technical Review Board to approve these plans. Commissioner Wilton seconded the motion and it passed unanimously.**

**ANNOUNCEMENTS**

January 22, 2015 – OCLOC Quarterly Dinner hosted by Shalimar
January 27, 2015 – Town Commission Workshop 6:00
January 28, 2015 – Planning and Zoning Board Meeting 6:00
February 10, 2015 – Town Commission Meeting 6:00

**ADJOURNMENT:** **Commissioner Garcia made a motion to adjourn at 6:57 p.m.** Commissioner Smith seconded the motion and it passed unanimously.

_________________________________   ________________________________
Sheila Hansen, Deputy Clerk   February 10, 2014

Date approved
CALL TO ORDER - Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Chairman Gable led the pledge to the allegiance of the flag.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Present
Member Ray Morgan - Present
Member Kevin Grohoske - Absent
Member Mickey Clements - Present
Member Rebecca Daniels - Present

OTHERS PRESENT: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Stan Griggs from the Okaloosa County Sheriff’s Office, and Mark Siner from Choctaw Engineering.

OLD BUSINESS:
VI. APPROVE MINUTES FROM THE SEPTEMBER 24, 2014 P & Z BOARD MEETING AND THE NOVEMBER 19, 2014 P&Z BOARD MEETING. Ray Morgan made a motion to approve the minutes. Mickey Clements seconded the motion and they were unanimously approved.

VII. REVIEW LAND DEVELOPMENT CODE SUB-PART A - Chairman Gable directed the board to review the Sub-part A and make suggested changes and give them to Manager Burns.

NEW BUSINESS:
III. SHERIFF’S DEPARTMENT STORAGE LOT - Chairman Gable said that the only thing that had been updated since the Technical Review Board report was the landscaping plan. He asked Mark Siner about the lighting plans and Mr. Siner said the plans were being prepared.

Member Morgan asked about the opaque fencing. Mr. Siner said that it would be an eight-foot black chain link fence with black slats. Manager Burns asked that this be annotated before it is presented to the Town Commission. Mr. Siner said that he would annotate the fencing and supply the Town with a picture of the fence.
Member Morgan asked if the lighting was designed not to disturb the neighborhood. Mr. Griggs said the lighting will be interior lighting and Mark Siner said that the lighting plan will be added to the building plans.

The stormwater will be reviewed by Roy Petry of Poly-Engineering before the plans will be presented to the Town Commission.

Ray Morgan asked about the drainage on the property. There will be a retention pond to retain stormwater.

Manager Burns said that he would forward the Technical Review Board Report to the County Growth Management Department.

**Member Clements made a motion to accept the Technical Review Board report with the addition of fencing detail, stormwater approval by Poly-Engineering, and the lighting plans. Chairman Gable will be given authority to sign off on the plans. Member Morgan seconded the motion and it passed unanimously.**

**ANNOUNCEMENTS:**
JANUARY 13, 2015 - Commission Meeting – 6:00 p.m.
JANUARY 27, 2015 – Town Commission Workshop
JANUARY 28, 2015 – Planning and Zoning Board Meeting 6:00 p.m.

**ADJOURNMENT:**  **Member Morgan made a motion to adjourn at 6:24 p.m. Member Daniels seconded the motion and it passed unanimously.**

____________________________________  _____________________________
Sheila Hansen, Deputy Clerk                     Date approved
CALL TO ORDER — Mayor Gary Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Tim Smith - Absent
Commissioner Jim Wilton, PhD - Present
Commissioner John Henderson - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Police Chief John Cash, Allie Noah, Ashlee Edelen, and Mickey Clements.

COMMITTEE REPORTS:
  Planning & Zoning Board – No report
  Technical Review Board – No report

COMMISSIONER SMITH’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – Commissioner Garcia’s Report was attached.

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER HENDERSON’S REPORT – No report

POLICE REPORT – The Police Report was attached. Chief Cash reported that the Town had received the body cameras. He said there was not a lengthy learning period before these could be used. Commissioner Wilton is in the process of writing the body camera policy. He said that they would not be turned on inside the Police Department except for interviews on open investigations. The cameras will be turned on when a call is received from dispatch and turned off after the call has been completed.

MAINTENANCE REPORT – No report

TOWN MANAGER REPORT – No report
ATTORNEY’S REPORT – No report

TOWN RESIDENTS’ TIME – No residents spoke

OLD BUSINESS:

I. TOWN COMMISSION MEETING MINUTES – Approval of November 11, 2014 Town Commission meeting. Commissioner Garcia made a motion to approve the minutes. Commissioner Wilton seconded the motion and it passed unanimously. Mayor Combs asked if the Commission would agree to have the minutes posted on the website before approval. It was decided the minutes would be posted and marked as draft minutes until approved.

II. CODE ENFORCEMENT ACTIVITY:

A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinances. Manager Burns, Attorney Chesser, and Chief Cash met with Dr. Kain and her attorney in Judge Maney’s Chambers on November 26, 2014. There were 20 days left for comments on the bankruptcy court to abandon previous sale by trustee. Her attorney had several items he wanted to pursue, including possibly restarting the procedure with the Town Commission. Attorney Chesser had informed him that the Town would not be interested in doing this. He told them Dr. Kain had a period in which she could have appealed the Town Commission’s ruling and had not done so. Her attorney wanted to pursue some other items before Judge Maney rules on the case therefore Judge Maney postponed making a decision until January 27, 2015. Mayor Combs said that he would like to address this topic on the February agenda.

B. SNUG HARBOUR ROW USE AGREEMENT – Test agreement underway. Manager Burns reported that the contractor had been given the go-ahead to start the ribbon curbing and the eastern area parking lot.

C. DANA COURT PARKING AGREEMENT – The parking agreement has been signed by all the residents but still needs approval by the Fire Marshall. The Fire Marshall would not sign off on the agreement and Mrs. Sauvageau is trying to work with the Fire Department to find a solution.

D. APPROVAL OF INTER-LOCAL COORDINATION AGREEMENT WITH OKALOOSA COUNTY. APPROVAL OF INTER-LOCAL COORDINATION AGREEMENT WITH OKALOOSA COUNTY - The Town Commission discussed the agreement at the November regular meeting and Attorney Chesser suggested that, because Section 6-C (Failure to provide notice as required in the MOU cannot form the basis of any objection by a Party, or any third party, to proposed development activity, nor shall failure to provide notice constitute grounds for a delay, or request for delay, in the processing of a development application by the Party with responsibility for such
processing.) makes the agreement unenforceable, he would review the agreement and make changes. The Town Commission agreed. Manager Burns had attended a meeting of the LMS and had done a straw poll of the municipalities to get their opinion of the agreement. Most of the other municipalities had not made any decisions on the agreement. Mayor Combs said that he would place this on the March Okaloosa County League of Cities agenda.

E. ANNEXATION OF MEDINA PROPERTY — First reading of Ordinance 2015-03 and Exhibit 1 – Annexation of Deeded Property - and second reading will be at January 13, 2014 Town Commission meeting. Commissioner Garcia made a motion to approve the first reading of Ordinance 2015-03. Commissioner Wilton seconded the motion and it passed unanimously.

NEW BUSINESS:
I. UNPERMITTED TREE REMOVAL - 853 Mande Court and 26 Old Ferry Road. Manager Burns explained that the resident at 26 Old Ferry Road had a protected oak tree removed during evening hours without a permit. The resident had not brought this tree removal before the Planning and Zoning Board and the person cutting the tree was unknown and had not contacted the Town to acquire a permit. Manager Burns said that he had informed the resident that the Town might fine her for removing a protected tree without Town approval and that she should attend the Town Commission meeting. She was not at the meeting so the Town Commission directed Manager Burns to send her a letter requesting her attendance at the next Town Commission meeting.

Mickey Clements, the owner of 853 Mande Court, also had a tree removed without a permit. Mr. Clements said that he had spoken to the Town Manager about removing several trees and Mr. Burns had said that he thought that he could approve the tree removal. Mr. Clement’s wife hired a tree company to remove the trees. The contractor did not pull a permit to remove the trees – they had a new person in charge of permits - and neither Mr. Clements nor the contractor realized that a sweet gum tree was a protected tree in Shalimar. Mayor Combs said that, in Mr. Clement’s case, he had hired a licensed contractor and thought the contractor knew which trees were protected, therefore, he did not think Mr. Clements should be fined as he had tried to do the correct thing.
It was decided that the December 23, 2014 Town Commission Workshop will be cancelled.

ANNOUNCEMENTS
December 15, 2014 – Christmas Party and Parade – 5:00
December 17, 2014 – Planning and Zoning Board Meeting 6:00
December 23, 2014 – Town Commission Workshop 6:00 - cancelled
January 13, 2015 – Town Commission meeting 6:00
January 22, 2015 – OCLOC Quarterly Dinner hosted by Shalimar
ADJOURNMENT: Commissioner Wilton made a motion to adjourn at 6:34 p.m. Commissioner Henderson seconded the motion and it passed unanimously.

______________________________  ________________________
Sheila Hansen, Deputy Clerk      January 13, 2014

Date approved
Town of Shalimar
Planning and Zoning Board Workshop
November 19, 2014

CALL TO ORDER: Manager Burns suggested that this will be a workshop instead of a regular meeting. The Planning and Zoning Board agreed with this change.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Absent
Member Ray Morgan - Absent
Member Kevin Grohoske - Present
Member Mickey Clements - Present
Member Rebecca Daniels - Present

OLD BUSINESS:
I. NO MINUTES APPROVED.

II. UPDATE FOR THE LAND DEVELOPMENT CODE – Draft of the Land Development Code reviewed page by page. Manager Burns collected input from board members to forward to Pat Blackshear.

NEW BUSINESS:
IV. NO NEW BUSINESS

ANNOUNCEMENTS:
November 25, 2014 – Town Commission Workshop – 6:00 p.m.
December 9, 2014 - Commission Meeting – 6:00 p.m.
December 17, 2014 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT: The meeting adjourned at 7:30 p.m.

_________________________________ December 17, 2014
Sheila Hansen, Deputy Clerk Date Approved
Town of Shalimar
Town Commission Meeting
November 11, 2014

CALL TO ORDER — Mayor Pro-Tem Garcia called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Absent
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Tim Smith - Absent
Commissioner Jim Wilton, PhD - Present
Commissioner John Henderson - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Maintenance Supervisor Kent Beck, Police Chief John Cash, Edward Sauvageau, Roy Pike, and Chris Reiter.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER SMITH’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – Commissioner Garcia’s Report was attached. Commissioner Wilton asked about the contingency funds showing payroll taxes and physical environment salaries and expenses. Manager Burns explained that was the way it was set up in QuickBooks and that these amount are included in the budgeted amounts listed on the top in budgeted salaries.

COMMISSIONER WILTON’S REPORT – No report

MAYOR COMBS’ REPORT – No report

COMMISSIONER HENDERSON’S REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – No report
ATTORNEY’S REPORT – Attorney Chesser reported that he had reviewed the inter-local agreement for inter-jurisdiction development review. He said he thought the agreement was a mess. He said he did not understand why municipalities are required to explain development projects to all the other municipalities. He said the agreement should state that adjacent municipalities need to be notified. He also said that there is no way to enforce the agreement. There is no retribution if a municipality fails to notify an affected municipality. Attorney Chesser said he thought the developer should be required to report to the adjacent municipalities or at least have a joint response by the developer and the municipality. Attorney Chesser and Manager Burns will meet and discuss changes and resubmit the agreement to the County.

Attorney Chesser also reported that he had reviewed the Gulf Power franchise agreement. He said that the Town allows Gulf Power an easement. He said that the Town should know if Gulf Power is receiving any franchise money for leasing space on the easement to other utility companies. He also said that the “first choice buy-out” clause had been removed from the agreement which could be a problem if Gulf Power decided to sell out to another company. Manager Burns will research the easements agreements Gulf Power has with other utilities within the Town of Shalimar and find out what information the Florida League of Cities has on this type of easement leasing.

TOWN RESIDENTS’ TIME – No residents spoke

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES – Approval of October 14, 2014 Town Commission meeting and October 28, 2014 Town Commission Workshop. **Commissioner Henderson made a motion to approve the minutes of both meetings.** Commissioner Wilton seconded the motion and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY:
   A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. The Town has a court date of November 26, 2014 to get Dr. Kain removed from the building.

   B. **SNUG HARBOUR ROW USE AGREEMENT – Test agreement underway. All of the residents in the furthest west building have signed an agreement for the seven parking spots on the right-of-way and the spots have been assigned. Guest plaques need to be made and given to each of these residents.**

   C. **DANA COURT PARKING AGREEMENT – The parking agreement has been signed by all the residents but still needs approval by the Fire Marshall. Commissioner Henderson made a motion to approve the parking agreement pending getting the Fire
Marshall to sign off on it. Commissioner Wilton seconded the motion and it passed unanimously.

D. APPROVAL OF INTER-LOCAL COORDINATION AGREEMENT WITH OKALOOSA COUNTY. APPROVAL OF INTER-LOCAL COORDINATION AGREEMENT WITH OKALOOSA COUNTY - The Town Commission discussed the agreement at the last regular meeting and Attorney Chesser suggested that, because Section 6-C (Failure to provide notice as required in the MOU cannot form the basis of any objection by a Party, or any third party, to proposed development activity, nor shall failure to provide notice constitute grounds for a delay, or request for delay, in the processing of a development application by the Party with responsibility for such processing.) makes the agreement unenforceable, he would review the agreement and make changes. The Town Commission agreed. See Attorney Chesser’s report.

NEW BUSINESS:

I. PUBLIC TRANSIT COOPERATIVE – The Town Commission directed Manager Burns to reiterate to Okaloosa County that the Town of Shalimar is not interested in supporting the Public Transit system. Manager Burns explained that Okaloosa County Transit had been run by a coop in which the municipalities had no representation. A new agreement has been reached and the municipalities can now be part of the coop and will have a say in the running of the transit system.

II. ANNEXATION OF MEDINA PROPERTY - Attorney Chesser reported that a title search had been done and there were no problems with the title. There is a utility easement that runs across one end of the property and, if the lot is paved, the Town may be required to repair any damage done if the lot has to be torn up to get to the utilities. First reading of an Ordinance to annex the property will be at December 9, 2014 Town Commission meeting and second reading will be at January 13, 2014 Town Commission meeting.

ANNOUNCEMENTS
November 19, 2014 – Planning and Zoning Board Meeting 6:00
November 25, 2014 – Town Commission Workshop 6:00
December 9, 2014 – Town Commission meeting 6:00
December 15, 2014 – Christmas parade and Party

ADJOURNMENT - Commissioner Henderson made a motion to adjourn at 7:00 p.m. Commissioner Wilton seconded the motion and it passed unanimously.

_________________________________  December 9, 2014
Sheila Hansen, Deputy Clerk  Date approved
Town of Shalimar
Town Commission Workshop
October 28, 2014

54.0 CALL TO ORDER – MAYOR COMBS CALLED THE WORKSHOP TO ORDER.

55.0

56.0 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner John Henderson – Present
Commissioner Tim Smith – Absent
Commissioner James Wilton, PhD – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Mary Savaugeau, Ray Morgan, and Mr. and Mrs. Thom Rawlings.

I. SNUG HARBOUR PARKING AGREEMENT – MANAGER BURNS HAS SIGNED TEMP AGREEMENTS AND HOLD HARMLESS FORMS FROM THE FOLLOWING SNUG HARBOR ADDRESSES (WITH SPOT PREFERENCE LISTED):
222 - Tom Bickerstaff (7)
224 - Ron Richardson (6)
226 - Thom Rawlings (5)
234 - Chad Bechette (3)
236 - Jennifer Matthews ((2,3)
240 - Patricia Lee (1)

The above listed six residents had signed up for parking on ROW spots at Snug Harbour. The use of these spots will be temporary with no charge until February when each resident will sign a permanent parking agreement and be charged the $60.00 yearly fee. Commissioner Wilton asked about the “Parking by Permit Only” signs. Manager Burns said that the signs had already been posted on each end of the parking area with an arrow pointing towards the middle. The Police Department will give warning tickets to unpermitted vehicles parked in ROW parking spots.
It was decided that spot number 4 would be left open until after everything is finalized. This will include the lower parking area, as well.

Manager Burns will contact Commissioner Smith about choosing the contractor to get the ribbon curbing and pavement removal done.

II. **DANA COURT PARKING AGREEMENT** – The Dana Court parking agreement was discussed. Mayor Combs brought up that a resident on Irwin Fleet did not think there should be parking anywhere on streets in Shalimar. Manager Burns reminded the Town Commission that all the residents on Dana Court had signed a petition requesting on street parking. The Town Commission decided that the Fire Department would have to approve the parking and that, if approved, the Town Commission would approve the parking agreement at the November 11, 2014 Town Commission meeting.

Mary Savaugeau asked about having the “No Parking on Streets” sign removed from Dana Court. This sign will be removed and there will not be a sign designating parking on the street unless there is a problem.

**57.0 ANNOUNCEMENTS:**
October 29, 2014 – Planning & Zoning Board Meeting – 6:00 p.m.
November 11, 2014 – Town Commission Meeting – 6:00 p.m.
November 25, 2014 – Town Commission Workshop – 6:00 p.m.

**58.0 ADJOURNMENT** - **COMMISSIONER GARCIA MADE A MOTION TO ADJOURN AT 6:29 P.M. COMMISSIONER HENDERSON SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.**
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present
Commissioner John Henderson - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Maintenance Supervisor Kent Beck, Police Chief John Cash, Thomas and Debra Rawlings, Ray Morgan, Steven Peterson, Ron and Belinda Richardson, Jennifer Maggie Matthews, Jeff Rynearson, Mary Sauvageau, Roy A. Pike, Tricia Howe, Tom Bickerstaff, Zachary Rogers, Patricia Hicks, and Marc Ruben.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

COMMISSIONER SMITH’S REPORT – No report

MAYOR PRO-TEM GARCIA’S REPORT – Commissioner Garcia’s Report was attached. Commissioner Garcia reported that he and Manager Burns had a meeting with the auditors and that the fiscal year 2014 audit should be done at the end of October.

COMMISSIONER WILTON’S REPORT – No report
MAYOR COMBS’ REPORT – No report
COMMISSIONER HENDERSON’S REPORT – No report
POLICE REPORT – The Police Report was attached.
MAINTENANCE REPORT – The Maintenance Report was attached.
TOWN MANAGER REPORT – No report
ATTORNEY’S REPORT – Attorney Chesser reported that he had scheduled a hearing on Dr. Kain. The Federal Bankruptcy Court was not doing anything to get her removed from the property and she would not allow any potential buyers in to look at the property. The hearing is scheduled for November 26, 2014 and her living in the commercial building becomes a
matter for the Judge to decide. If the Judge decides in the Town’s favor, the Judge will do an eviction order.

**TOWN RESIDENTS' TIME** – Mary Sauvageau of Dana Court spoke to the Commission about on-street parking on Dana Court. Ms. Sauvageau said that she had a petition signed by all residents of Dana Court as well as a number of visitors to that area with everyone agreeing to allow on-street parking on one side of Dana Court.

Mayor Combs explained that a parking agreement with the Town was necessary to allow violation of the parking ordinance. **Commissioner Wilton made a motion to consider a parking agreement with Dana Court. Commissioner Henderson seconded the motion.** Commissioner Wilton stated that any agreement that allowed on-street parking would have to include not blocking fire hydrants, emergency vehicles and neighbors. Commissioner Garcia asked that the agreement also stated “no parking on sidewalk”. Mayor Combs said that, if an agreement is reached, any complaint from any resident, emergency service, or Waste Management would make the agreement “null and void”. Any complaints will come before the Town Commission and they will make a decision on whether the agreement will continue. Commissioner Smith said that he had lived on Dana Court for a number of years and that he knows parking is a problem there and the only problem he has with a parking agreement is if a resident’s driveway if full of things other than personal vehicles such as boats, etc. He would like to look at Dana Court before making any decision on the parking agreement. Mayor Combs said he would like the agreement be for one year and be renewed if there are no problems. This item will be an agenda item at the next regular Town Commission meeting. Mayor Combs and Mary Sauvageau will have a meeting to work out the details for the agreement. **The vote to consider the agreement was unanimous.** Commissioner Smith asked Ms. Sauvageau if she had any complaints about the retention pond at the courthouse annex. She said that it overflows and her backyard becomes a second retention pond.

Steve Peterson of Shalimar Yacht Basin spoke to the Town Commission about a planned Halloween Party at the Yacht Basin. He said there would be an outdoor movie and snacks and refreshments. He also informed the Town Commission he plans on having movies which will start at dusk and last about two hours. Attorney Chesser asked if our ordinances allowed outdoor theatres. The Commission members told Mr. Peterson that they would work with him on his outdoor theater until there were complaints from the residents.

**OLD BUSINESS:**

**I. TOWN COMMISSION MEETING MINUTES** – Approval of September 9, 2014 Town Commission meeting, September 9, 2014 First Budget Hearing, and September 23, 2014 Second Budget Hearing. **Commissioner Garcia made a motion to approve the minutes of all three meetings. Commissioner Henderson seconded the motion and it passed unanimously.**

**II. CODE ENFORCEMENT ACTIVITY:**
A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. This item was discussed in the Town Attorney’s report.

B. SNUG HARBOR ROW USE AGREEMENT – Mayor Combs asked for a motion to start taking contracts for ROW parking for the furthest West building of Snug Harbor Town Homes. He said the agreements would be signed and there would be no charge for parking until February 1, 2015. Commissioner Henderson made a motion to consider leasing 7 parking spots along the wall on Snug Harbor Drive west of the Pointe Subdivision entrance. Commissioner Garcia seconded the motion. Mayor Combs explained that the $60.00 charge is to recoup the money that the Town has put into this area.

A discussion was held in which it was decided that the length of the parking spots would be changed to 19 feet rather than the 18 feet that Manager Burns had in the parking agreement. Manager Burns said that, if there is not a demand for all seven parking spots, there could be six larger parking spots. Commissioner Smith did not agree with this idea. He said that if there was not demand for all seven parking spots the extra parking spots could be used for guest parking with Town approval.

Commissioner Henderson said that, if the residents are happy with the agreement, he has no problem with it. However, he does not think the Town should charge for the parking spots.

Attorney Chesser said that, if the Town charges for the parking spots, the Town is responsible for the availability of the parking spots. Commissioner Garcia said that the only reason the Town will charge for the parking spots is because of maintenance costs. Mayor Combs explained that the Town had spent nearly $30,000.00 in legal fees fighting to get the road in an area that would not encroach on the ROW parking on Snug Harbour Drive and that once these costs are recouped the Town may eliminate charging for the parking spots.

Commissioner Smith said that he did not want to spend Town money on a small group of residents and he thinks $60.00 a year for a parking spot is a really good deal. He said he did not know if he agreed with the Town assigning the parking spots. He thinks the homeowners should work that out between themselves.

Commissioner Wilton said that he thinks this designated parking area seems to be a “high call” area for the Police Department. He thinks the Town should assign the parking spots to cause less problems among the residents. He did think that $60.00 a year is a little light to charge.

Maggie Matthews said she was a new resident and did not know what the money the Town spent was for and she did not like the idea of assigned parking spots.
Ray Morgan said that there had been ROW parking in this area since 1983. He thinks that the parking spots need to be assigned or there will be problems. He explained to Ms. Matthews that the Pointe Subdivision developer had gotten a permit for the development from Okaloosa County without coordinating with the Town of Shalimar. A lawsuit ensued and the Town ended up suing the developer when they should have sued the County. He then said that he did not like the idea of the parking spots having stop bars. He thinks the markings for the parking spots should be at ground level.

Linda Richardson addressed the Town Commission. She said her job has her coming and going at all hours and would like a spot in front of her driveway. She also said that she did not like the idea of stop bars.

Thom Rawlings address the Town Commission. He said that he had done a lot of research on the size of the parking spots. There are two sizes of standard parking spots. One is 24 feet and the other is figured at 18 feet plus 8 feet for a total of 26 feet. He likes the idea of the parking spots being 25 feet or larger. He likes the idea of designated parking spots and thinks the $60.00 cost is a steal. He would like to see stop bars on the spots but thinks 18 feet should be the maximum length of allowed vehicles.

Ron Richardson said that the thinks that the stop bars are a necessity because it will give guidelines to the parking spots and he also wants designated parking spots. Ray Morgan said that he had done a survey of the residents and less than half had responded. He said two residents said that they did not need extra parking and one building was empty. He thinks that only seven parking spots are needed.

Manager Burns said that if all seven spots are not needed by the furthest west building the extra spots would be offered the residents in the next building. His intent is to not leave unassigned spots to be used by residents for no charge.

Tricia Howe addressed the Commission and said that she understands the parking issues and, if she has to pay, is not thrilled but it is probably worth it. She does not want stop bars. Her concern is for guests. She would like to see a temporary guest permit. Mayor Combs said that parking spots could be designated for guests. The motion to consider the seven parking spots along the west end of Snug Harbour drive passed with Commissioner Henderson voting against.

Commissioner Wilton asked that there be signs saying “Parking by permit only.”

NEW BUSINESS:
I. RESOLUTION 2015-01 – Acceptance of quit claim deed for parking lot on Old Ferry Road. Commissioner Wilton asked Attorney Chesser to check on the actual ownership of the property.

Commissioner Wilton made a motion to accept the quit claim deed subject to a clean title. Commissioner Henderson seconded the motion and it passed unanimously.

Commissioner Wilton said that an ordinance needed to be written to annex the property into the Town of Shalimar. This will be on the agenda for the next regular meeting.

Mayor Combs reported that Manager Burns has two bids for removing the asphalt from the old road and laying ribbon curbing. One of the bids was $4,200.00 and the other was $3,900.00. He explained that the Town would need to do a request for bids if the Town Commission did not waive going out for a formal contract. Commissioner Smith made a motion that the Town Commission waive advertising for bids and formal contract on the Snug Harbour property provided we have a clear claim to the property. Commissioner Wilton seconded the motion and it passed unanimously.

II. APPROVAL OF LOCAL MITIGATION STRATEGY ANNUAL REPORT – Report available at Town Hall. The Town Commission had a discussion on the report. Commissioner Henderson made a motion to accept the LMS the annual report. Commissioner Wilton seconded the motion and it passed unanimously.

II. APPROVAL OF INTER-LOCAL COORDINATION AGREEMENT WITH OKALOOSA COUNTY. The Town Commission discussed the agreement and Attorney Chesser suggested that, because Section 6-C (Failure to provide notice as required in the MOU cannot form the basis of any objection by a Party, or any third party, to proposed development activity, nor shall failure to provide notice constitute rounds for a delay, or request for delay, in the processing of a development application by the Party with responsibility for such processing.) makes the agreement unenforceable, he would review the agreement and make changes. The Town Commission agreed.

ANNOUNCEMENTS:
October 16, 2014 – OCLOC Quarterly Dinner sponsored by Niceville.
October 28, 2014 – Town Commission Workshop 6:00
October 29, 2014 – Planning and Zoning Board Meeting 6:00
November 11, 2014 – Town Commission meeting 6:00

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 8:34 p.m. Commissioner Wilton seconded the motion and it passed unanimously.
Town of Shalimar  
Planning and Zoning Board Workshop  
September 24, 2014

CALL TO ORDER - Manager Burns suggested that this will be a workshop instead of a regular meeting.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Present  
Member Ray Morgan - Present  
Member Kevin Grohoske - Present  
Member Mickey Clements - Present  
Member Rebecca Daniels – Present

OLD BUSINESS:
I. APPROVE MINUTES FROM THE August 27, 2014 P&Z MEETING - This item was postponed until the October 29, 2014 meeting.

II. UPDATE FOR THE LAND DEVELOPMENT CODE. – ENGINEERING ANNEX AND ZONING MAP - The Engineering Annex was discussed and the Board decided that, since the Town of Shalimar relies on Okaloosa County for their Technical Plan Review, this annex is not appropriate for the Town of Shalimar’s Land Development Code.

The Zoning Map was discussed and Manager Burns explained that the R-1 zoning classification only allowed 1 to 5 units per acre and that several residential lots exist that are smaller than this (8172 sq., ft.). The Board recommended that Pat Blackshear add a residential zoning classification that allows 1 to 8 units per acre.

NEW BUSINESS:
I. NO NEW BUSINESS

ANNOUNCEMENTS:
October 14, 2014 – Commission Meeting – 6:00 p.m.  
October 28, 2014 – Town Commission Workshop – 6:00 p.m.  
October 29, 2014 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT - The meeting adjourned at 7:10 p.m.

_________________________________  October 29, 2014
Sheila Hansen, Deputy Clerk  Date Approved
66.1.1 September 23, 2014

CALL TO ORDER - Mayor Pro-Tem Garcia called the meeting to order at 5:30 p.m. He led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: Absent

Mayor Pro-Tem Ricardo Garcia: Present

Commissioner Tim Smith: Present

Commissioner John Henderson: Absent

Commissioner James Wilton, PhD: Present


3. Manager Burns reported that Mayor Combs was interested in the Town selling the property on Richbourg Ave. and that he wanted to get a property appraisal done. Commissioner Wilton said, being this is commercial property, the appraisal would cost between $1200.00 and $1500.00. Commissioner Wilton said that the Town could have a brokerage appraisal done which is free. Manager Burns said that he would have to check the Town Ordinances and see if this would be legal.

ANNOUNCEMENTS:

SEPTEMBER 24, 2014 – PLANNING & ZONING BOARD – 6:00 P.M.

OCTOBER 14, 2014 – TOWN COMMISSION MEETING – 6:00 P.M.

OCTOBER 16, 2014 – OCLOC DINNER HOSTED BY NICEVILLE
ADJOURNMENT - Commissioner Wilton made a motion to adjourn at 5:37 p.m. Commissioner Smith seconded the motion and it passed unanimously.

_________________________________________  ________________________________
Sheila Hansen, Deputy Town Clerk  Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present
Commissioner John Henderson - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Brad Gable, and Maintenance Supervisor Kent Beck, Police Chief John Cash, John Henderson, Sally Henderson, Rebecca Daniels, Ray Morgan, and Mark Ruben.

APPOINTMENT OF NEW COMMISSIONER: Kay Rasmussen was appointed Commissioner at the last Town Commission meeting but had to resign because the EDC Board felt the position could become a conflict of interest. John Henderson volunteered to be interim Town Commissioner until the next election. The Planning and Zoning Board made a recommendation for Rebecca Daniels to be appointed to the Planning and Zoning Board. Commissioner Garcia made a motion to approve John Henderson as interim Town Commission member and approve Rebecca Daniels as a member of the Planning and Zoning Board. Commissioner Wilton seconded the motion and it passed unanimously. Mayor Combs had both appointees take the Oath of Office.

COMMITTEE REPORTS:
Planning & Zoning Board – Brad Gable reported that the Planning and Zoning Board was still working on the Land Development Code. They had finished reviewing all of the chapters at their last meeting and Pat Blackshear should have the complete draft put together soon.

Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached. Manager Burns went over the Current Asset report.
COMMISSIONER WILTON REPORT – No report

MAYOR COMBS’ REPORT – No report
POLICE REPORT – The Police Report was attached. Chief Cash gave a brief synopsis explaining that Sergeant Shadwell is planning to resign. He has turned in his badge and credentials and his patrol car has been returned to the town. Manager Burns explained to the Town Commission that they needed to approve or disapprove Sergeant Shadwell’s leave payout. Commissioner Wilton made a motion to pay 160 hours of accrued leave to Sergeant Shadwell. Commissioner Garcia seconded the motion and it passed unanimously.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – Manager Burns explained that the Pointe Subdivision wants to landscape the Town right-of-way to create a visibility triangle where their street connects to Snug Harbor Drive. Manager Burns went over the use agreement he had written. Commissioner Smith said that he does not agree with right-of-way landscaping maintenance being done by the homeowners and does not think the Maintenance Department has time. Commissioner Garcia made a motion to approve the ROW usage agreement with the Pointe Subdivision upon approval of the Medinah LLC’s landscaping plan by the Technical Review Board. Commissioner Wilton seconded the motion and it passed unanimously.

ATTORNEY’S REPORT – The Town Attorney was not in attendance.

TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES – Approval of August 12, 2014 Town Commission meeting. Commissioner Garcia made a motion to approve the minutes of the August 12, 2014 Town Commission meeting. Commissioner Wilton seconded the motion and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY
A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Awaiting Property Sale. The bankruptcy trustee is having a difficult time getting Dr. Kain to allow her into the building. There will be a hearing before a Federal Judge on September 17, 2014 to force her to allow the trustee to show the building. A discussion was held about having the Town Attorney start the process of having her removed from the building. Commissioner Wilton made a motion to authorize the Town Attorney to seek judicial approval to have her removed from the building. Commissioner Smith said he thought the Town should be reluctant to spend more legal fees to have her utilities shut off so that she is forced to move out.
Commissioner Wilton withdrew his motion. This item will be continued to the next Town Commission meeting and Manager Burns with speak to Attorney Chesser about the procedures to have her utilities shut off.

B. 188 Richbourg - Resolution 2014-04 – Manager Burns went over the resolution which declares this property a nuisance. Commissioner Garcia made a motion to approve the resolution and authorize Manager Burns to mitigate the problem and charge the homeowner $50.00 more each time this has to be done. Commissioner Wilton seconded the motion with the contingency Town equipment and personnel not be used to mitigate the problem. The motion passed unanimously.

C. SNUG HARBOUR ROW USE AGREEMENT– HOA Representative to attend

The Town Commission read the letter from the HOA and the proposed memorandum of understand from the Town. Mayor Combs said that he thinks the Town will need some improvements to the parking lot. He thinks that there should be ribbon curbing put along the road to protect the asphalt and that the section of the old road that is still there should have the asphalt removed. He asked if the HOA would be willing to pay for these improvements. Ray Morgan said that he did not think the HOA would agree to do this. Manager Burns went over the parking agreement he had prepared. He asked if the residents would be willing to buy a parking permit to use the parking lot and the ROW parking. Ray Morgan said that he liked the idea of an annual permit. Commissioner Wilton and Commissioner Smith said that they think the Town should charge $120.00 per year rather than the $50.00 that Manager Burns was suggesting. Mark Ruben said that if the price got too high there may not be much participation.

Manager Burns said that anyone parking in that area without a permit should have their car towed. Commissioner Henderson asked Ray Morgan if he agreed with the plan. Ray Morgan said it was not as he envisioned it. Commissioner Smith suggested having stickers for the cars that are permitted.

The Town upgrades were discussed and Ray Morgan said that he thinks the ribbon curbing is a good idea but does not think the asphalt needs removing.

This item will be on the next agenda for further discussion and Manager Burns said that he will send out flyers with the suggested charges and rules and requesting that the residents come to the next Town Commission meeting. Manager Burns and Commissioner Smith will decide what will be done on the ribbon curbing, stop blocks, and asphalt removal.

NEW BUSINESS:
I. Resolution 2014-03 – 2014 Budget Amendment – 2013-14 line item changes. Manager Burns went over the budget amendment. Commissioner Garcia made a
motion to approve the budget amendment. Commissioner Wilton seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
September 23, 2014 – Second Budget Hearing 5:30 p.m.
September 23, 2014 – Town Commission Workshop 6:00
September 24, 2014 – Planning and Zoning Board Meeting 6:00
October 14, 2014 – Town Commission meeting 6:00

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 7:59 p.m. Commission Smith seconded the motion and it passed unanimously.

_________________________________  October 14, 2014
Sheila Hansen, Deputy Clerk  Date approved
CALL TO ORDER - Mayor Combs called the First Budget Hearing to order at 5:30 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: Present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Tim Smith: present
Commissioner James Wilton PhD: present

Others in attendance: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Brad Gable, and Maintenance Supervisor Kent Beck, Police Chief John Cash, John Henderson, Sally Henderson, Rebecca Daniels, Ray Morgan, and Mark Ruben.

HEARING ITEMS:

1. FIRST PUBLIC READING OF ORDINANCE 2015-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2014-2015 - Commissioner Garcia made a motion to approve the 1st reading of Ordinance 2015-01 setting the millage rate at .2 mills. Commissioner Wilton seconded the motion and it passed unanimously.

2. FIRST PUBLIC READING OF ORDINANCE 2015-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2013-2014. Manager Burns explained the changes from the last budget workshop. The Town Commission discussed replacing the pump in the retention pond. Commissioner Smith said he did not think it was necessary to replace the pump. The pond seems to be very healthy. Mayor Combs brought up Snug Harbour parking. He thinks that the Town needs to put ribbon curbing along the right-of-way to protect the road asphalt. Commissioner Smith said that he felt the Town spent a large quantity of money to acquire this property and that the Snug Harbour neighborhood thinks they will own the property. Mayor Combs said that there will be 20 to 22 parking spots in this area and he thinks the Town should charge for the use of these parking spots. Commissioner Smith said he would agree with that. Commissioner Smith said he would also like to do something about Casa Marina piling their trash on the Town right-of-way. Commissioner Garcia made a motion to approve Ordinance 2015-02 as read. Commissioner Smith seconded the motion and it passed unanimously.
ADJOURNMENT:  Commissioner Wilton made a motion to adjourn at 5:53 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

_________________________________________________________

Sheila Hansen, Deputy Town Clerk                      Date approved
CALL TO ORDER – Chairman Brad Gable called the meeting to order and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Present
Member Ray Morgan - Present
Member Kevin Grohoske - Absent
Member Mickey Clements - Present
Member Lynn Dominique - resigned

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JULY 30, 2014 P&Z MEETING. Member Clements made a motion to approve the July minutes as written. Member Morgan seconded the motion and it passed unanimously.

II. UPDATE FOR THE LAND DEVELOPMENT CODE - The Board went over each chapter and made suggestions to the items Pat Blackshear highlighted for discussion. It was decided that the widths of the sidewalks would be 4 feet rather than the wider widths that are in FWB’s LDC. The tables all need revising and Manager Burns will go over these and discuss with Ms. Blackshear. Section 6.05.01 Parking Studies will be removed. These items can be done by granting a variance. Manager Burns will also clarify PUD’s with Ms. Blackshear and decide how the Town wants to handle these. Manager Burns also would like to change the required number of days to publish items before a hearing to be 5 rather than 10 unless this is set by statute.

NEW BUSINESS:
I. CONSIDER NEW MEMBER TO BOARD – Rebecca Daniels introduced herself to the Board. She has lived in Shalimar for 4 years. She has worked in the real estate business, she has worked with architects, and is a court reported. She has spent a lot of time working with real estate law.

Chairman Gable explained that the board is rewriting the Town’s Land Development Code. When this is completed the normal meetings will be to go over Development Orders and variance to make recommendations to the Town Commission. He said the best qualification for the Planning and Zoning Board is to have common sense.
Member Morgan asked Ms. Daniels why she wanted to be on the Planning and Zoning Board. She said she would like to know more about what is going on in the Town and feels that she could accomplish this by being more involved.

Member Clements asked if she was volunteering because she had a special pet project or such. She said no, she was just interested in volunteering her time for the Town of Shalimar.

Manager Burns asked Ms. Daniels her opinion on cutting down trees. She thinks this is something that should be thought long and hard about. She knows that it is sometimes necessary to remove a tree but there should be a very good reason to do this.

**Ray Morgan made a motion to recommend that the Town Commission appoint Ms. Daniels to the Planning and Zoning Board. Member Clements seconded the motion and it passed unanimously.**

**ANNOUNCEMENTS:**
- September 9, 2014 – First Budget Hearing – 5:30
- September 9, 2014 – Town Commission Meeting 6:00 p.m.
- September 23, 2014 – Final Budget Hearing – 5:30
- September 23, 2014 – Town Commission Workshop 6:00 p.m.
- September 24, 2014 – Planning and Zoning Board Meeting 6:00 p.m.

**ADJOURNMENT:**  **Member Morgan made a motion to adjourn at 8:56 p.m. Member Clements seconded the motion and it passed unanimously.**

_________________________________________  September 24, 2014
Sheila Hansen, Deputy Clerk  Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Resigned
Commissioner Tim Smith - Absent
Commissioner Jim Wilton, PhD - Present
Commissioner Kay Rasmussen - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Brad Gable, and Maintenance Supervisor Kent Beck, Police Chief John Cash, Ron Grissom, Ray Morgan, Peter Mohlinsky, and Mark Ruben.

APPOINTMENT OF NEW COMMISSIONER: Commissioner Robert Chapman sent an email with an attached letter resigning his position. Kay Rasmussen sent the Mayor an email with a letter of interest volunteering to fill the empty Town Commission position until the next election period. Mayor Combs recommended appointing Kay to the empty Commission seat. **Commissioner Wilton made a motion to accept Kay Rasmussen to fill the empty Commission seat. Commissioner Garcia seconded the motion and the motion passed by unanimous vote.** Attorney Chesser had Ms. Rasmussen take the oath of office and she took her seat on the Town Commission. She will be the Special Projects Commissioner.

COMMITTEE REPORTS:
Planning & Zoning Board – **Recommendation** for approval of a Preliminary Development Order for Okaloosa County Administration Building. Commissioner Wilton asked about the stormwater system. Chairman Gable said that the new stormwater system was acceptable. He also explained the landscaping and vegetative barrier requirements. Commissioner Rasmussen asked about the building inspections. Manager Burns explained that Okaloosa County does the inspections for the Town of Shalimar. **Commissioner Wilton made a motion to approve the preliminary Development Order. Commissioner Garcia seconded the motion and it passed unanimously.**
Technical Review Board – No report

**TOWN COMMISSIONER SMITH’S REPORT** – No report

**COMMISSIONER CHAPMAN’S REPORT** – No longer on Commission

**COMMISSIONER GARCIA REPORT** – Commissioner Garcia’s Reports were attached. Manager Burns said that the resolution to amend the FY 2014 budget would be brought before the Town Commission in the September meeting.

**COMMISSIONER WILTON REPORT** – No report

**MAYOR COMBS’ REPORT** – No report

**POLICE REPORT** – The Police Report was attached. Chief cash said that the department had a plan for school zone patrolling.

**MAINTENANCE REPORT** – No report

**TOWN MANAGER REPORT** – The Town Manager’s Report was attached. Manager Burns went over his report. He also reported that the Town had a new recycle bin. It may have to be moved to a different area because someone had already used it for non-recyclables.

Manager Burns said that, due to extra Army duty, Lieutenant Heslep had deficit in leave time. Deputy Clerk Sheila Hansen had leave time she would not be able to take before year-end and would like to transfer these hours to Lieutenant Heslep. See attachments. Mayor Combs entertained a motion to allow Deputy Clerk Hansen to transfer leave to Lieutenant Heslep. **Commissioner Garcia made a motion to allow Deputy Clerk Hansen to transfer leave to Lieutenant Heslep. Commissioner Rasmussen seconded the motion and it passed unanimously.**

**ATTORNEY’S REPORT** – No report

**TOWN RESIDENTS’ TIME** – No residents spoke.

**OLD BUSINESS:**

**I. TOWN COMMISSION MEETING MINUTES** – Approval of July 8, 2014 Town Commission meeting and July 29, 2014 Budget workshop. Chair will entertain a motion to approve minutes as drafted. **Commissioner Garcia made a motion to approve the minutes of the July 8, 2014 Town Commission meeting and July 29, 2014 Budget workshop. Commissioner Wilton seconded the motion and it passed unanimously.**

**II. CODE ENFORCEMENT ACTIVITY:**
A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Awaiting Property Sale.

B. **SNUG HARBOUR USE AGREEMENT** – HOA Representative to attend. Ray Morgan introduced Mark Ruben and Peter Mohlinsky. Mark Ruben thanked the Town Commission and Attorney Chesser for the work they put into working out a solution to the parking at Snug Harbour. He showed the Town Commission a slide show which he went over. He explained that the Snug Harbour Townhome owners thought that they had a parking agreement with the Town since 2008. However, this agreement was never completed. He said the HOA would like the area the Town is acquiring for parking to be paved but realize that is probably not an option.

Mr. Ruben said that the HOA would agree to maintain the parking area and that they also want the agreement to include the ROW parking past the entrance to The Pointe Subdivision. He said this area would require parallel parking so no vehicles extend into the street. Mayor Combs entertained a motion to consider the MOU. Commissioner Garcia made a motion that the Town Commission consider the MOU on parking at Snug Harbour. Commissioner Wilton seconded the motion. Commissioner Garcia said that the only concern he has is the maintenance of the area. The Town does not want an additional burden of upkeep of this area. Commissioner Wilton said that the Town Commission needs to look seriously at giving public land to a small group of people. He said each unit had originally had 600 square feet of parking. The homeowners had made changes to the parking area to reduce this. He also did not think that making the lot exclusive for Snug Harbour residents is an issue. All of the Shalimar residents’ taxes will be used to maintain the parking area. Commissioner Rasmussen said that, after a cursory evaluation, she understood the Commission’s concerns. She felt that giving this property to a small group of private residents places a burden on the municipality’s use of taxpayer dollars. Mayor Combs explained that this was not the first time the Town had given property to residents. He feels the only people using this area, other than the Snug Harbour residents, would be customers of Shalimar Yacht Basin and he did not want to supply parking for a commercial business.

Ray Morgan said that he did not think that all of the parking spots would be used by Snug Harbour residents and the HOA would be willing to waive the exclusivity.

Commissioner Wilton said he would agree to the MOU as long as the HOA maintains the property and eliminate the exclusivity clause.
Attorney Chesser said there are different categories in use of property. A license is a permit for use of Town property and he suggests that there not be a complete exclusivity agreement. He said the Town could grant a license and Snug Harbour HOA could put up a sign that said Townhome Property.

Peter Mohlinsky said that the HOA would want routine maintenance on this area for things like sinkholes, etc.

Manager Burns suggested that the parking spaces could be rented to the homeowners. Mr. Ruben said that would be okay as a last resort. A vote was taken on the motion to consider the MOU and passed unanimously. Ray Morgan said he would bring a MOU that he would try to make agreeable with everyone to the next Town Commission meeting.

NEW BUSINESS:
I. TED COCHRAN TO SPEAK ON BROOKS BRIDGE RESOLUTION - Ron Grissom attended the meeting in Ted Cochran’s place. Mr. Grissom went over the Resolution and explained that the Chamber of Commerce was asking the municipalities to do a resolution in support of the project so that the Department of Transportation knows the area is united on the project. Commissioner Garcia made a motion to approve the resolution. Commissioner Wilton seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
August 26, 2014 – Town Commission Workshop and 2nd 2015 Budget Workshop
August 27, 2014 – Planning and Zoning Board Meeting
September 9, 2014 – First Budget Haring 5:30 p.m.
September 9, 2014 – Town Commission Meeting 6:00 p.m.
September 23, 2014 – Second Budget Hearing 5:30 p.m.

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 7:35 p.m. Commissioner Wilton seconded the motion and it passed unanimously.

_________________________________  _______________________
Sheila Hansen, Deputy Clerk  September 9, 2014

Date approved
Town of Shalimar
Planning and Zoning Board Meeting Minutes
July 30, 2014

CALL TO ORDER - Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - The pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member Ray Morgan - present
Member Kevin Grohoske - present
Member Mickey Clements - present
Member Lynn Dominique - Absent

ALSO PRESENT: Pat Blackshear, Mark Siner and Sheila Hansen

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JUNE 25, 2014 P&Z MEETING – Member Dominique made a motion to approve the minutes from the meeting. Member Clements seconded the motion and it passed unanimously.

III. PAT Blackshear to go over Chapters 4 and 5 of Land Development Code

The Board discussed the Shalimar Yacht Basin being presently zoned Industrial and the Future Land Use Map not having an Industrial area. It was decided this area should be Commercial with a potential Waterfront overlay.

Other things that were discussed in the meeting.

1. There should be pollution standards in the Commercial section.

2. Setbacks and height limits were discussed and the Board said that porches should be included in the setbacks and that height measurements should include the overall height of a building. Floor elevation should be measured from the finished grade. The maximum height of a building will be 75 feet without a variance.
3. Manager Burns and Pat Blackshear will confer on the table on zoning districts.

4. It was decided that rather than requiring green area in PUDs the developer would pay into a fund for recreation or make a park with specific restrictions.

5. Landscape buffer shall be a minimum of 20 feet.

Manager Burns asked to Board to approve payment to Blackshear Planning according to contract. **Member Dominique made a motion to pay Blackshear Planning according to contract.** Member Morgan seconded the motion and it passed unanimously.

NEW BUSINESS:

I. **OKALOOSA COUNTY ADMINISTRATION BUILDING PRELIMINARY DEVELOPMENT ORDER** – Mark Siner, the architect from Okaloosa County, said that he had no problems with the requirements from the Technical Review Board. He explained that the two additional retention ponds would bring the specifications up to a 100-year flood occurrence.

**Member Morgan made a motion that the preliminary development order for the Okaloosa County Administration Building, revised July 30, 2014, be approved with the condition the following items be supplied to the Planning and Zoning Board prior to the final development order.**

1. **Signage Plan**
2. **Landscaping irrigation plan to include the entire site excluding the Fire Department.**
3. **Irwin Fleet road marking plan.**
4. **Will require a variance for handicap parking to comply with Federal ADA handicap requirements.**
5. **Landscaping to treat Irwin Fleet Road and Eglin Parkway as frontage.**

**Member Clements seconded the motion and it passed unanimously.**

**Finisterra ROW Request** – Nobody from Finisterra was present so this item was tabled until the August 27, 2014 meeting.

ANNOUNCEMENTS:

**August 12, 2014 – Town Commission Meeting 6:00 p.m.**
August 26, 2014 – Town Commission Workshop 6:00 p.m.
August 27, 2014 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT - Member Clements made a motion to adjourn at 8:45 p.m.
Member Morgan seconded the motion and it passed unanimously.

________________________  August 27, 2014
Sheila Hansen, Deputy Clerk  Date Approved
CALL TO ORDER - Mayor Gary Combs called the Second Budget Workshop of the Shalimar Town Commission to order at 6:08 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Bob Chapman – absent
Commissioner Tim Smith – absent
Commissioner Jim Wilton PhD – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen

Manager Burns presented a tentative FY15 salary budget sheet. The Town Commission discussed the salary changes. Manager Burns said that he had a suggested 8% raise for the part-time help in the Maintenance Department. The Commission members agreed with this.

Commissioner Wilton said that he would like to see a 3% pay increase for the Police Department with the exception of Lieutenant Heslep who had just been promoted. He would like to see Lieutenant Heslep get an 8% pay increase. He handed out a list of the planned pay raises for the other area Police Departments of which the majority were giving a 3% increase. After a discussion, the Town Commission decided to give Police Chief Cash a 2% raise, Sergeant Shadwell a 3% raise, Sergeant Spohn a 1 ½% raise and Lieutenant Heslep an 8% raise.

It was decided that Deputy Clerk Hansen would receive a 2% salary increase.

The Commission discussed the non-routine items.
Police Department

Manager Burns went over the list of non-routine items for the Police Department. Most of the items on the list will be funded by grant money. Manager Burns said that he would like to see $4000.00 budget for secure trunk storage for firearms. The Commission agreed with funding these items.

Maintenance Department

Manager Burns went over the non-routine items for the Maintenance Department.

1) $10,000.00 for sidewalks
2) Privacy fence between Town Hall and residence. Can be done in house for around $500 to $600.
3) Pond pump cannot be repaired. It was suggested that a pump without light be purchased for less and would take less maintenance.
4) Town entry signs. The sign North of Town can be repainted and possibly purchase a sign for by the bridge into Town. Manager Burns will check on cost.
6) Cherokee Park playground resurface – The Commission all agreed this needed to be done. Manager Burns will get a quote to replace or repair the surface. He will call Niceville to see how they repair their surfaces,

II. Manager Burns went over the overall budget compared to previous year and explained that it would be much less expensive to publish the Code of Ordinances on the Town website rather that with Municode.

Mayor Combs asked if the employees still got a stipend for cell phones. Manager Burns said that they did. It was $5.00 per paycheck. Mayor Combs said that he had tried to contact Chief Cash and got no answer on his cell phone. Commissioner Wilton said that he would look into this.

Manager Burns said that he had put $25,200.00 into Contingency funds this year. This will cover the new police car if we get a grant for 50% of the cost of the car.
Mayor Combs asked if Manager Burns had gotten results on the boring done on Brande Court. Manager Burns said that he not heard anything but would get hold of Poly-engineering. Mayor Combs would like know if we need to budget money to improve the drainage on Brande Court.

69.0 ANNOUNCEMENTS:

July 30, 2014 – Planning & Zoning Board Meeting – 6:00 p.m.
August 12, 2014 – Town Commission Meeting – 6:00 p.m.
August 26, 2014 – Town Commission Workshop – 6:00 p.m.

ADJOURNMENT – The workshop was adjourned at 6:41 p.m.

______________________________  _______________________
Sheila Hansen, Deputy Town Clerk  Date Approved
Development request reviewed: County Courthouse Annex

Meeting date: July 11, 2014
Board members: Tim Smith, Roads and Grounds Commissioner
Ray Morgan, Planning and Zoning Board
Tom Burns, Town Manager (recorder)

The Courthouse Annex development application was dated July 3, 2014. The plans reviewed were dated June 16, 2014 (cover) with pages signed on July 9, 2014 (?). The following review observations and comments are provided:

A. General

1.) No discrepancies were found in the application or commercial development checklist forms.

2.) The development parcel seemed to be divided into three basic areas: a "limits of construction" area, a northern area containing the Ocean City - Wright firehouse annex, and a western area containing the old retention pond, water tower, old Sheriff building, and parking areas. It is to be determined whether any non-conformity outside the construction area should be addressed in the Development Order. It was also not apparent whether the submitted storm water management plan considered the entire site (analysis by PolyEngineering is underway). The TRB recommends that the storm water management plan address the entire site, and that the site's impervious surface area be compared to the impervious surface of the entire site prior to the proposed construction. It was also noted that overall parking space numbers did include parking that was not within the construction boundary and that the landscaping plan addressed only the construction area.

3.) There are no elevation depictions of the new construction in the submitted plans.

4.) There were no lighting or signage plans submitted.

5.) There was nothing submitted that indicated any leased or retail (snack bar, vending) use.

6.) An enclosed waste receptacle area was not identified in the plans submitted.

7.) Sidewalks along Erwin Fleet connecting the existing sidewalk and the sidewalk on Eglin Pkwy are required.

8.) The site of the emergency generator was not depicted (also no satellite receivers, other antennae, or flagpole).

9.) Concurrency review for water and sewer are required.
B. Traffic Flow

1.) While it seems the "front" of the new building faces Erwin Fleet, the current address is Eglin Pkwy. The front, side, and rear of the parcel need to be identified.

2.) Requirement for DOT approval of the current road cuts on Eglin Pkwy is unknown.

3.) The roadway markings on Erwin Fleet need to be on the plan. It is unclear whether the current right turn lane on Erwin Fleet is to remain.

4.) Pedestrian markings need to be depicted for the old Erwin Fleet exit (western exit).

C. Parking

1.) The floor areas listed for the new construction did not add up to the square footage listed for parking requirements. It is unclear what is included in the square footage used for parking requirements. It is unclear whether the old Sheriff's barn is one or two stories of floor space or whether the firehouse footage is included. The expected use of the barn is also unknown for parking requirements. (Also unknown for usage/minimum distances for hazmat or fuel storage).

2.) Parking spaces listed to meet parking requirements seemed to include an area north of the construction site (firehouse) and spaces north of the old retention pond. These areas contained adjacent spaces above the 15 space maximum between islands. The TRB had no problem with granting a variance to allow 17 adjacent spaces.

3.) The 8 handicap spaces do not meet the minimum number for the overall number of spaces listed (313).

D. Landscaping

1.) Tree requirements of one tree/30 feet of "front" footage depends on the "front" and seem to be under minimum requirements - may also require addition of trees for the entire site.

2.) The TRB recommends a waiver of landscaping requirements to remove bushes from parking islands and allow ground cover (grass) only in addition to trees. Also recommended is the planting of trees whose overall mature growth will not interfere with each other or other obstacles.

3.) The TRB recommends that the fence between Erwin Fleet and the old retention pond be replaced with landscaping material such as Crepe Myrtles and hedges along the pond berm.

4.) The buffer between the old Sheriff's barn and Dana Ct. residential area is non-conforming. If the variance for a smaller buffer is granted, the condition of the existing fence should be reviewed for replacement.

E. Storm Water
The TRB did not review the submitted storm water management plan which was sent to the Town engineer for review (see previous comments in section A 2.). One comment questioned the existing connection of the old retention pond to the grated inlets on both sides of Erwin Fleet. Anecdotal evidence suggests this system actually acts a pond pop-off (partial) that occurs prior to the pond reaching capacity. Recommend this system be reviewed for necessity and overall pond performance.

End of report

Cc: Applicant
    P&Z Board
CALL TO ORDER — Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Brad Gable, and Maintenance Supervisor Kent Beck.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Reports were attached. Manager Burns went over the budget details. He said that the ad valorem tax revenue was nearly all received for the year and local option gas tax revenue seems to have improved over last month.

COMMISSIONER WILTON REPORT – No report

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Report was attached. Maintenance Supervisor Beck said that his report on the sidewalk repair was not completed.

TOWN MANAGER REPORT – Manager Burns reported that he received the development application from the county for the building at the old courthouse annex. The Technical
Review Board will meet on Friday morning to review the drawings and Manager Burns hoped to have the Development Order by the August Town Commission meeting.

The yard at 188 Richbourg was discussed. The yard is not being maintained by the owners and it was decided Manager Burns would send them a letter and start the process of preparing a resolution and to fine the homeowners.

Mayor Combs said that the back yard at 22 Shalimar Drive had not been cleaned up. Manager Burns had spoken to the owner and he had said that he was working on cleaning it up. It was decided that Manager Burns will send a letter and start preparing a resolution to fine the owners if the work is not done.

Commissioner Smith said that the Dollar General Store was storing cardboard outside. Manager Burns said that he would contact the manager and explain that this was against Town ordinances.

Mayor Combs said the cleanup of the drainage area at Live Oak Commons looked really good.

ATTORNEY’S REPORT – No report

TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:

I. TOWN COMMISSION MEETING MINUTES – Approval of June 10, 2014 Town Commission meeting and the June 24, 2014 Budget Workshop. Chair will entertain a motion to approve minutes as drafted. Commissioner Garcia made a motion to approve the minutes of the June 10, 2014 Town Commission meeting as written. Commissioner Wilton seconded the motion and it passed unanimously. Commissioner Garcia made a motion to approve the minutes of the June 24, 2014 Budget Workshop. Commissioner Chapman said that he did not agree with the minutes from the Budget Workshop. He said that the consensus was that 1.5% would be the baseline for salary increases. He would like to have the last three sentences removed from the minutes. It was decided that a line would be added – “Manager Burns said that he would present the next salary proposal with a 1.5% raise.” Commissioner Garcia amended his motion to approve with the stated change. Commissioner Smith seconded the motion with the change and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY –

A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Awaiting Property Sale. Potential buyer asking about Town lien. Lien to date $10,360.00. Legal fees of approximately $3000.00.
III. **SNUG HARBOUR USE AGREEMENT** – HOA Representative unable to attend. To be delayed until August Town Commission Meeting.

NEW BUSINESS:

I. **PUBLIC TRANSIT SERVICE** – Mayor Combs reported that this was discussed at the Okaloosa County League of Cities Executive Board meeting and that Crestview and Fort Walton Beach had both said that they would not support this request from Okaloosa County. Crestview asked to see the organizational structure and were interested in having a seat on the board. They were told by the transit organization that neither of these things was possible. The Commission directed Manager Burns to send a letter to Ernie Padgett saying that the Town of Shalimar does not have this item budgeted and is not inclined to support the transit system.

II. Attorney Chesser explained to the Town Commission the residency requirements to be on the Town Commission. A Commissioner must reside within the town limits of Shalimar. If a Commissioner moves his residence outside of Town he is required to resign from his position. If a commissioner that is not a resident votes on a motion and it is a 3 to 2 vote this vote could be challenged because it would not be a legal vote.

Mayor Combs asked Commissioner Chapman if he was residing in the Town of Shalimar. His neighbors have reported that he is no longer living in the house on Sunset Bay Court. Commissioner Chapman said that he did not want to discuss his personal issues in a public forum. He said that Attorney Chesser is not clear on the residency requirements and that this discussion is premature. Commissioner Chapman said that he will let the Commission know when he does not meet the residency requirements. He said that he is willing to be educated on these requirements. Mayor Combs said that he would have Paul Lux, the Supervisor of Elections educate Commissioner Chapman on the residency requirements.

ANNOUNCEMENTS:
June 24, 2014 – Town Commission Workshop and 1st 2015 Budget Workshop
June 25, 2014 – Planning and Zoning Board Meeting
July 8, 2014 – Town Commission Meeting

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 6:35 p.m. Commission Smith seconded the motion and it passed unanimously.
CALL TO ORDER - Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - The pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member Ray Morgan - present
Member Kevin Grohoske - present
Member Mickey Clements - present
Member Lynn Dominique - absent
ALSO PRESENT: Pat Blackshear and Sheila Hansen

OLD BUSINESS:
I. APPROVE MINUTES FROM THE MAY 7, 2014 P&Z MEETING – Member Morgan made a motion to approve the minutes from the meeting. Member Clements seconded the motion and it passed unanimously.

II. Pat Blackshear to go over Chapters 1, 2, and 3 of Land Development Code - Pat Blackshear said that the Comprehensive Plan may have to be updated to match with the Land Development Code after the rewrite.

Chapter 1 changes were discussed.
- It was decided that where the word “morals” was used it would be removed and possibly be replaced with the term “community standards”. It was suggested that section 104.2 be changed to “the Town Manager is the Development Administrator” and in section 104.3 to “Town Manager is the Flood Plain Manger” and each will be clarified with “where other specific staff positions within the Town have not been designated for such action”.
- Section 106.02 Board Requirements – should say “Town Mayor appoints board members subject to approval by Town Commission”. A quorum for the board should be changed from 4 to 3. Member Morgan said he did not think that the terms of the Town Commission and the Board should coincide. It was decided that the board’s terms would begin on the fiscal year and be four-year appointments that are staggered. Officers of boards will be elected every two years.
- Section 106.03 – It was decided to remove the qualifications section from the Planning and Zoning Board.
- 1.06.04 Code Enforcement Board – Make this section reserved.

- Section 1.08.1 – Add LPA and TRB and correct anagram for Army Corp of Engineers.

- It was decided that the definitions for the Flood Plain Ordinance be listed in that section.

- Page 1-19 – Floor Area Ratio – remove “except mechanical areas” from the calculation of FAR. Ms. Blackshear will insert examples of FAR into the Land Development Code.

Page 1-24 – Ms. Blackshear will get Manager Burns input on “Specifically excluded from the definition of “structure” are canvas or vinyl covers up to 120 square feet in area.”

Chapter II

- 2.01.01 – R-1 Child care centers allowed in Comp Plan in R-1 districts. Need to change Comp Plan to allow only home child care centers in R-1.

- R-2 – Change maximum density to “density range”.

2.01.03 – It was decided to further discuss allowing extra FAR for parking in back due to most commercial lots being adjacent to residential lots.

- Vehicle repair will be removed from allowed commercial uses.

It was decided that the Industrial zone needs to be addressed. There is no industrial zone on the FLUM, however, the Shalimar Yacht Basin is zoned industrial. If a catastrophic incident destroyed the Yacht Basin, it could not be rebuilt by FLUM rules.

- 2.03.02 – Ms. Blackshear said that the Land Development Code cannot deny residents to have mobile homes but it can regulate standards on their appearance. She also said that modular homes need to be placed on the permissible uses.

- It was decided that Chairman Gable and Manager Burns would discuss permissible uses and update the list.

NEW BUSINESS:

I. Finisterra Right-of-Way Request – Nobody from Finisterra was present so this item was tabled until the July 31, 2014 meeting.

ANNOUNCEMENTS:

July 8, 2014 – Town Commission Meeting 6:00 p.m.

July 30, 2014 – Town Commission Workshop 6:00 p.m.

July 31, 2014 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT: Member Clements made a motion to adjourn at 9:10 p.m. Member Grohoske seconded the motion and it passed unanimously.
CALL TO ORDER: Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Bob Chapman – present
Commissioner Tim Smith – absent
Commissioner Jim Wilton PhD – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen

Manager Burns presented a tentative FY15 salary budget sheet. The Town Commission discussed the salary changes. Commissioner Wilton said that there would be one police officer promoted to Lieutenant so that there would be a “second in command” in the department. The person that will be promoted will be chosen from the results of the Sergeant’s exam that they had all taken. He would like to see the officer receive a 3 to 5% salary increase. Commissioner Chapman handed out information on state and local government workers compensation costs. He said that wages and salaries increased 1.2% over the last year for government workers and that benefits had increase 3% during the same time period. He said that he did not think any Town employee should receive more than a 1.5% increase. Commissioner Wilton said that he thinks that a 1.5% increase is asking the Town employees to work for less than real dollars. He thinks using the report Commissioner Chapman presented was comparing apples to oranges. Commissioner Chapman disagreed. Manager Burns said that he would present the next salary proposal with a 1.5% raise.

Mayor Combs said that he thinks the Commission should wait until Commissioner Smith was available to finalize any salary increases so he could give his input on the Maintenance Department. Manager Burns said that he would redo the Police Department salary worksheet before the next meeting to include the increase for the Lieutenant position.

Manager Burns went over the overall budget compared to previous year and explained that the
Local Option Gas Tax was lower than expected and he did not understand why. Other jurisdictions also have questions about this. He explained that he used $10,000 as a placeholder for grant money for the Police Department but he should know the exact amount before the final budget. He also said that he had $10,000 for sale of the Dodge truck. This income would only happen if the Police Department gets a grant for a new patrol car. Chief Cash’s Toyota would then become the backup vehicle. Commissioner Chapman said that the Dodge truck was bought for use in case of flooding so he did not think the Town should get rid of it. Commissioner Chapman also asked about the $750 budgeted for Municode. He said he thought there should be a much higher amount funded for codifying the Land Development Code when it was rewritten.

Manager Burns suggested that the Town fund the priorities for each department and then fund other items with available non-designated revenue.

The Commission discussed the non-routine items.

**Police Department**

1.) Gate to separate the evidence safe and additional police documents that need to be in a secluded area that only sworn law enforcement can access (estimate $750.00).

2.) Calming devices/portable speed humps. (Estimate 11 units for all at-risk areas where greater than 40 mph is attainable. Each unit estimated to cost $1,200. This could be a phased purchase over several years). Commissioner Chapman said that he was very against calming devices and that he definitely did not think the Town should spend over $13,000 on them. Commissioner Garcia said he did like the fact that the calming devices were portable and he did not think the Town needed 11 of them. Mayor Combs said that he thinks there are better ways to slow down the traffic.

3.) Radar display sign to be proactive on neighbor streets and Eglin Parkway (cost $2,500.00).

4.) Light bars for the marked patrol vehicles (3 x approximately $2,000) total $6,000. Manager Burns said he thought this was a necessary item because being able to see the patrol cars is a necessity because of safety issues for the officers.

5.) Safe for ammo and weapons when needed. The safe will be placed in a secure area that only law enforcement can access. Approximately $1,000.00. Manager Burns said that he did not think this was an item that was needed. He said the officers would not have easy access to the weapons if they were locked up. They should be carried in the patrol cars. Commissioner Wilton said that the Department needed training, rules, and security locks in the cars before the automatic weapons can be kept in the patrol cars.

**Maintenance**

1.) Sidewalks - new for Old Ferry and Eglin Pkwy (approximately 400 ft. x 4 @ $5.00/sq. ft. = $8K.
2.) Privacy fencing for side yard between Town Hall parking and 6 Cherokee (first house). Manager Burns said that they would like this to improve the appearance and make a buffer zone between the Town property and residential property.

3.) Equipment. There were no requests for new equipment.

4.) Town entry signs. Possible signs at town limits saying that this is Shalimar.

5.) No parking signs. This was discussed and Mayor Combs said that he thought this had already been authorized. The Commission decided that the Town did not want to wait on this item and at least put the signs in the problem areas.

6.) Cherokee Park playground resurface – The Commission all agreed this needed to be done. Manager Burns will get a quote to replace or repair the surface.

**FA - No proposed purchases**

**Other Topics**

- Proposed PD grant requests – Commissioner Wilton said that the Police Department were looking into some other grants available that had not been applied for previously.

- Vehicle proposals/plans - all

- Beautification projects

Manager Burns said that Commissioner Smith would like to have a different engineering firm look at the stormwater drainage and have maintenance done on the retention pond. Manager Burns proposed the Town fund a study. Commissioner Wilton said that Okaloosa County was planning an overall stormwater drainage upgrade. Manager Burns said this would not cover the Town’s drainage, however improving some of the adjacent areas may help the Town.

Manager Burns reported that Pepper’s Restaurant and Live Oak Commons had both cleaned up the drainage areas and hoped this will help with the flooding in Brande Court.

Manager Burns suggested the Town upgrade some of the streetlights. The new LED lights are attractive and use less electricity than the present ones use. He said that he would research the cost of these lights.

Commissioner Chapman said that he thought the Town maintenance truck needed to have the seat recovered and some minor repairs.

The road right-of-way in Snug Harbor was discussed. Commissioner Chapman thinks the Town should rent the parking spots to the Snug Harbor homeowners. He does not think they should be given use of
the parking area and be required to maintain the area. If the parking areas are rented to the homeowners, the Town will do the maintenance and will be able to keep the area up to the Town standards.

III. A discussion was held about emphasizing to the Maintenance department to clean up the area behind the Town Hall. Manager Burns said that he would follow up.

74.0 ANNOUNCEMENTS:
July 30, 2014 - Town Commission Workshop and 2nd Budget Workshop – 6:00 p.m.
July 31, 2014 – Planning and Zoning Board Meeting – 6:00 pm
July 9, 2013 – Town Commission Meeting – 6:00 pm
July 24, 2013 – OCLOC Quarterly Dinner Hosted by Mary Esther

ADJOURNMENT – The workshop was adjourned at 6:55 p.m.

Sheila Hansen, Secretary

Date Approved
CALL TO ORDER — Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Brad Gable, Steve Peterson.

COMMITTEE REPORTS:
- Planning & Zoning Board – No report
- Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT — No report

COMMISSIONER CHAPMAN’S REPORT — No report

COMMISSIONER GARCIA REPORT — Commissioner Garcia’s Report was attached. Mayor Pro-Tem Garcia went over the budget details. He reported that the Gas Tax revenue was very low for the year. Manager Burns said that he will send out the proposed budget by email.

COMMISSIONER WILTON REPORT — No report

MAYOR COMBS’ REPORT — Mayor Combs reported that at the quarterly meeting of the Okaloosa County League of Cities (OCLOC) it was decided that Sheila would send out copies of the Memorandum of Agreement (MOU) for coordination with adjacent entities for review. She will incorporate any needed changes.

POLICE REPORT — The Police Report was attached.

MAINTENANCE REPORT — The Maintenance Report was attached.
TOWN MANAGER REPORT – The Town Manager’s Report was attached. Manager Burns also reported that he had met with the FEMA Project Coordinator. A contractor for the road repairs has not been chosen yet. It is difficult to find a contractor who is interested in such a small project.

ATTORNEY’S REPORT – Attorney Chesser reported that he had spoken with Mr. Bonezzi about the drainage at Live Oak Commons. Mr. Bonezzi said that he would do the work needed by the end of the month. Manager Burns reported that he would schedule an emergency meeting of the Town Commission to decide on further action if the work was not completed by June 30, 2014.

TOWN RESIDENTS’ TIME – No residents spoke.

OLD BUSINESS:

I. TOWN COMMISSION MEETING MINUTES – Approval of May 13, 2014 Town Commission meeting. Chair will entertain a motion to approve minutes as drafted. Commissioner Garcia made a motion to approve the minutes as written. Commissioner Wilton seconded the motion and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY –
   B. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Awaiting Property Sale. Potential buyer asking about Town lien. Lien to date $10,360.00. Legal fees of approximately $3,000.00.


NEW BUSINESS:

I. SNUG HARBOR USE AGREEMENT REQUEST – There was nobody representing Snug Harbor at the meeting. Commissioner Chapman made a motion to discuss the Use Agreement. Commissioner Wilton seconded the motion and it passed unanimously. Commissioner Chapman said that he did not think that the Town should supply parking for the residents of Snug Harbor at Town cost. He said he would like to sell parking permits for the same price ($10.00 per month) we charge for boat trailer storage.

The Commission discussed the points brought up in the letter. Commissioner Smith said that he could understand points 1 and 2 but that the residents bought their property knowing the parking conditions. He does not think that Snug Harbor residents should have exclusive rights for this parking area unless the HOA purchases the property from the Town. He thinks the Shalimar Yacht Basin could use this for overflow parking also.
Commissioner Smith said that he thinks that is rather a messy area of Town but he thinks the residents would like to have it nicer. Commissioner Wilton said that he thinks the Town should retain ownership of the property and it should not be used for commercial parking.

Manager Burns brought up Finisterra’s ongoing attempt to beautify their entrance area by getting a use agreement with the Town for the parking spots on the right-of-way by their entrance. Steve Petersen commented on how this would affect the Shalimar Yacht Basin.

Commissioner Smith said that he thinks the Town should get a survey of the property in Snug Harbor area so that the Town knows exactly what is Town property.

II. SET FISCAL YEAR 2015 MILLAGE RATE – Manager Burns explained that there would be approximately $4,000.00 more revenue from ad valorem if the millage rate stays at 2 mills. **Commissioner Garcia made a motion to set the millage rate at 2 mills.** **Commissioner Wilton seconded the motion.** Commissioner Smith said that, in the long term, the Town is spending more than it is taking in. He thinks we have flooding issues that need to be fixed. He wants to know when we start giving back to the residents. Mayor Combs said that we do give back to the residents by having a Police Department, good employees, a new marquee sign, along with other things the Town does for the residents. **A vote was taken on keeping the millage rate at 2 mills and it passed unanimously.**

ANNOUNCEMENTS:
June 24, 2014 – Town Commission Workshop and 1st 2015 Budget Workshop
June 25, 2014 – Planning and Zoning Board Meeting
July 8, 2014 – Town Commission Meeting

**ADJOURNMENT:** **Commissioner Garcia made a motion to adjourn at 6:48 p.m.** **Commission Smith seconded the motion and it passed unanimously.**

__________________________________________________________  July 8, 2014
Sheila Hansen, Deputy Clerk  Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Absent
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Trisha Mikel, Gloria Turner, Susan Stephens, Jerry McCallister, Kent Beck, and Chief Cash.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached. Mayor Pro-Tem Garcia went over the budget details. He reported that procedures would be set up for adjusting the budget if a department has funds that are not needed. Manager Burns reported that there would have to be a budget adjustment for fiscal year 2014 due to the extra costs from the lawsuit and having to replace the marquee sign.

COMMISSIONER WILTON REPORT – No report

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – See link

TOWN MANAGER REPORT – The Town Manager’s Report was attached. Manager Burns went over the report on the Courthouse Annex plans. Commissioner Smith asked about
whether the retention ponds would be fenced. Manager Burns said this would be determined in the development process.

ATTORNEY'S REPORT – No Report

TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES – Approval of April 8, 2014 Town Commission meeting minutes and April 29, 2014 Town Commission workshop minutes. Chair will entertain a motion to approve minutes as drafted. Commissioner Garcia made a motion to approve the minutes as written. Commissioner Wilton seconded the motion and it passed unanimously.

II. COMMISSION APPROVAL OF CHANGE OF SCOPE OF LDC CONTRACT TO INCLUDE UPDATE OF SUB-PART A - Manager Burns explained that the change in the scope of contract was to add the update of sub-part A to the contract. He said that this addition should not substantially delay the update of the Land Development Code. Attorney Chesser asked what she was rewriting on the Land Development Code. Manager Burns explained some elements of Sub-part A will be moved the Land Development Code and Sub-part A will be mostly administrative. Sub-part A will be codified on Municode with a notice to go to the Town’s website to view the Land Development Code. Commissioner Garcia made a motion to approve the change in the contract. Commissioner Wilton seconded the motion and it passed unanimously.

III. MEDINAH LLC vs TOWN OF SHALIMAR – Manager Burns said that the Town had received an extension notice from Medinah LLC due to Okaloosa County not having time to approve the changes in the Development Order. He said the next step will be to get a survey and start the annexation process.

IV. TRICIA MIKEL TO SPEAK ABOUT FLOODING ON BRANDE COURT – Tricia Mikel spoke to the Commission about the flooding in Brande Court. She feels the retaining pond at Pepper’s Restaurant is overflowing and flooding Brande Court. Roy Petry of PolyEngineering did a study on Live Oak Commons which said that their stormwater system needed to be brought back to original specifications. The Town Manager notified Live Oak Commons that this needed to be done by June 30, 2014. The Town has not heard back from them as of yet. Ms. Mikel said that, during the last rain event, her cul-de-sac was flooded and she could not leave her house for 4 days and Waste Management was not able to pick up her garbage for a week. She said that her cud-de-sac has become the retention pond for that area and that her rights are being denied because of the standing water. She said that Mr. Petry did not address the drainage from Pepper’s Restaurant.
Ms. Mikel said that she thought Pepper’s drainage swale beside her fence was full of garbage and causing part of the problem. Manager Burns said that there is an old herb garden in that area and he would contact Pepper’s and have them remove that and clean the swale out.

Manager Burns said that Roy Petry had looked at the drainage during the last rain event and did not think Pepper’s drainage was the problem. Mr. Petry recommended that the Town hire a firm to test the percolation rate on Brande Court. Commissioner Smith said that Sonic did not seem to have any drainage system and everything from there drained into Live Oak Commons and Pepper’s. Manager Burns said he would check their stormwater plans and if they were out of specifications the Town can have Sonic bring them back to specifications.

Commissioner Wilton made a motion to accept PolyEngineering’s proposal to have a percolation study done on Brande Court for $1,950.00. Commissioner Garcia seconded the motion and it passed with Commissioner Smith voting against the motion.

Ms. Mikel also requested that the Town have Pepper’s Restaurant build a fence on their property because the fence on the back of the property is her fence and businesses are required to have their own buffer zone between them and residential property. Manager Burns said that he would look into that situation.

Manager Burns said that he would discuss budgeting in fiscal year 2015 to have the pond checked and dredged if it needed it.

V. CODE ENFORCEMENT ACTIVITY –

A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Awaiting Property Sale. Potential buyer asking about Town lien. Lien to-date is $10,360.00. Legal fees of approximately $3,000.00. Attorney Chesser said that Florida Statutes had changed since the Town placed the lien on the property. Municipal liens no longer take precedence over other liens. He said that he could do a title search and see if the Town would get any money for the lien if the property is sold.

B. Code Enforcement Letters Sent – Mayor Combs requested that a special meeting be scheduled for July 1, 2014 to make a decision on the Town repairing the drainage at Live Oak Commons at their cost if they do not have it done by that date. Attorney Chesser said he will check and see if the Town can legally go on the property at Live Oak Commons to fix the drainage if they do not take care of the problem themselves. Manager Burns will check with Attorney Chesser to see if another letter is required to have their stormwater system fixed by June 30, 2014.

NEW BUSINESS:
I. EXPENDITURE OF SURPLUS FUNDS – A discussion was held on the purchase of high-power firearms by the Police Department. The Police Department was budgeted for part-time help for $9000.00 and the part-time officer resigned. It was decided that this money would be spent on firearms. Mayor Combs wanted to know why this expenditure was not brought to the Town Commission. Chief Cash explained that after two incidents in the Town where there were armed and dangerous individuals that the Police Department needed these firearms to protect the residents. Mayor Combs stated that the problem with this purchase was that it was not brought to the Town Commission for approval. He said there would not be a problem if the Town Commission has approved the purchase.

Commissioner Garcia said that there needs to be a policy to cover money that was budgeted and not spent. He feels the expenditure of these funds should be brought before the Town Commission for approval. There may be a higher Town priority than the department with the excess funds.

Manager Burns suggested that a line item change in the budget that is over $1,000.00 should be brought to the Town Commission for approval. The Town Commission members all agreed with this.

ANNOUNCEMENTS:
May 27, 2014 – Town Commission Workshop and 1st FY15 Budget Workshop
May 28, 2014 – Planning and Zoning Board Meeting
June 10, 2014 – Town Commission Meeting

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 8:37 p.m. Commission Wilton seconded the motion and it passed unanimously.

_________________________________  June 10, 2014
Sheila Hansen, Deputy Clerk  Date approved
CALL TO ORDER - Chairman Gable called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - The pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member Ray Morgan - present
Member Kevin Grohoske - present
Member Mickey Clements - present
Member Lynn Dominique - Absent

ALSO PRESENT - Town Manager Tom Burns, Pat Blackshear, Sheila Hansen

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 19, 2014 P&Z MEETING – Member Morgan made a motion to approve the minutes from the meeting. Member Clements seconded the motion and it passed unanimously.

II. Pat Blackshear to speak on the update for the Land Development Code Sub-part A and Table of Contents. Pat Blackshear recommended that numerous parts of Sub-part A be deleted and moved to the Land Development Code to eliminate any conflicts between the two sections. Chairman Gable suggested that the “reserved” sections be deleted and any new items be placed at the end of the documents.

The Board of Adjustment was discussed. The present code says the Town Commission will be the Board of Adjustment. It was suggested that the Board of Adjustment be eliminated and that their duties which are special exception approval be transferred to the Town Commission.

Pat Blackshear recommended that the Building Code have very specific definitions. Manager Burns said that he would like to see as many definitions as possible put in one area.

The Board went over the Table of Contents and several areas were changed. It was decided that there would be a Waterfront section which would be reserved and written at a future time. Also, structure will be added for energy creation in the special exception area.

Member Morgan made a motion to approve the procedure for the Land Development Code. Member Clements seconded the motion and it passed unanimously.

The Planning and Zoning Board all agreed they like the new format that Pat Blackshear is using to writing the Land Development Code. Member Grohoske made a motion to
approve completion of task 1 of the contract. Member Clements seconded the motion and it passed unanimously.

NEW BUSINESS:
I. Finisterra Right-of-Way Request – Nobody from Finisterra was present so this item was tabled until the May 28, 2014 meeting.

II. Commission approval of change scope of contract to include update of Sub-part A. Member Morgan made a motion to recommend amendment change 1 for the scope of the contract be approved by the Town Commission. Member Clements seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
May 13, 2014 – Town Commission Meeting 6:00 p.m.
May 27, 2014 – Town Commission Workshop 6:00 p.m.
May 28, 2014 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT: Member Clements made a motion to adjourn at 7:12 p.m. Member Grohoske seconded the motion and it passed unanimously.

_____________________________ May 28, 2014
Sheila Hansen, Deputy Clerk Date Approved
Town of Shalimar
Town Commission Workshop
April 29, 2014

75.0 CALL TO ORDER – MAYOR PRO-TEM RICARDO GARCIA CALLED THE MEETING TO ORDER.

76.0

77.0 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Absent
Mayor Pro-Tem Ricardo Garcia – Present
Commissioner Robert Chapman – Present
Commissioner Tim Smith – Present
Commissioner James Wilton, PhD – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Sheila Hansen

I. Six Month Budget Review - Commissioner Garcia reported that the FY2014 budget was pretty much on track except for the unexpected extra expenditures. Commissioner Chapman asked how much of the attorney fees were due to the Snug Harbor legal issue. Manager Burns said that this issue was about 80% of the total legal fees.

The engineering fees were due to PolyEngineering conducting an engineering study on the Live Oak Commons drainage due to the flooding into the housing area behind Live Oak Commons.

Commissioner Smith asked about the $10,000 plus that the Police Department had spent. Commissioner Wilton explained that this was spent on guns and tactical equipment which they had expected to pay for out of a grant they had not received. Commissioner Smith asked how it was decided how much a Department Commissioner could spend without Commission approval. Manager Burns explained that each Commissioner could approve up to $5,000.00 without Commission approval and that this was for each item.

II. Courthouse Annex - Manager Burns said he had met with the engineers from the Courthouse Annex and that they were planning to demolish the old building in May. Commissioner Smith asked about the fence around the pond. Manager Burns said that if the pond was more than 6 feet deep a fence is required. The present pond and the two that are to be added should not be that deep but the Town is considering asking that they put a fence around the existing pond and it could be decorative rather than chain link or a privacy fence.
III. **Other Discussion Items** - Commissioner Smith said that the grass and landscaping at 188 Richbourg was getting out of control again. Manager Burns said he would contact the company that was supposed to be taking care of the yard.

Manager Burns said that Pepper’s Restaurant had contacted him and that they were redoing the gate on their dumpster area and were planning on putting privacy screen on the gate.

**78.0 ANNOUNCEMENTS:**

- April 30, 2014 - Planning & Zoning Board Meeting - 6:00 p.m.
- May 13, 2014 - Town Commission meeting - 6:00 p.m.
- May 27, 2014 - Commission Workshop (first budget workshop) - 6:00 p.m.

**79.0 ADJOURNMENT – WHEN ALL BUSINESS HAD BEEN DISCUSSED, THE WORKSHOP ADJOURNED AT 6:37 P.M.**

_________________________________________  May 13, 2014
Sheila Hansen, Deputy Town Clerk Date Approved
Town of Shalimar
Town Commission Meeting
April 8, 2014

CALL TO ORDER – Mayor Pro-Tem Garcia called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Absent
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present

OTHERS IN ATTENDANCE - Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Roy Petry of Poly-engineering, Ray Morgan, Don and Linda Brinkley, Bill and Rachel Hankins, Don Cowden, Mark Rubin, Paul Logan, Pat Blackshear, David Theriaque, Craig Dennis, and Police Chief John Cash.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached. Mayor Pro-Tem Garcia went over the budget details. Manager Burns said that he would get the 6-month review to the Town Commission before going to Houston on April 21, 2014.

COMMISSIONER WILTON REPORT – No report

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – See link

TOWN MANAGER REPORT – No report
ATTORNEY'S REPORT – No Report

TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES – Approval of March 11, 2014 Town Commission meeting minutes and March 25, 2014 Town Commission workshop minutes. Chair will entertain a motion to approve minutes as drafted. Commissioner Smith made a motion to approve the minutes as written. Commissioner Wilton seconded the motion and it passed unanimously.

II. MEDINAH LLC vs TOWN OF SHALIMAR – Attorney Craig Dennis reported the representatives for the Town who attended the mediation. These were Manager Burns, Planning and Zoning Board Chairman Brad Gable, Commissioner Jim Wilton PhD, Attorney Mike Chesser and Attorney Craig Dennis. Attorney Dennis then went over the exhibits that were attached to the mediation agreement. He explained how the angle of the entrance to the Point Subdivision would be adjusted and that the area that the developers will be making into a parking area for Snug Harbor will be transferred to the Town of Shalimar. He then went over the utility easement area.

Attorney Dennis then went over the draft mediation agreement. Exhibit C will be stricken from the agreement, the Florida League of Cities will pay for the Town’s portion of the survey, and the line that says “underground storm water retention area” will be deleted and replaced with “exclusive utility easement”.

Attorney Dennis said that he thought it was a good mediation that came out with the best compromise and would end all legal issues for the Town that are involved with this subdivision.

Attorney Chesser asked about the utility easement. Would it be owned by Medina LLC or would it be transferred to Okaloosa County? Attorney Theriaque said the easement will belong to the Point Development Homeowners’ Association.

Don Cowden from Snug Harbor Drive asked about what will happen with the present parking on the right-of-way in the Snug Harbor area. Manager Burns explained that the Town would have to formalize an agreement with the Snug Harbor homeowners and that it would be best to discuss this in a future meeting. Paul Logan asked about the time frame for the parking area and it was explained that the agreement gave the developer 30 days to complete the parking area. Bill Hankins said that his main concern is that the entrance to the subdivision is directly across from his townhome and that this area will be used as a turn-around for people who inadvertently enter this street. He also asked about the trash pickup if this subdivision is to be a gated community. The trash will be picked in front of the houses in the subdivision.
Commissioner Chapman made a motion to approve the mediation settlement agreement with the changes. Commissioner Smith seconded the motion and it passed unanimously.

III. CODE ENFORCEMENT ACTIVITY:

A. Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Trustee will sell property. Dr. Kain’s appeal not expected to be heard.

B. Code Enforcement Letters Sent – The Commission discussed the letter to Live Oak Commons on the drainage problems. Commissioner Smith is concerned that there was only a completion date and there was no date set to respond to the letter. Manager Burns said that he would contact the owners and get a status update.

Commissioner Chapman asked about the letter to Pepper’s and wanted to know why Manager Burns had given them so much time to change the dumpster area. Manager Burns said that he hoped that they would do something to improve the gate if he gave them enough time.

IV. BAL HARBOUR ENTRANCE CURBING – The photos that Bal Harbour supplied the Town were gone over and it was explained how the curbing would rise. Manager Burns said that he would use the same agreement that was written in 2009. He handed out copies of the agreement to the Commission. Commissioner Chapman made a motion that Manager Burns send the agreement to the Bal Harbour HOA with all of their documents attached. Commissioner Smith seconded the motion and it passed unanimously.

V. RESOLUTION 2014-01 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SHALIMAR, FLORIDA; AMENDING THE TOWN ADMINISTRATIVE MANUAL
The Town Commission discussed the Resolution. Commissioner Chapman said that he felt this was a poorly written Resolution that showed no detail and that it conflicted with the Town Ordinances. Commissioner Smith said he did not think the Resolution was necessary. No motion was made to approve the Resolution and it died.

NEW BUSINESS:
I. LAND DEVELOPMENT CODE UPDATE – Manager Burns reported that, after a lengthy discussion with Pat Blackshear, they both are of the opinion that the scope of work on the Land Development Code needs to be expanded to include Sub-Part A of the Code of Ordinances. There are a large number of discrepancies between the two sections. This could cause a conflict between the two parts that could possibly result in a lawsuit. Pat said that she would charge an additional $6,000.00 to do Part A at the same time. She also said that she was of the opinion that we could put the Land Development Code on the website and save a considerable amount of money by not using Municode to publish the code.
Commissioner Chapman said that he thought Manager Burns and Attorney Chesser should sit down and go over Sub-Part A. Commissioner Smith said that he does not like having to spend a lot of money but felt that the Town could not spend too much money to update our Code of Ordinances. Commissioner Chapman said that he would have to see the changes to the scope of work before he would be willing to vote to authorize an additional $6,000.00.

Pat Blackshear went over what needs to be done so that the two parts don’t conflict and said that the Commission needed to decide how the wanted the code set up. There are three options:

1. Update the Code of Ordinances and have the Land Development Code adopted by reference in Municode.
2. Put the whole document in Municode but clean up sub-part A and the Land Development Code.
3. Do not put the Code of Ordinances on Municode.

Commissioner Wilton said that he was concerned that, with changing Sub-Part A, there could be creative writing in areas that have nothing to do with the Land Development Code. Pat said that she thinks much of Sub-Part A could be deleted and addressed in the Land Development Code. She recommends that the Town go with the Fort Walton Beach format in the draft task order change and then make changes in Part B. She presented the Del Rey Beaches code which only references the Land Development Code on Municode and publishes the Land Development Code on their website.

Attorney Chesser said that there are a number of Ordinances that need changing. Many of the Ordinances are over 40 years old and are poorly written.

Pat Blackshear will go over the organization scheme with Attorney Chesser and Manager Burns will write a new scope of work and this will be discussed at a later date.

**ANNOUNCEMENTS:**
April 29, 2014 – Town Commission Workshop
April 30, 2014 – Planning and Zoning Board Meeting
May 13, 2014 – Town Commission Meeting

**ADJOURNMENT:** Commissioner Chapman made a motion to adjourn at 8:37 p.m. Commission Smith seconded the motion and it passed unanimously.

_________________________________ May 13, 2014___________
Sheila Hansen, Deputy Clerk Date approved
CALL TO ORDER – The Workshop was called to order by Mayor Gary Combs.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Absent
Commissioner Robert Chapman - Absent
Commissioner Tim Smith - Present
Commissioner James Wilton, PhD - Present

OTHERS IN ATTENDANCE - Town Manager Tom Burns and Deputy Clerk Sheila Hansen

I. MEDINAH LLC VS. SHALIMAR - Mediation was held between Medinah LLC, The Town of Shalimar, and Okaloosa County on Friday, March 21, 2014. Manager Burns explained that the mediation discussions could not be revealed but that the mediator said that he could publish the mediation contract when it was received. The basics were that all the lawsuits would go away, the road cut would remain where the developer had put it, and the developer would give the Town of Shalimar property to annex into the Town and that the developer will make this area into a level and gravel-topped parking area.

II. RESOLUTION 2014-01 - The resolution was discussed and Manager Burns explained this would give him authority to allow storage on Town property. Commissioner Smith said he thought that this had been discussed before and was in the Town Commission Minutes. Manager Burns will check to see what the Florida statutes state about enforcing "No Parking on Right-of-way" areas if there are no signs posted. After further discussion, it was decided that Manager Burns would change the resolution to read "Temporary Vehicle Parking on Town property is allowed only with prior approval of the Town Manager."

III. BAL HARBOUR ENTRANCE CURBING - Manager Burns went over the letter and pictures. Commissioner Smith said that he would like to see more detail on the curbing and he would like to know if there were any DOT specifications that have to be followed. Manager Burns said that he would contact Bal Harbour HOA and get the details.

IV. Commissioner Smith reported that he had looked at the drainage behind Pepper's and Sonic. Sonic seemed to have no water behind it while Pepper's had water almost breaching the pond and flowing under the back fence. He requested that Manager Burns get the stormwater plans for both places.
ANNOUNCEMENTS:
March 26, 2014 - Planning & Zoning Board Meeting - 6:00 p.m.
April 8, 2014 - Town Commission Meeting - 6:00 p.m.
April, 29, 2014 - Commission Workshop - 6:00 p.m.

ADJOURNMENT – When all business had been discussed, the meeting adjourned at 7:00 p.m.

Sheila Hansen, Deputy Clerk

Date Approved
Town of Shalimar
Town Commission Meeting
March 11, 2014

CALL TO ORDER— Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith – Absent
Commissioner Jim Wilton, PhD – Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Roy Petry of Poly-engineering, Kent Beck, Ken Murphy and Lee Hutton of Sign Scene, Trisha Mikel, and Susan Stephens

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached.

COMMISSIONER WILTON REPORT – No report

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – See link

TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – No Report

TOWN RESIDENTS’ TIME – No residents spoke.
OLD BUSINESS:
I. Approval of February 11, 2014 Town Commission meeting minutes and February 25, 2014 Town Commission workshop minutes. Chair will entertain a motion to approve minutes as drafted. Commission Garcia made a motion to accept the February minutes as written. Commissioner Wilton seconded the motion and it passed unanimously.

II. SHALIMAR POINT SUBDIVISION – Attorney Chesser said that he spoke with Attorney Craig Dennis who is the attorney assigned to represent the Town by the Florida League of Cities. A mediation with the developer, the Town, and Okaloosa County is scheduled for March 21, 2014. If an agreement is made at the mediation, it will have to come to the Planning and Zoning Board and the Town Commission for approval.

III. CODE ENFORCEMENT ACTIVITY – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. The Trustee will sell the property. Dr. Kain’s appeal is not expected to be heard. Attorney Chesser reported that the law had just changed and the Town’s lien on the property no longer takes priority.

NEW BUSINESS:
I. RESOLUTION 2014-01 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SHALIMAR, FLORIDA; AMENDING THE TOWN ADMINISTRATIVE MANUAL. This item was discussed and Manager Burns said that he would remove the first paragraph on using property stored by the Town from the Resolution. Commissioner Garcia suggested that Manager Burns create a form with a disclaimer of liability to be signed by the owner of any property that is stored on Town property.

Mayor Combs suggested allowing Manager Burns to approve temporary parking on the right-of-way for more than 48 hours. It was decided that Manager Burns will change the resolution and the resolution will be included on the April 8, 2014 agenda.

II. REPORT ON DRAINAGE BRANDE COURT DRAINAGE BY POLY-ENGINEERING. (This item moved to top of agenda by Mayor Combs) – Town Engineer Roy Petry showed a Power-Point presentation going over the stormwater system at Live Oak Commons. He said that the stormwater system is not built the way the development plans specify. One of the problems is that the drainage grate in the parking lot is too high and the stormwater goes around it and drains to the small pond rather than into the drainage swale that goes around the building. This causes the small pond to overflow and drain into Brande Court causing flooding.

Mr. Petry recommended that Manager Burns contact the property owner of Live Oak Commons and inform them that they needed to maintain and improve their stormwater system. He said there were several ways this could be done and that Live Oak Commons
needed to get an engineer to go over the stormwater system and devise a plan to bring it up to the design specifications.

It was decided that Manager Burns would contact the Live Oak Commons owner and give him 90 days to bring the stormwater system up to specifications.

III. TEMPORARY SIGNS ON RIGHT-OF-WAY - Manager Burns explained that a real estate agent had complained because his open house signs had been removed from the Town right-of-way. Mayor Combs suggested that it would be written into Resolution 2014-01 that Manager Burns could temporarily allow real estate signs for open houses within the Town Limits. Attorney Chesser explained that our Sign Ordinance is very important and any changes could make it unenforceable. This would be a First Amendment issue which is very hard to fight. He suggested no changes to the Ordinance because it would weaken the Ordinance. The Town Commission decided that no changes would be made.

IV. BIDS ON NEW MARQUEE – Manager Burns went over the two bids the Town received to replace the electronic marquee sign. Manager Burns recommended that the Town purchase the new marquee from Sign Scene because they had the lowest bid on the electronic sign which was $22,945.00. Commissioner Garcia made a motion to purchase the sign from Sign Scene. Commissioner Wilton seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
March 25, 2014 – Town Commission Workshop
March 26, 2014 – Planning and Zoning Board Meeting
April 8, 2014 – Town Commission Meeting

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 7:22 p.m. Commissioner Wilton seconded the motion and it passed unanimously.

_________________________________  April 8, 2014____________
Sheila Hansen, Deputy Clerk  Date approved
CALL TO ORDER – Mayor Combs called the workshop to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Absent
Commissioner Jim Wilton, PhD - Absent

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, and Trisha Mikel.

I. MEDINAH LLC VS. SHALIMAR - On February 12, the Deputy Town Clerk provided counsel representing Medinah LLC, David Theriaque, requested town records concerning the Pointe Development to include emails and meeting minutes. Also on February 12 and in response to the lawsuit against the Town, Mayor Combs, and Mayor Pro-Tem Garcia, The Florida League of Cities (our liability insurer, Florida Municipal Insurance Trust, FMIT) assigned Tallahassee attorneys Craig Dennis and Gwen Adkins to provide defense counsel. Both these attorneys made contact with Town attorney Mike Chesser during the week of February 17-21. Attorney Chesser briefed Dennis and Adkins on the status of the pending litigation:
- suit against Town by Medinah LLC
- suit by Town against Medinah LLC
- motions by Town to combine and expedite suits

On Friday, February 21, Attorney Chesser asked FMIT to delay their defense for 48 hours pending possible resolution of both lawsuits with attorney Theriaque. FMIT litigation specialist Irma Cohen acknowledged via letter dated February 21 that the FMIT could not compensate the Town for attorney Chesser’s efforts in this matter, but would be standing by with attorneys Dennis and Adkins to pursue defense of the Town at FMIT’s expense.

Commissioner Chapman asked about the costs of the lawsuit to date. Manager Burns reported that it was approximately $9,300.00. He also explained that FMIT may take over the case. If that were to happen they would cover all legal fees and costs.

Commissioner Chapman said that he is concerned about the cost to date of the lawsuit and feels there is no cost control. He would like to know what the potential for cost would be.
Manager Burns said that he would query FMIT on covering part of Attorney Chesser’s costs due to the emergency timing of the lawsuit.

Commissioner Chapman said that he does not think the Town is doing anything to encourage a settlement in the case. He also believes it is not worth an excessive amount of money for right-of-way property rights and to defend the parking rights for Snug Harbor residents.

Manager Burns explained that the lawsuit was actually about the developer going through the Town of Shalimar’s development process. Commissioner Chapman is still concerned about two members of the Planning and Zoning Board living at Snug Harbor. Manager Burns said that at the last meeting of the Planning and Zoning Board this was discussed and these members were going to speak to the Town Attorney about whether they should recuse themselves.

Manager Burns told Commissioner Chapman that he would keep him informed of the ongoing results of the lawsuit.

II. SIDEWALK REPAIR PROJECTS - Maintenance Department has completed two sidewalk repairs on Gardner Drive and repairs to the pedestrian walkway in Cherokee Park. Additional sidewalks needing repairs are being documented by the Maintenance Department and repairs will be prioritized/coordinated with Commissioner Smith. Commissioner Smith has authorized the purchase of a concrete saw to assist repair efforts.

Manager Burns reported that Kent Beck had taken pictures of the repairs needed but they had not yet prioritized the areas needing repaired.

Commissioner Chapman said that he thinks the Maintenance Department should do a long range plan on this project so that it will be completed by summer’s end. Manager Burns said that they hoped to have the sidewalks done before the summer mowing season.

III. DRAINAGE ON BRANDE COURT - January 17 email complaint about Brande Court drainage sent to Commissioner Smith by Trisha Mikel of 881 Brande Court. Follow up email from Ms. Mikel to Commissioner Smith on January 23 contained photos of standing water in the cul-de-sac in front of 881 Brande Court. After the February 11 Commission meeting, Commissioner Smith inspected the facilities in question and met with Town Manager Burns about drainage issues on Brande Court. Commissioner Smith authorized Manager Burns to contract PolyEngineering to inspect the drainage facilities at Live Oak Commons and Peppers commercial properties for compliance with original drainage specifications. PolyEngineering inspections are ongoing. February 21 email complaint with two photos of standing water in cul-de-sac from Susan Stephens of 879 Brande Court were sent to all Commissioners. Expect agenda item on March 11 Commission meeting to address this issue with results of PolyEngineering inspections.
Mrs. Mikel explained the problem that she is having with the flooding in her cul-de-sac. She had checked the retention ponds at the businesses on the other side of her fence. She said that the retention ponds at Pepper’s and Sonic seem to be working but felt that the drainage in the business park was not working correctly, possibly due to trash and leaves in the drainage grates. Manager Burns said he would arrange for PolyEngineering to contact her and she could show them what she thinks is happening.

Manager Burns said that he would send her a copy of the letter to formalize the request for PolyEngineering to inspect the Stormwater systems in her area. He also said that this would be placed on the agenda for the March 11, 2013 Town Commission meeting.

### IV. UPDATE ON 10 OLD FERRY ROAD

Dr. Kain bankruptcy (10 Old Ferry Rd) was decided on February 14, 2014. The bankruptcy trustee must sell property - 7.2% to Dr. Kain, the rest to debtors. Attorney Chesser has postponed the filing action that was authorized at the February 11, 2014 Town Commission Meeting. The date of the sale is unknown.

### ANNOUNCEMENTS:

- March 11, 2014 – Town Commission meeting – 6:00 p.m.
- March 25, 2014 – Commission Workshop - 6:00 p.m.
- March 26, 2014 – Planning & Zoning Board Meeting – 6:00 p.m.

### ADJOURNMENT:

When all business was discussed, the meeting was adjourned.

__________________________________________  March 11, 2014

Sheila Hansen, Deputy Clerk  Date approved
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member Ray Morgan - present
Member Kevin Grohoske - present
Member Mickey Clements - present
Member Lynn Dominique - present
ALSO PRESENT: Town Manager Tom Burns, Pat Blackshear, Trisha Mikel

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JULY 31, 2013 MEETING – Member Morgan made a motion to approve the minutes from the meeting. Member Clements seconded the motion and it passed unanimously.

NEW BUSINESS:
I. LAND DEVELOPMENT CODE UPDATE/OVERVIEW – Pat Blackshear of Blackshear Planning Inc. greeted Planning and Zoning Board members as the contractor selected to update the Shalimar LDC. She reviewed the 6 items listed in consulting contract Task 1. She said that she would like feedback from the Board on areas of the current LDC that appear to be working well and deserve preservation in the updated LDC. Ms. Blackshear also suggested that the Ft Walton LDC will be a good model for the update and that she envisioned sending her work on the update in "chunks" to the Board members approximately two weeks prior to the monthly Planning and Zoning Board meetings. It was agreed that as the draft progresses, strike-outs will be deleted after the first review. It was also agreed that Manager Burns would disseminate the update drafts to all Board members and also forward all member inputs to Ms. Blackshear.

II. Chairman Gable briefed members on the status of the lawsuit with Medinah LLC, and a failed motion in the last Commission Meeting that would have forced any Planning and Zoning Board members residing in Snug Harbor to be recused from any consideration of the Shalimar Pointe development that may be brought before the board. His opinion was that recusal on those grounds would be dealt with by each board member with guidance from the Town attorney.

III. Tricia Mikel asked the chairman about the Planning and Zoning Board's role in maintaining developments currently in the town and he informed her that the Board had no
responsibilities in that area. Ms. Mikel informed the board that Brande Court had major flooding during heavy rain and she believes that the stormwater system in Live Oak Commons is not working correctly. She said that she would address this issue at the next meeting of the Town Commission.

ANNOUNCEMENTS:
June 11, 2013 – Town Commission Meeting 6:00 p.m.
June 25, 2013 – Town Commission Workshop 6:00 p.m.
June 26, 2013 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT - Member Clements made a motion to adjourn at 6:50 p.m. Member Dominique seconded the motion and it passed unanimously.

__________________________________  April 30, 2014  
Sheila Hansen, Deputy Town Clerk  Date Approved
CALL TO ORDER— Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Steve Norton, Brad Gable, Ken & Kathy Murphy of Sign Scene, Trisha Mikel.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached.

COMMISSIONER WILTON REPORT – Commissioner Wilton reported that promotion exams would be administered on February 24th through the 26th. Also on February 18th through the 20th there would be a live shooter exercise at the courthouse annex in Shalimar.

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – No report

ATTORNEY’S REPORT – No Report
TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:
I. Approval of minutes from January 14, 2014 Town Commission meeting. Chair will entertain a motion to approve minutes as drafted. Commission Garcia made a motion to accept the January minutes as written. Commissioner Wilton seconded the motion and it passed unanimously.

II. SHALIMAR POINT SUBDIVISION – Attorney Chesser went over the lawsuit and explained what our lawsuit entailed. He explained that the action asked if “the Town had a right to control our own roads”. The developer had not submitted anything to the Town asking to connect to Snug Harbour Drive. He explained what would be done in a quasi-judicial hearing to get testimony which would be sent to the Circuit Court. He also said that he had sent a letter requesting a trial date within two weeks. He said that the lawsuit is proceeding quickly which it should because it needs to happen in a timely manner.

He explained that the Sunshine Law part of the lawsuit is a lesson that anything that is said in email needs to be carefully thought out because it will be gone over with a fine tooth comb. He does not believe this was a violation of the Sunshine Law.

Commissioner Chapman made a motion that the Town Commission direct Manager Burns to investigate and report feasible ways that the Town can divest itself of the road at the end of Old Ferry Road. He would like the Town to cede the road either to the County or to the Snug Harbour Home Owners Association. Commissioner Wilton seconded the motion. Commissioner Chapman said that he feels for the Snug Harbour residents. The Town has allowed them to park on the right-of-way and their arguments are legitimate. He does not think that the Town should fight to the last dollar for the resident’s rights. He does not think it is worth the Town’s funds to fight for the parking on the right-of-way and that nobody else in the Town benefits from the road.

Commissioner Wilton said that he is not sure it is the Town’s position to only protect itself. The Town is there to protect the residents. He said that he would probably not support the Town divesting itself of the road but is willing to go along with investigating this option.

Commissioner Garcia said he agrees with Commissioner Wilton. He feels it is okay to investigate giving away the road but does not want to do this.

Mayor Combs said that he feels this whole problem was caused by the County and they should be the ones being sued. They should have coordinated the development order with the Town. Giving the road away will not eliminate the lawsuit. The developer wants a minimum of $15,000 in damages. He said he is okay with investigating giving away the road but is adamantly against giving the road to the county.
Attorney Chesser said that giving the road away is really not the Town’s decision to make. The road cannot be given away unless someone else wants it.

Commissioner Smith said that, in his opinion, the Town had created this problem. He thinks the whole end of the road, the townhomes and the houses, was a botched project. The Town was asked if they wanted the road and they accepted it. He does not think the parking problem at Snug Harbour is the Town’s problem. He said that the Town does own the road and the safety of the area is the Town’s responsibility. He is not opposed to giving the road to the Snug Harbour residents but does not want it given to the county.

**The motion was voted on and did not pass with Commissioner Chapman being the only vote for the motion.**

**Commission Chapman made a motion to direct Planning and Zoning Board Chairman Gable to direct the Planning and Zoning Board members who live at Snug Harbour to recuse themselves of voting on any decisions on the road cut onto Snug Harbour Drive.** Chairman Gable said that the members of the board are appointed to represent all of the residents of Shalimar. Attorney Chesser said he thought the residents of Snug Harbor should not vote on the road cut. He thinks they should recuse themselves or have the Town Commission make the decisions on the road cut or appoint a committee to make the decision. **Commissioner Smith seconded the motion.** Commissioner Chapman said that it is his hope that the Town does not have to go to court and he wants to be sure that there is an impartial committee making the decisions. Commissioner Wilton said he could not object to fairness but he does object to the dubious actions of the Commission to not trust the Planning and Zoning Board. He does not feel the Planning and Zoning Board needs to be reminded of this. Commissioner Garcia said that he agreed with Commissioner Wilton. Mayor Combs said that he trusts the Planning and Zoning Board. The parking at Snug Harbour is a different issue and would not be decided now. He said he thought the Planning and Zoning Board were logical enough to recuse themselves. **The motion did not pass with Mayor Combs, Commissioner Wilton and Commissioner Garcia voting against it.**

**III. PURCHASE OF VACANT LOT BEHIND RACEWAY GAS STATION** - It was decided that this item would not be discussed.

**IV. CODE ENFORCEMENT ACTIVITY** – **Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action. Attorney Chesser started proceedings to stop her from living in the commercial building and it should take about 90 days to complete the process. No new developments at this time.**

Attorney Chesser reported that nothing was happening with the bankruptcy hearing. He asked if the Town Commission would like him to make a motion to the bankruptcy court to be released from the bankruptcy so that the Town could proceed with the enforcement of their
Ordinance. **Commissioner Chapman made a motion to table this item for 60 days. The motion died for lack of a second.** It was decided that Attorney Chesser would make a motion with the bankruptcy court.

**NEW BUSINESS:**

I. **Status of Town Marquee – Decision to repair present sign or replace with new sign.**

Manager Burns explained that the sign was no longer under warranty and the company that does the repairs cannot figure out what is wrong with it. Optec has changed the ways the signs are made and any repairs would have to be sent to California and there is no guarantee the sign can be fixed.

Manager Burns said he had spoken to several sign companies and thinks that the Town should purchase a new sign. American LED had a demo sign that was parked outside for the Commission to look at. Pricewise, the quotes he was shown were about $16000 for a smaller, less pixel sign to about $27000 for a larger sign with better pixels. American LED and Optec will both provide a 5-year warranty for parts and labor. **Commissioner Wilton made a motion that the Town solicit for bids on LED signs and consider the bids at the next Town Commission meeting. Commissioner Garcia seconded the motion.**

Steve Gordon from American LED spoke to the Commission about his signs and their quality. Ken and Kathy Murphy from Sign Scene introduced themselves to the Commission. **A vote was taken and the motion passed unanimously.**

**ANNOUNCEMENTS:**

February 19, 2014 Planning and Zoning Board Meeting – 6:00 p.m.
February 25, 2014 – Town Commission Workshop – 6:00 p.m.
March 11, 2014 – Town Commission Meeting – 6:00 p.m.

**ADJOURNMENT:** **Commissioner Garcia made a motion to adjourn at 7:45 p.m. Commissioner Smith seconded the motion and it passed unanimously.**

_________________________________ March 11, 2014 __________
Sheila Hansen, Deputy Clerk ________________________________
Date approved
Town of Shalimar
Town Commission Meeting
January 14, 2014

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Absent
Commissioner Tim Smith – Present
Commissioner Jim Wilton, PhD – Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, Peter Mohlinsky, Billy Lord, Angela Balent, Rachel and Bill Hawkins, and Susan Stephens.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached. Commissioner Garcia reported that there was an additional $46,000.00 in Ad Valorem income that is not shown on the report.

COMMISSIONER WILTON REPORT – No report

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached. Commissioner Wilton reported that the officers are all carrying defibrillators in their cars and the Okaloosa County Sheriff’s Office has been notified of this.

MAINTENANCE REPORT – No Report

TOWN MANAGER REPORT – The Town Manager’s Report was attached.
ATTOYNE'S REPORT – No Report

TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:
I. Approval of minutes from December 10, 2013 Town Commission meeting and the January 9, 2014 Special Town Commission - Chair will entertain a motion to approve minutes as drafted. Commission Garcia made a motion to accept the minutes from the December 10, 2013 Town Commission meeting and the January 9, 2014 Special Town Commission as written. Commissioner Wilton seconded the motion and it passed unanimously.

II. SHALIMAR POINT SUBDIVISION – Attorney Chesser said that there was no doubt that the Town owned the road and that he recommended the Town file an injunction to stop the use of the Town right-of-way for the entryway into the new subdivision. He said this would prohibit the developers from using the right-of-way owned by the Town without getting permission.

Commissioner Garcia made a motion to have Attorney Chesser file an injunction to stop use of Town property for the entryway into the subdivision. Commissioner Wilton seconded the motion. Commissioner Wilton said that using the Town right-of-way is a use of private property. Commissioner Smith said that it is also a parking problem and is not sure that it is worth a minimum of $5000.00 of Town money to save three parking spots. The lawsuit could become costly and he has doubts about the expense. Commissioner Wilton said that he believes it is the contractor’s responsibility to coordinate with the Town about the subdivision. Mayor Combs said that he thinks this is much more than a parking issue. He thinks it is a safety issue and a quality of life issue for the Snug Harbour residents. He said that the town has the money and he thinks that the Town should stand up for the residents. He does not like having to take legal action but the developers do not want to work with the Town. Mr. Hawkins from Snug Harbour Drive said the construction workers had already been asking him to move his car so they can take large equipment into the subdivision and there still is barely enough room for them to turn without going onto the residents’ property.

Attorney Chesser said he would speak with the developer’s attorney and try to settle the problem without a lawsuit but if that did not work he would file an injunction before the end of the week. The Commission voted on the motion for Attorney Chesser to file an injunction and it passed unanimously.

III. SECOND READING OF ORDINANCE CHANGE RELATED TO ANY DEVELOPMENTS' STORM WATER RETENTION REQUIREMENTS - ORDINANCE 2014-03 DRAINAGE LOS. Commissioner Wilton made a motion to approve the second reading of Ordinance 2014-03. Commission Garcia seconded the motion and it passed unanimously.
IV. **CODE ENFORCEMENT ACTIVITY** – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action. Attorney Chesser started proceedings to have her stopped from living in the commercial building and it should take about 90 days to complete the process. No new developments at this time.

**NEW BUSINESS:**

I. **2013 AUDIT REPORT** – Angela Balent provided the Town Commission with a letter outlining the significant audit findings. There were no difficulties or disagreements and no adjustments were done. The audit showed no material weaknesses or difficulties. The one suggestion from fiscal year 2012 was that the Finance Commissioner needed to review the bank statements and this had been done during fiscal year 2013.

II. **PURCHASE OF VACANT LOT BEHIND RACEWAY GAS STATION** – Mayor Combs said that he thought it would be a good idea to purchase the property behind the Raceway gas station. It is zoned commercial and does not border any residential lots. It is .75 acres and would make a good storage lots for residents’ boats and RVs. Commissioner Smith said he thought the lot had a drainage problem and Manager Burns agreed that it may need some drainage improvement. Commissioner Wilton said that he would like to think about it and discuss it at the next Town Commission Meeting. Commissioner Smith said that he thought if the Town spent the money it should be a large enough lot so that the Town could require all residents to have their boats and trailers stored there and eliminate the storage in driveways.

III. **PROCLAMATION 2014-01 – WOMEN’S HISTORY MONTH, 2014** - Commissioner Smith made a motion to pass the Proclamation. Commissioner Wilton seconded the motion and it passed unanimously.

**ANNOUNCEMENTS:**
December 12, 2013 – Christmas Parade and Party
January 14, 2013 – Town Commission Meeting – 6:00
January 28, 2014 – Town Commission Workshop
January 29, 2014 – Planning and Zoning Board Meeting

**ADJOURNMENT:** Commissioner Garcia made a motion to adjourn at 6:45 p.m. Commissioner Smith seconded the motion and it passed unanimously.
Town of Shalimar  
Special Town Commission Meeting  
January 9, 2014  

CALL TO ORDER — Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:  
Mayor Gary Combs - Present  
Mayor Pro-Tem Ricardo Garcia - Present  
Commissioner Robert Chapman - Absent  
Commissioner Tim Smith - Present  
Commissioner Jim Wilton, PhD - Present  

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Town Manager Tom Burns, P.A. Mohlinsky, Ricardo Betanzo, Lynn Dominique, Kevin Grohoske, Mickey Clements, Brad Gable, Mark Ruben, Bill Hawkins, and Rachel Hawkins.

NEW BUSINESS:  
I. SHALIMAR POINT SUBDIVISION — Attorney Chesser briefed the Town Commission. He said that the Town owned the Snug Harbour road and had jurisdiction to govern any connection onto the road. He believes that Okaloosa County should have notified the Town about the development due to a Memorandum of Understanding that the County and the Town had to coordinate developments on adjoining property. He discussed the letter that he had written to Don Dewrell on the development and reported that he had gotten a phone call that morning from a Tallahassee Land Planning attorney. The attorney told him that the cut onto Snug Harbour Drive was the only place the development could put the road. Attorney Chesser told him there were problems on the fragile condition of the road and that any increase in water in that area will cause flooding problems to where people will not be able to get to their houses. In Attorney Chesser’s opinion the Town has a legal right to stop the connection road.

Manager Burns reported that Charles Rigdon met with him that afternoon and they discussed the plans and Mr. Rigdon explained to Tom why the plans had been designed with the road connecting to Snug Harbour.

Peter Mohlinsky, Mark Ruben, Bill Hawkins, and Lynn Dominique spoke to the Town Commission about their concerns with the connector road being placed where the development plans have it. They are concerned about the subdivision addressing flooding problems, parking, safety, and condition of the road after construction. The road cut will
reduce Snug Harbour parking by 15% and residents exiting the development at night will be shining headlights directly into the units across from the road.

Manager Burns reported that Mr. Rigdon said his first plan was to use the existing road but Okaloosa County Growth Management has said that the road was not wide enough.

After more discussion, it was decided that Commissioner Smith would meet with Mr. Rigdon and see if a solution can be worked out. A decision will be made at the regular Town Commission meeting on January 14, 2014. The development can then go through the Planning and Zoning process if Mr. Rigdon will move the road.

Attorney Chesser brought up that Snug Harbor Road is 50 feet wide all the way to the water and owned by the Town of Shalimar.

Mayor Combs told the Snug Harbor residents that they needed to get a written parking agreement with the Town of Shalimar for parking on the right-of-way.

II. ORDNANCE CHANGE RELATED TO ANY DEVELOPMENTS’ STORMWATER RETENTION REQUIREMENTS - ORDINANCE 2014-03 DRAINAGE LOS – Manager Burns explained that this came up due to the drainage at the Courthouse Annex. The Town needs to update their storm water LOS to match Okaloosa County’s storm water LOS. **Commissioner Garcia made a motion to approve Ordinance 2014-03 as written. Commissioner Smith seconded the motion and it passed with a unanimous vote.**

III. DRAFT OF LAND DEVELOPMENT CODE CONTRACT – Manager Burns went over the new contract with Blackshear Planning, Inc. He recommended that the Town Commission give authorization to Mayor Combs to sign the contract. **Commissioner Wilton made a motion to authorize Mayor Combs to sign the contract. Commissioner Garcia seconded the motion and it passed with a unanimous vote.** After a discussion it was decided that Commissioner Wilton will be the liaison to the Planning and Zoning Board on the LDC.

**ADJOURMENT:** **Commissioner Garcia made a motion to adjourn the meeting at 7:30 p.m. Commissioner Smith seconded the motion and it passed with a unanimous vote.**

**ANNOUNCEMENTS:**
January 14, 2013 – Town Commission Meeting – 6:00
January 23, 2013 – OCLOC Quarterly Dinner at FWB
January 28, 2014 – Town Commission Workshop
January 29, 2014 – Planning and Zoning Board Meeting

__________________________  ________________________
Sheila Hansen, Secretary    Date approved
Town of Shalimar  
Town Commission Meeting  
December 10, 2013

CALL TO ORDER — Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:  
Mayor Gary Combs - Present  
Mayor Pro-Tem Ricardo Garcia - Present  
Commissioner Robert Chapman - Present  
Commissioner Tim Smith - Present  
Commissioner Jim Wilton, PhD - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Maintenance Supervisor Kent Beck, Town Manager Tom Burns, and Muncelle Mitchell.

COMMITTEE REPORTS:  
Planning & Zoning Board – No report  
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached.

COMMISSIONER WILTON REPORT – No report

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – No Report

TOWN MANAGER REPORT – No Report

ATTORNEY’S REPORT – Attorney Chesser said the Town may want to consider an Ordinance change on upgrading older buildings so that they would follow rules for new construction due to the construction to be done at the Shalimar Courthouse Annex. Manager Burns said he would review the present Ordinance and talk to Roy Petry. He said that if the Ordinance
needs rewritten, the Town Commission could call a special meeting for the first reading and approve the second reading at the January Town Commission meeting.

Attorney Chesser reported that Dr. Kain’s bankruptcy judgment was being appealed and that he advised the Town to not proceed with any further legal action until after the bankruptcy claim was settled.

**TOWN RESIDENTS’ TIME** – No residents spoke.

**OLD BUSINESS:**

I. **Approval of minutes from November 12, 2013 Town Commission meeting.** Chair will entertain a motion to approve minutes as drafted. **Commission Garcia made a motion to accept the November Minutes as written. Commissioner Wilton seconded the motion and it passed unanimously.**

II. **CODE ENFORCEMENT ACTIVITY** – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action. Attorney Chesser started proceedings to have her stopped from living in the commercial building and it should take about 90 days to complete the process. This item was discussed in the Town Attorney’s Report.

III. **LAND DEVELOPMENT CODE UPDATE** – A discussion was held and Manager Burns reported that the committee recommended that the Town Commission hire Blackshear Planning, Inc. to rewrite the Land Development Code. Her bid was the lowest and she is a local business so there would not be the cost for travel expenses. The scope of service was the same as the other bids and she is familiar with the Okaloosa County Land Development Code. Manager Burns explained that the Committee would meet with the chosen contractor and negotiate an agreement which will incorporate things from each of the proposals. Commissioner Garcia made a motion to accept the committee suggestion to hire Blackshear Planning, Inc. and allow the committee to negotiate and finalize the contract agreement. Commissioner Smith seconded the motion and it passed unanimously.

**NEW BUSINESS** – There was no new business.

**ANNOUNCEMENTS:**

December 12, 2013 – Christmas Parade and Party
January 14, 2013 – Town Commission Meeting – 6:00 p.m.
January 28, 2014 – Town Commission Workshop – 6:00 p.m.
January 29, 2014 – Planning and Zoning Board Meeting – 6:00 p.m.
ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 6:25 p.m. Commission Wilton seconded the motion and it passed unanimously.

_________________________________  January 14, 2014
Sheila Hansen, Secretary  Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Town Manager Tom Burns, Kay Rasmussen and Nathan Sparks.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Reports were attached.

COMMISSIONER WILTON REPORT – Commissioner Wilton’s Report was attached.

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Department Report was attached.

TOWN MANAGER REPORT – The Town Manager’s Report was attached.

ATTORNEY’S REPORT – No report
TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:
I. **Town Commission Meeting Minutes** – Approval of minutes from October 8, 2013 Town Commission meeting. Chair will entertain a motion to approve minutes as drafted. **Commissioner Garcia made a motion to approve minutes. Commissioner Smith seconded the motion and it passed unanimously.**

II. **CODE ENFORCEMENT ACTIVITY** – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action. Attorney Chesser started proceedings to have her stopped from living in the commercial building and it should take about 90 days to complete the process.

III. **LAND DEVELOPMENT CODE UPDATE** – RFP advertised in Pensacola Journal.

NEW BUSINESS:
I. **NATHAN SPARKS** - Executive Director of the Economic Development Council addressed the Town Commission. He went over his background and thanked the Town Commission for their support of the EDC.

ANNOUNCEMENTS:
November 26, 2013 – Town Commission Workshop – 6:00
November 27, 2013 – Planning & Zoning Board Meeting – 6:00
December 10, 2013 – Town Commission Meeting
December 12, 2013 – Christmas Parade and Party

ADJOURNMENT: **Commissioner Garcia made a motion to adjourn at 6:50 p.m.**
**Commission Wilton seconded the motion and it passed unanimously.**

___________________________________________________________  December 10, 2013
Sheila Hansen, Secretary                                      Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Present
Commissioner Jim Wilton, PhD - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Brad Gable, Town Manager Tom Burns, Brad Gable, and Robbin Shaffer.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia reported that a meeting with the auditors was scheduled for October 9, 2013. He also reported that Manager Burns was compiling the information for an RFP for the Land Development Code.

COMMISSIONER WILTON REPORT – No report

MAYOR COMBS’ REPORT – No report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – Manager Burns reported that the sign had been removed from the Food Max building site. The fine had been running for 713 days and the amount of the
lien would be $356,500.00. He asked for Attorney Chesser’s opinion on the next step. Attorney Chesser said that the Florida Supreme Court had decided that municipal liens could not take priority over other liens and our lien would be in order of filing date.

ATTORNEY’S REPORT – See Code Enforcement Activity.

TOWN RESIDENTS’ TIME – No residents spoke.

OLD BUSINESS:
I. Town Commission Meeting Minutes – Approval of minutes from September 10 Town Commission meeting, September 10 Budget Hearing, September 17 Budget Hearing, and September 24 Town Commission Workshop. Chair will entertain a motion to approve minutes as drafted. Commissioner Wilton made a motion to approve all minutes. Commissioner Garcia seconded the motion and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action. Attorney Chesser said that he had the complaint on his desk ready to file.

Attorney Chesser said that he filed the lawsuit against Dr. Kain and that she had been served papers. It should take approximately 90 days to complete the process. Manager Burns said that he had spoken to the attorney for Mrs. Pearce about the bankruptcy suit. He had told Manager Burns that the judge had pulled up an Idaho lawsuit for precedent and was trying to decide how much of the office building was living space and how much was office space.

Commissioner Smith asked if the Gulf Coast Auto building was non-conforming because the buildings were not tied down. Manager Burns said that when someone came in to apply for a business license, the building will have to be brought up to code because the business had been closed for more than six months.

III. FINE FOR FOOD MAX SIGN – Mayor Combs asked if anything needed to be done on stopping the daily fine on the lien. Attorney Chesser said the only thing to do was keep a record of the lien which began October 19, 2011 and ended on September 27, 2013.

IV. LAND DEVELOPMENT CODE UPDATE – Manager Burns reported that he had sent an email to the Town Commission with the information from Wendy Grey. He said he will ask her about an hourly rate for work on the LDC. He said that his objective is to get an RFP on the street by November 1, 2013 and have the LDC upgrade completed by the end of 2014. Mayor Combs asked if the Town Commission and Attorney Chesser would get a copy of the RFP before it is advertised. Commissioner Garcia said that Tom needed to notify Poly-Engineering that they would need to consult on the LDC. Commissioner Smith wanted to know if the Planning and Zoning Board could do part of the LDC. Brad Gable reported that the
LDC needed some expertise that the board did not have. Manager Burns said that the RFP would be sent to everyone before it is advertised.

NEW BUSINESS:
I. DISCUSSION ON EMAIL SYSTEM – Commissioner Wilton said that he thought our Town email system needed to be more automated. It was decided that a permanent spam folder would be tried so no emails were lost and also Deputy Clerk Hansen would check with Florida League of Cities and ask about suggestions to improve our system.

II. CHRISTMAS PARTY PLAN – It was decided that the annual Christmas Parade and Party would be held on Thursday, December 12, 2013. A discussion was held and it was decided that the parade will allow commercial participation by residents only and resident school participation if supervised by residents. The parade and party will be advertised in the paper, on the marquee, and other possible venues.

ANNOUNCEMENTS:
October 15, 2013 – OCLOC Quarterly Dinner in Destin
October 29, 2013 – Town Commission Workshop – 6:00
October 30, 2013 – Planning & Zoning Board Meeting – 6:00
November 12, 2013 – Town Commission Meeting

It was decided that the monthly workshop would be canceled unless something important came up before then.

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 6:50 p.m. Commission Smith seconded the motion and it passed unanimously.

_________________________________    November 12, 2013__________
Sheila Hansen, Secretary               Date approved
CALL TO ORDER - Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tern Ricardo Garcia – Present
Commissioner Jim Wilton, PhD – Present
Commissioner Tim Smith – Present
Commissioner Robert Chapman – Present

OTHERS IN ATTENDANCE - Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Planning and Zoning Board Chairman Brad Gable, Police Chief John Cash, and Planning and Zoning Board Member Kevin Grohoske

I. PRESENTATION FROM P&Z BOARD CHAIRMAN ON NEED TO UPDATE LAND DEVELOPMENT CODE AND FULLY FUND LDC REWRITE IN FY14 BUDGET - Planning and Zoning Board Chairman Brad Gable did a presentation on why the Town needs to update the Land Development Code.

Commissioner Wilton brought up that Florida Statutes require that, without clarification, the Land Development Code cannot be in conflict with the Future Land Use Map and that the statute gives the Town one year to correct this. The Planning and Zoning Board does not have the time or the expertise to do this project. This needs to be done by an expert who knows how to handle the checks and balances and doesn't create loopholes in the Land Development Code. He also asked if we have a legal opinion and the cost of the zoning changes that need funding.
Manager Burns explained that the $30,000 cost that is suggested was an estimate by the person who did Fort Walton Beach's Land Development Code. This was to follow the Fort Walton Beach Code to update Shalimar's code with the changes that the Town requires. Commissioner Wilton asked if the Town could do an RFP on the Land Development Code. Manager Burns said that this would need to be done but Wendy Grey would give the Town a "scope of work" which would be implemented into the RFP.

Commissioner Chapman said that there is no question that the Land Development Code needed updating but since there is no set dollar amount and this is approximately 10% of the yearly budget and did not want this budgeted until we have a set figure. The Town can do a budget amendment when there is a dollar figure.

Manager Burns said that Wendy Grey will contact him with the information he needs to go out for proposals and could probably be able to go out with an RFP by January 1, 2014.

Mayor Combs and Commissioners Smith, Garcia, and Wilton all agree that it is important to have the Land Development Code updated in FY 2014.

I. WHAT'S REALLY NEEDED IN TOWN SIDEWALK MAINTENANCE BUDGET -
Mayor Combs said that he is totally for fixing all the sidewalks in Town that need fixing but feels that $35,000 in the sidewalk budget is more than is necessary.

Manager Burns said that $5000 had been budgeted to do repairs and that he planned to have this done by the Maintenance Department unless this is not feasible, in which case, the Town would have to hire somebody.

Commissioner Chapman said that he feels the sidewalks are a safety issue and if the Town is willing to spend $50,000 to $60,000 on a piece of paper, they should spend the money on the sidewalks for safety of the residents.

Commissioner Smith said that he was working on a survey of what needs to be done on the sidewalks and was nearly finished.

II. REVIEW OF EXISTING TOWN OF SHALIMAR TREE ORDINANCE AND DISCUSSION ON NEED TO ENFORCE CODE VIOLATION FOR SUNSET BAY
HOMEOWNER WHO CUT TREES WITHOUT PERMIT - A discussion was held on this item and it was decided that no further action would be taken.

III. OTHER DISCUSSION TOPICS - Mayor Combs said that he had been speaking to the contractor who was removing the gas tanks at the old Food Max and that the owner had given the contractor permission to remove the sign. He said that at the next regular Town Commission meeting he would like to see the daily fine for the non-conforming sign stopped. This will be researched to see what needs to be done to stop the fine.

Commissioner Smith said that he thought it would be a good idea for the Town to require a certain amount of time for a closing business to remove their signs.

80.0 ANNOUNCEMENTS:
October 8, 2013 - Town Commission Meeting - 6:00 p.m.
October 15, 2013 - OCLOC Quarterly Dinner
October 29, 2013 - Town Commission Workshop- 6:00 p.m.
October 30, 2013 - Planning & Zoning Board Meeting - 6:00 p.m.

ADJOURNMENT: Mayor Pro-tem Garcia made a motion to adjourn at 7:04 p.m. Commissioner Wilton seconded the motion and it passed unanimously.

____________________________  _______________
Sheila Hansen, Deputy Clerk  October 8, 2013

Date Approved
CALL TO ORDER: Mayor Pro-tem Garcia called the Second Budget Hearing to order at 5:40 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: absent
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Tim Smith: present
Commissioner Bob Chapman: present
Commissioner James Wilton PhD: absent

Others in attendance: Town Manager Tom Burns and Deputy Clerk Sheila Hansen

HEARING ITEMS:

I. SECOND PUBLIC READING OF ORDINANCE 2014-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2013-2014 – Commissioner Smith and Commissioner Chapman asked Manager Burns to explain the rollback rate. Manager Burns explained that the 2.0 millage rate will generate $1200.00 more revenue than it did last year due to the tax appraiser raising the values of the property within the Town. The millage rate has not changed from last year and the term “rollback rate” it wording required by the Truth in Millage (TRIM) laws. Manager Burns presented the completed copy of TRIM form DR-420 and explain the math. Commissioner Smith made a motion to approve the Second Reading of Ordinance 2014-01 setting the millage rate at .2 mills. Commissioner Chapman seconded the motion and it passed unanimously.

II. SECOND PUBLIC READING OF ORDINANCE 2014-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2013-2014. Commissioner Smith made a motion to approve Ordinance 2014-02 as read. Commissioner Chapman said that he opposed this budget because he did not think the $30,000.00 budgeted for the Land Development Code was necessary. The Town does not have an actual quote for the work to be done on the Land Development Code and he is not sure that it is even necessary to rewrite the code. He also said he thought that Deputy Clerk Hansen should not have gotten a 14% raise in two years.
There was no second on the motion to pass Ordinance 2014-02 as written. Commissioner Chapman made a motion that Ordinance 2014-02 be approved with a reduction of $25,000.00 from Other Government Services for the Land Development Code and an addition of $25,000.00 to Physical Environment for redoing the sidewalks. Commissioner Smith seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
September 24, 2013 – Town Commission Workshop to Discuss Update of the Land Development Code – 6:00
September 25, 2013 – Planning & Zoning Board Meeting – 6:00
October 8, 2013 – Town Commission Meeting – 6:00

ADJOURNMENT: Commissioner Chapman moved to adjourn at 6:04 p.m. The motion was seconded by Commissioner Smith and it passed unanimously.

___________________________________   __________________________________
Sheila Hansen, Deputy Town Clerk          Date approved
CALL TO ORDER — Mayor Combs called the meeting to order at 6:10 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Absent
Commissioner Dr. Jim Wilton - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Brad Gable, Town Manager Tom Burns, Ursel Behnken, and Doug Pritchard

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT — No report

COMMISSIONER CHAPMAN’S REPORT — No report

COMMISSIONER GARCIA REPORT — Commissioner Garcia’s Report was attached. Commissioner Chapman asked how much money would be taken out of reserves for the year. Manager Burns said that $150,000 had been budgeted but, due to the Irwin Fleet project being less than expected, the actual amount will be $142,000.

COMMISSIONER WILTON REPORT — Commissioner Wilton’s Report was attached.

MAYOR COMBS’ REPORT — No report

POLICE REPORT — The Police Report was attached. Chief Cash reported that an arrest had been made on the battery report. Commissioner Chapman said that speeding on Shalimar Drive between 6:00 and 6:15 a.m. had increased and asked Chief Cash to patrol the area more at that time of day.

MAINTENANCE REPORT — The Maintenance Report was attached.
TOWN MANAGER REPORT – The Town Manager’s Report was attached. Commissioner Chapman asked about the “after the fact” permit and Manager Burns explained that the contractor had planned on getting the permit on Monday but he got a day open on the weekend when he was able to cut the trees. He forgot to get the permit but got it as soon as he was reminded. Commissioner Chapman asked why the website was not working. Deputy Clerk Hansen reported that the Town was switching web hosting provider and that there should be no problem when this is completed. Commissioner Chapman asked about the sidewalk on Shalimar Drive. Manager Burns said that he is looking into possibly putting a sidewalk in on the other side of the street. He thinks this could be done for about $16000.00 plus survey and engineering costs. Commissioner Chapman asked Manager Burns to research this before the next regular meeting.

ATTORNEY’S REPORT – See code enforcement section

TOWN RESIDENTS’ TIME – No residents spoke.

OLD BUSINESS:
I. Town Commission Meeting Minutes – Approval of minutes from August 13, 2013 Town Commission meeting and July 30 Budget Workshop. Commissioner Garcia made a motion to approve the minutes from the two meetings. Commissioner Wilton seconded the motion and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action. Attorney Chesser said that he had the complaint on his desk ready to file.

III. RESOLUTION 2013-09 – Update of Personnel Policy Manual – A discussion was held on the use of Police vehicles to transport unauthorized personnel. Manager Burns said that there would be no extra liability because the insurance company said they would be covered. After the discussion, it was decided to add “public safety” to section 6.8.2.1. Commissioner Wilton made a motion to approve the resolution with the change. Mayor Pro-tem Garcia seconded the motion and it passed unanimously.

NEW BUSINESS:
I. Inter-local Gas Tax Agreement – Mayor Combs explained to the Town Commission what the Inter-local Gas Tax Agreement is and that he needed approval from the Town Commission to sign the agreement. Commissioner Wilton made a motion to approve Mayor Combs signing the agreement. Mayor Pro-tem Garcia seconded the motion and it passed unanimously.
II. Commissioner Chapman brought up the Tree Ordinance violation and Manager Burns retroactively issuing a permit. He feels if Mr. Bell is not fined for cutting down the trees without a permit, then Mr. Shaffer at 183 Richburg should not have been fined. **Commissioner Chapman made a motion to reconsider the resolution fining Mr. Shaffer and refunding his money. Mayor Pro-tem Garcia seconded the motion.**

Manager Burns said that he issued the permit to document that the work was done. He said he wrote on the permit that it was done after the fact. A discussion was held and Commissioner Chapman said that he did not agree with the Tree Ordinance but thought it should be applied fairly. Mayor Combs asked Commissioner Chapman if he wanted to go over the Tree Ordinance. Commissioner Chapman said that he could do that. The Commission decided to review the Tree Ordinance and bring Mr. Bell’s violation up as an agenda item at the next regular Town Commission meeting after the Town Commission members have time to review the Tree Ordinance. Manager Burns will do a staff report on the violation, to include the pictures that were taken and the emails that he and Commissioner Chapman exchanged.

**ANNOUNCEMENTS:**
September 24, 2013 – Town Commission Workshop – 6:00
September 25, 2013 – Planning & Zoning Board Meeting – 6:00
October 8, 2013 – Town Commission Meeting
October 15, 2013 – OCLOC Quarterly Dinner in Destin

**ADJOURNMENT:** **Commissioner Garcia made a motion to adjourn at 8:00 p.m. Commissioner Wilton seconded the motion and it passed unanimously.**

___________________________  ______________________________
Sheila Hansen, Deputy Town Clerk                                      Date Approved
CALL TO ORDER: Mayor Combs called the First Budget Hearing to order at 5:30 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Tim Smith: absent
Commissioner Bob Chapman: present
Commissioner James Wilton PhD: present

Others in attendance: Town Manager Tom Burns and Deputy Clerk Sheila Hansen, Maintenance Manager Kent Beck, and Police Chief John Cash, Ursel Behnken, Doug Pritchard, and Brad Gable.

HEARING ITEMS:
I. FIRST PUBLIC READING OF ORDINANCE 2014-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2013-2014 – Mayor Pro-tem Garcia made a motion to approve Ordinance 2014-01 setting the millage at 2.0. Commission Wilton seconded the motion. Commissioner Chapman said he opposed the 2.0 millage rate because property values had gone up and therefore this was a .37% increase. Commissioner Wilton said that was a matter of how it is looked at. Mayor Combs said he would agree with Commissioner Chapman if we had not had to take money out of the reserves for fiscal year 2012-2013. The motion passed with Commissioner Chapman voting against it.

II. FIRST PUBLIC READING OF ORDINANCE 2014-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2013-2014. Mayor Pro-Tem Garcia made a motion to approve Ordinance 2014-02 as read. The motion was seconded by Commissioner Wilton. Commissioner Chapman opposed the budget. He said that he did not think that the
Town should be budgeting from the reserves, that he feels a contingency fund is unnecessary, and that he was not sold on the money budgeted for the new Land Use Plan. He said that taxes have been raised and that Town employee's salaries are higher than he feels they should be. He said that there would not be enough oversight of funds with having a contingency fund and he felt all money spent should be approved by the Town Commission. **Mayor Pro-Tem Garcia amended his motion to remove the $10,000.00 contingency fund. Commissioner Wilton seconded the amendment and the motion passed unanimously.**

3. **BUDGET DISCUSSION**

Manager Burns went over the budget comparisons.

**ANNOUNCEMENTS:**

- September 17, 2013 – Final Budget Hearing – 5:30
- September 24, 2013 – Town Commission Workshop to Discuss Update of the Land Development Code – 6:00
- September 25, 2013 – Planning & Zoning Board Meeting – 6:00
- October 8, 2013 – Town Commission Meeting

**ADJOURNMENT:** **Mayor Pro-tem Garcia moved to adjourn at 6:10 p.m. The motion was seconded by Commissioner Wilton and it passed unanimously.**

___________________________________
Sheila Hansen, Deputy Town Clerk  
Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Absent
Commissioner Dr. Jim Wilton - Present

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Maintenance Supervisor Kent Beck, Brad Gable, and Ken Holt

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached.

COMMISSIONER WILTON REPORT – Commissioner Wilton’s Report was attached.

MAYOR COMBS’ REPORT – Mayor Combs reported that he had spoken to Destin Mayor Seevers and that she has been in negotiations with the County Commission on the Gas Tax Split and she thinks that she can negotiate a 63-37 split instead of the 70-30 the County proposed.

Mayor Combs also asked about the policy for the Police transporting family members in their patrol cars. Commissioner Wilton said that any time an officer is in his patrol car he is officially on duty and should be able to respond immediately and that would not be possible with family members in the car.
POLICE REPORT – The Police Report was attached. Chief Cash also reported that all items on order for the 2013 Charger had been received and they would be installed soon.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – The Town Manager’s Report was attached.

ATTORNEY’S REPORT – Attorney Chesser had nothing to report.

TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:
I. Town Commission Meeting Minutes – Approval of minutes from July 9, 2013 Town Commission meeting and July 30 Budget Workshop. Commissioner Garcia made a motion to approve the minutes of the July 9, 2013 Town Commission meeting. Commissioner Wilton seconded the motion and it was passed unanimously.

II. CODE ENFORCEMENT ACTIVITY - Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action. It was decided that further action needs to be taken on this violation. Attorney Chesser explained that the safest way to enforce the Ordinance would be to have a County Judge issue a mandatory injunction to Dr. Kain to follow the Town Ordinance. Commissioner Chapman asked what the Town’s recourse would be if Dr. Kain ignored this injunction. Attorney Chesser explained that the judge could then issue a Writ of Assistance and the Sheriff’s Department will remove her from the building. Commissioner Garcia made a motion for Attorney Chesser to have a County Judge issue an Order of Injunction to follow the Town Ordinance. Commissioner Wilton seconded the motion and it passed unanimously.

III. RESOLUTION 2013-09 - Update of Personnel Policy Manual. Attorney Chesser said that the Ordinance did not say whether pay would be retroactive if an employee was suspended without pay and then found innocent of the indiscretion for which he was suspended. The Commission decided this should be written in the policy. Commissioner Chapman recommended that Manager Burns update the Resolution and place it on the agenda of the September Town Commission meeting.

NEW BUSINESS: No new business
ANNOUNCEMENTS:
August 27, 2013 – Town Commission Workshop - 6:00 p.m.
August 28, 2013 – Planning & Zoning Board Meeting – 6:00 p.m.
September 10, 2013 – First Budget Hearing – 5:30
September 10, 2013 – Town Commission Meeting - 6:00 p.m.
September 17, 2013 – Final Budget Hearing – 5:30

ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 7:00 p.m.
Commission Wilton seconded the motion and it passed unanimously.

_________________________________  September 10, 2013
Sheila Hansen, Secretary  Date approved
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable – present
Member Ray Morgan – absent
Member Kevin Grohoske – absent
Member Mickey Clements – present
Member Lynn Dominique – present

ALSO PRESENT: Robbin Shaffer and Donald Cowden
81.2 OLD BUSINESS:

81.3 I. APPROVE MINUTES FROM THE JUNE 26, 2013 PLANNING AND ZONING BOARD MEETING – MEMBER DOMINIQUE MADE A MOTION TO APPROVE THE MINUTES FROM THE MEETING. MEMBER CLEMENTS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

81.4

81.5 II. VARIANCE ON 246 SNUG HARBOR DRIVE – MR. COWDEN UPDATED THE PLANNING AND ZONING BOARD ON THE STATUS OF HIS GARAGE. THE PLANNING AND ZONING BOARD AUTHORIZED MANAGER BURNS TO PERMIT THE GARAGE AS LONG AS THE CONDITIONS OF THE VARIANCE ARE MET.

81.6

81.7 NEW BUSINESS:

81.8 I. TREE REMOVAL AT 183 RICHBOURG AVE. - ROBBIN SHAFFER REQUESTED THAT THE PLANNING AND ZONING BOARD APPROVE THE REMOVAL OF ONE OAK TREE FROM HIS LOT. HE SAID THAT IT WOULD BE OVERHANGING THE ROOF OF THE HOUSE HE WAS BUILDING. MEMBER DOMINIQUE SAID THAT HE HAD LOOKED AT THE TREE AND IT DID NOT APPEAR TO BE IN VERY GOOD SHAPE AND THAT HE HAD NO PROBLEM WITH APPROVING THE REMOVAL OF THE TREE. MEMBER DOMINIQUE MADE A MOTION TO GRANT APPROVAL TO REMOVE THE TREE. MEMBER CLEMENTS SECONDED THE MOTION. THE BOARD DISCUSSED WHETHER REFORESTATION SHOULD BE REQUIRED FOR THE TREE. THEY DECIDED THAT, DUE TO THE SIZE OF THE LOT, THEY WOULD NOT REQUIRE REFORESTATION. MEMBER DOMINIQUE SAID THAT HE DID WANT IT TO BE CLEAR THAT THE PREVIOUS TREE MR. SHAFFER REMOVED REQUIRED THAT ONE REFORESTATION TREE BE PLANTED. THE MOTION WAS VOTED ON AND PASSED UNANIMOUSLY.

81.9

81.10 II. MANAGER BURNS UPDATED THE PLANNING AND ZONING BOARD THAT THE TOWN COMMISSION APPROVED $30,000.00 FOR UPDATING OF THE LAND DEVELOPMENT CODE. HE SAID THAT THERE MAY BE A PUSH TO GET THE BOARD INVOLVED IN THE REWRITE.

81.11

81.12 III. CHAIRMAN GABLE SAID THAT HE WOULD LIKE THE BOARD TO THINK ABOUT APPOINTING A NEW VICE-CHAIRMAN SINCE MEMBER BEHNKEN IS NO LONGER ON THE BOARD. DEPUTY CLERK HANSEN WILL SEND AN EMAIL TO THE BOARD TO REMIND EVERYONE TO THINK ABOUT THIS ISSUE BEFORE THE NEXT MEETING.

81.13 ANNOUNCEMENTS:

August 13, 2013 – Town Commission Meeting 6:00 p.m.
August 27, 2013 – Town Commission Workshop 6:00 p.m.
August 28, 2013 – Planning and Zoning Board Meeting 6:00 p.m.
ADJOURNMENT - Member Clements made a motion to adjourn at 6:35 p.m. Member Dominique seconded the motion and it passed unanimously.

__________________________  ______________________
Sheila Hansen, Deputy Clerk  August 28, 2013

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Date Approved  Date Approved
CALL TO ORDER: Mayor Gary Combs called the Second Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Bob Chapman – absent
Commissioner Tim Smith – present
Commissioner Jim Wilton PhD – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen, Police Chief John Cash, and Maintenance Supervisor Kent Beck

I. Manager Burns discussed the Police Department salaries and reported that Commissioner Chapman recommended a 1.7% cost of living raise and no merit raises for anyone. Commission Wilton said he would like to see a cost of living raise of 1.8% plus merit raises for Sergeant Shadwell and Detective Heslep. After further discussion it was agreed to have a 1.8% cost of living raise for everyone except contracted Manager Burns and that Sergeant Shadwell, Detective Heslep, and Sheila Hansen will get total raises of 5%, 6%, and 2% respectively.

II. The budget for the Maintenance Department was discussed. Supervisor Beck requested that other items be purchased rather than the suggested new mower. It was decided that the $8,000 budget for the department would remain the same with necessary purchases decided by the Roads and Ground Commissioner. Mayor Combs recommended leaving the money budgeted for the mower and deciding towards the end of fiscal year 2014 whether to buy a new mower.
Supervisor Becks request for paid holidays for the part-time help was denied. The Town Commission agreed that part-time help receives no benefits.

**III.** Commissioner Chapman suggested in his email that the Town Commission consider budgeting money to move the sidewalks on Shalimar Drive. It was decided that Manager Burns would research why the sidewalks were placed where they are and see what can be done to improve this situation.

**ANNOUNCEMENTS:**
July 31, 2013 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
August 13, 2013 – TOWN COMMISSION MEETING – 6:00 PM

**ADJOURNMENT** – The meeting was adjourned 7:45 p.m.

_________________________________________  _________________________
Sheila Hansen, Secretary                  September 10, 2013

Date Approved
CALL TO ORDER – MAYOR COMBS CALLED THE MEETING TO ORDER AT 6:00 P.M. AND LED THE PLEDGE OF ALLEGIANCE.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Present
Commissioner Tim Smith - Present
Commissioner Dr. Jim Wilton – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Maintenance Supervisor Kent Beck, Alex Polk, Harry Wickliff, and Robbin Shaffer.

COMMITTEE REPORTS:
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER GARCIA REPORT – Commissioner Garcia’s Report was attached.
92.0

93.0 COMMISSIONER WILTON REPORT – No Report

94.0

95.0 MAYOR COMBS’ REPORT – No Report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – The Town Manager’s Report was attached.

ATTORNEY’S REPORT – Attorney Chesser had nothing to report.

TOWN RESIDENTS’ TIME – No residents spoke.
96.0

97.0 OLD BUSINESS:


99.0

100.0 II. CODE ENFORCEMENT ACTIVITY – DR. KAIN LIVING IN COMMERCIAL BUSINESS AT 10 OLD FERRY ROAD AGAINST TOWN ORDINANCE. TABLED FROM MARCH MEETING AND WAITING FOR RESULTS OF BANKRUPTCY HEARING FOR FURTHER ACTION.

101.0

102.0 III. SECOND READING OF ORDINANCE 2013-05 - AN ORDINANCE MODIFYING THE SHALIMAR CODE PERTAINING TO APPOINTMENT OF BOARDS, COMMISSIONS, AND COMMITTEES AND CHIEF OF POLICE; OFFICE ESTABLISHED; POWER AND AUTHORITY; RESPONSIBILITY. COMMISSIONER GARCIA MADE A MOTION TO ACCEPT THE SECOND READING OF ORDINANCE 2013-05. COMMISSIONER WILTON SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

103.0

104.0 NEW BUSINESS:

105.0 I. TENTATIVE MILLAGE RATE – MANAGER BURNS EXPLAINED THAT A TENTATIVE MILLAGE RATE HAD TO BE SET AND REPORTED TO THE STATE OF FLORIDA. THIS TENTATIVE MILLAGE RATE CANNOT GO UP BUT IT CAN BE LOWERED. COMMISSIONER GARCIA MADE A MOTION TO SET THE MILLAGE RATE AT TWO MILLS. COMMISSIONER WILTON SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

106.0
II. RESOLUTION 2013-09 - UPDATE OF PERSONNEL POLICY MANUAL.

Commissioner Wilton made a motion to pass Resolution 2013-09. Commissioner Garcia seconded the motion. A discussion was held. Manager Burns explained that originally this resolution was supposed to apply to only the Police Department but it was decided that it should cover all employees. Manager Burns explained the resolution. Commissioner Wilton explained that this resolution gives the right to privacy on personnel records. Commissioner Chapman said that the grievance procedure needs to be thought about more. With this procedure, an employee who is terminated will be going before the Town Commission as a former employee. Commissioner Smith suggested that an employee go on suspension without pay until a special meeting of the Town Commission at earliest possible date. Commissioner Chapman suggested the employee receive a formal letter that he or she is suspended without pay until the next Commission meeting.

It was discussed that for a supervisor to be fired the resolution said his or her Commissioner with oversight and the Town Mayor have to agree. This is not a possible scenario because due to the Sunshine Laws the Commissioner and the Mayor can only discuss Town business in a public meeting.

It was decided that Manager Burns will rewrite the Resolution and it will be discussed at the July workshop. Commission Wilton withdrew his motion to approve and Commissioner Garcia agreed.

ANY OTHER DISCUSSION – Commissioner Wilton asked Manager Burns what he had found out when researching the Town annexing Finesterra. Manager Burns said that he would like to have a meeting with the Finesterra board. The Town would have to pay for a referendum for the owners of Finesterra. Commissioner Chapman did not agree with annexing Finesterra and Commissioner Wilton said he thought the burden of cost should be on Finesterra. Mayor Combs said that if Finesterra was annexed it would create an enclave of the other properties on the point and the Town would then be able to annex those properties. Manager Burns will contact the management of Finesterra to determine what they would like done and Attorney Chesser will research the laws on annexation.

ANNOUNCEMENTS:

July 30, 2013 – Town Commission Workshop & Second Budget Workshop – 6:00 p.m.
July 31, 2013 – Planning & Zoning Board Meeting – 6:00 p.m.
August 13, 2012 – Town Commission Meeting - 6:00 p.m.
ADJOURNMENT: Commissioner Garcia made a motion to adjourn at 7:00 p.m. Commission Smith seconded the motion and it passed unanimously.

______________________________              _________________________
Sheila Hansen, Secretary                  Date Approved
CALL TO ORDER: Member Lynn Dominique called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The pledge was led by Member Dominique.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable – absent
Member Ray Morgan – present
Member Kevin Grohoske – present
Member Mickey Clements – present
Member Lynn Dominique – present

ALSO PRESENT: Robbin and Rose Shaffer, Wayne Warner, and Donald Cowden

110.1 OLD BUSINESS:

110.2 I. APPROVE MINUTES FROM THE MAY 29, 2013 MEETING – MEMBER CLEMENTS MADE A MOTION TO APPROVE THE MINUTES FROM THE MEETING. MEMBER MORGAN SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

110.3

110.4 II. VARIANCE ON 246 SNUG HARBOR DRIVE – MEMBER DOMINIQUE ASKED IF THERE WERE ANY COMMENTS FROM THE AUDIENCE ABOUT THIS VARIANCE. WAYNE WARNER OF 242 SNUG HARBOR DRIVE SPOKE TO THE BOARD. HE STATED THE NEW PLANS THAT MR. COWDEN HAD FOR A FREE-STANDING GARAGE WOULD BLOCK THE VIEW OF THE BAY FOR HIM. HE HAD NO PROBLEMS WITH THE ORIGINAL PLANS TO EXTEND THE EXISTING GARAGE.

It was explained to the two members who were not at the last meeting what had been discussed and the decision for Mr. Cowden to bring another option for his garage.
Member Dominique said that the Board is required to follow the Town Ordinances as close as possible and that he felt that granting another variance on this property could be a problem. It was decided the Board would look at both options. Member Morgan said that he agrees that the codes were developed for a purpose but, being this was such a unique situation, would it really be a bad precedent. Member Clements said that he agreed with Member Morgan.

Mr. Cowden said that he believed the variances that were originally granted were because of the unique shape of the lot.

The requested variance would be for a side setback of 3 ½ feet rather than the required 7 ½ foot setback and a water variance of 17 ft. 8 in. rather than the required 30 feet.

110.5 After discussing the options, Member Clements made a motion that the Board approve the original design with requirements that the garage be shortened by two feet to a maximum of 22 feet, side yard variances of 3 ½ feet, water variance of 17 ½ feet. A drainage plan must be shown that will allow the drainage runoff to go into the retention pond and the deck must comply with wind-load requirements.

Member Morgan seconded the motion and it passed unanimously.

ANNOUNCEMENTS:

July 9, 2013 - Town Commission Meeting 6:00 p.m.
July 30, 2013 – Town Commission Workshop 6:00 p.m.
July 31, 2013 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT: Member Morgan made a motion to adjourn at 6:55 p.m. Member Clements seconded the motion and it passed unanimously.

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Sheila Hansen, Deputy Clerk        July 31, 2013

Date Approved
CALL TO ORDER: MAYOR GARY COMBS CALLED THE FIRST BUDGET WORKSHOP OF THE SHALIMAR TOWN COMMISSION TO ORDER AT 6:00 P.M. IN TOWN HALL CHAMBERS. HE LED THE “PLEDGE OF ALLEGIANCE” TO THE FLAG.

ROLL CALL FOR THE RECORD:

MAYOR GARY COMBS – PRESENT
MAYOR PRO-TEM RICARDO GARCIA – PRESENT
COMMISSIONER BOB CHAPMAN – ABSENT
COMMISSIONER TIM SMITH – PRESENT
COMMISSIONER JIM WILTON PHD – PRESENT

OTHERS IN ATTENDANCE: TOWN MANAGER TOM BURNS, DEPUTY TOWN CLERK SHEILA HANSEN

MANAGER BURNS SAID THAT HE DID NOT HAVE THE 2014 REVENUE STATEMENTS FROM THE STATE BUT THAT THE COUNTY HAD GIVEN HIM THE TENTATIVE AD VALOREM FIGURES AND THEY WERE UP 7.45% FROM LAST YEAR WHICH WOULD BE ABOUT $12,000.00 IN ADDITIONAL REVENUE.

MANAGER BURNS PRESENTED A TENTATIVE FY14 SALARY BUDGET SHEET. THE TOWN COMMISSION DISCUSSED THE SALARY CHANGES. COMMISSIONER WILTON FELT THAT EMPLOYEES SHOULD AT LEAST GET A RAISE TO KEEP UP WITH THE INCREASE IN CPI WHICH WAS 1.4%. COMMISSIONER SMITH SAID THAT HE DID NOT THINK RAISES WOULD BE APPROPRIATE IF WE HAVE A DECREASE IN REVENUE. MANAGER BURNS WENT OVER THE FORECASTED REVENUE AND EXPLAINED THAT HE WAS NOT EXPECTED A LARGE DECREASE. HE ALSO SAID THAT THE OVERALL INCREASE IN PROPOSED SALARIES WAS ONLY ABOUT .05% YEAR OVER YEAR AND HE FELT THAT IF OFFICERS HESLEP AND SHADWELL DID NOT RECEIVE A RAISE THERE WAS A CHANCE OF THEM FINDING OTHER EMPLOYMENT. MAYOR COMBS SAID THAT HE AGREED WITH BOTH COMMISSIONER SMITH AND COMMISSIONER WILTON AND THOUGHT THAT SOME EMPLOYEES DESERVED RAISES AND OTHERS DID NOT.
III. MANAGER BURNS WENT OVER THE OVERALL BUDGET COMPARED TO PREVIOUS YEARS AND EXPLAINED THE CHANGES AND THE LARGE EXPENDITURES WHICH INCLUDED $8,000.00 FOR A NEW MOWER, $5,000.00 TO REPAIR SIDEWALKS, AND $40,000.00 TO UPDATE THE LAND DEVELOPMENT CODE. COMMISSIONER SMITH SAID THAT HE THOUGHT GETTING THE MARQUEE SIGN FIXED SHOULD BE IN THE BUDGET. MANAGER BURNS REPORTED THAT HE HAD BEEN TRYING TO GET THE SIGN REPAIRED BUT THE COMPANY THAT CAN REPAIR IT HAD NOT BEEN RESPONDING TO HIS CALLS. COMMISSIONER SMITH SUGGESTED THAT THE TOWN CHARGE PEOPLE TO HAVE ITEMS ON THE SIGN IF THEY WERE NOT TOWN RESIDENTS AND USE THIS REVENUE FOR FUTURE UPKEEP OF THE SIGN.

IV. A DISCUSSION WAS HELD ABOUT EMPHASIZING TO THE MAINTENANCE DEPARTMENT TO CLEAN UP THE AREA BEHIND THE TOWN HALL. MANAGER BURNS SAID THAT HE WOULD FOLLOW UP.

ANNOUNCEMENTS:

JUNE 26, 2013 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
JULY 9, 2013 – TOWN COMMISSION MEETING – 6:00 PM
JULY 23, 2013 – OCLOC QUARTERLY DINNER HOSTED BY CRESTVIEW

ADJOURNMENT – THE WORKSHOP WAS ADJOURNED AT 7:25 P.M.

Sheila Hansen, Secretary
CALL TO ORDER — Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD —
Mayor Gary Combs - Present
Mayor Pro-Tem Ricardo Garcia - Present
Commissioner Robert Chapman - Absent
Commissioner Tim Smith - Present
Commissioner Dr. Jim Wilton - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Maintenance Supervisor Kent Beck, Police Chief John Cash, Darlene Landsberger, Brad Gable, and Robbin Shaffer.

COMMITTEE REPORTS:
Beautification – No report
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT — No report

COMMISSIONER CHAPMAN’S REPORT — Absent

COMMISSIONER GARCIA REPORT — No report

COMMISSIONER WILTON REPORT — No report

MAYOR COMBS’ REPORT — No report

POLICE REPORT — The Police Report was attached.

MAINTENANCE REPORT — The Maintenance Report was attached.

TOWN MANAGER REPORT — The Town Manager’s Report was attached.

ATTORNEY’S REPORT — Attorney Chesser had nothing to report.
TOWN RESIDENTS’ TIME – No residents spoke.

OLD BUSINESS:
I. Town Commission Meeting Minutes – Approval of minutes from May 14 Town Commission meeting. Chair will entertain a motion to approve minutes as drafted. Commissioner Garcia made a motion to approve the minutes as written. Commissioner Wilton seconded the motion and it passed unanimously.

II. CODE ENFORCEMENT ACTIVITY – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action.

NEW BUSINESS:
I. DISCUSS ANNEXATION OF FINISTERRA – Darlene Landsberger introduced herself to the Town Commission and stated that the Homeowners Board of Finisterra asked her to meet with the Town Commission and get information on what the Town can do for Finisterra if they are annexed into Shalimar. The Commission discussed annexing Finisterra and Manager Burns gave an approximate figure of increase in revenue to the Town.

Mayor Combs asked members of the Town Commission if they had any objections to the annexation. Nobody had any objections and Commissioner Wilton said he thought the next step would be to find out the mechanics involved in the annexation.

Attorney Chesser said that the Town would need to pass an Ordinance and then Finisterra had 30 days to have a referendum of the owners of the units at Finisterra.

Manager Burns and Chief Cash both said they would be willing to speak to the Finisterra Board and/or the residents and tell them what being part of Shalimar would do for them.

II. FIRST READING OF ORDINANCE 2013 – 05 - AN ORDINANCE MODIFYING THE SHALIMAR CODE PERTAINING TO APPOINTMENT OF BOARDS, COMMISSIONS, AND COMMITTEES AND CHIEF OF POLICE; OFFICE ESTABLISHED; POWER AND AUTHORITY; RESPONSIBILITY. This Ordinance was discussed and it was decided that there were a few changes that needed making. In section 2-38 the words “commissions or committees” after “permanent standing board” need to be deleted.

The Commission also decided that there needs to be a section ruling how to suspend or remove the Police Chief. Manager Burns said he will research this.
Commissioner Garcia made a motion to accept the first reading of this ordinance with the changes to section 2-38. Commissioner Wilton seconded the motion and it passed unanimously.

III. TREE ORDINANCE VIOLATION — Manager Burns introduced Mr. Shaffer. Manager Burns told him he would be put on the agenda after he had cut down two protected trees on his vacant lot on Richbourg Ave. Mr. Shaffer said that he did not know there was an ordinance requiring permission to cut down trees. He showed the Commission pictures of the trees on his lot and pictures showing cracks in foundation at another site. Commissioner Smith said that he could understand where Mr. Shaffer was coming from but he still has to follow Town Ordinances. Commissioner Wilton said the issue is not whether the tree did or did not get cut down but that it was done without a permit. Ignorance of the law is no excuse.

Mayor Combs explained that the Town has denied multiple homeowners permission to cut down trees. Shalimar is a Town that works at protecting the trees for the future. Commissioner Smith said that when the building plans are brought to the Planning and Zoning Board they take into consideration the footprint of the house and allow certain trees to be removed. They do require reforestation of those trees.

Mr. Shaffer said that there was only one tree cut down, not two. He said that he felt Manager Burns was harassing him and that he had been ticketed twice for illegal parking. Manager Burns said that his ability to communicate with Mr. Shaffer is strained at best.

Commissioner Smith said that he would support the fine of $100.00 for cutting down the tree and the one tree reforestation requirement. There may be more reforestations required when the house is built but there will be only one tree for the violation. Mayor Combs polled the Town Commission to find out if everyone was in agreement with the $100.00 fine and one tree reforestation. Everyone agreed this was okay but Commissioner Wilton stated that if this happened again the fine would be $500.00.

ANNOUNCEMENTS:
June 25, 2013 – Town Commission Workshop & First Budget Workshop – 6:00 p.m.
June 26, 2013 – Planning & Zoning Board Meeting – 6:00 p.m.
July 9, 2012 – Town Commission Meeting - 6:00 p.m.

ADJOURNMENT: Commissioner Smith made a motion to adjourn at 7:00 p.m. Commissioner Garcia seconded the motion and it passed unanimously.
July 9, 2013
Date approved
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member Ray Morgan - absent
Member Kevin Grohoske - absent
Member Mickey Clements - present
Member Lynn Dominique - present

ALSO PRESENT: Darlene Landsberger, Robbin Shaffer, and Donald Cowden

OLD BUSINESS:
I. APPROVE MINUTES FROM THE APRIL 24, 2013 MEETING – Member Dominique made a motion to approve the minutes from the meeting. Member Clements seconded the motion and it passed unanimously.

NEW BUSINESS:
I. VARIANCE ON 246 SNUG HARBOR DRIVE – Chairman Gable asked Mr. Cowden to describe the garage he wants the variance for. Mr. Cowden explained that he wanted to build a one-story garage with a flat travertine deck with glass sides that will be attached to his house. He said that he needed more garage space for the number of cars that he owned. Member Dominique made a motion to approve the variance. Member Clements seconded the motion. Chairman Gable said that there had already been significant variances granted on this lot and the lot was getting very crowded. He also said he felt that this structure would block the view of the other lots. Mr. Cowden said the front of the garage would be even with the front of the house on the adjacent lot. Member Dominique said that he would have to hear a very compelling argument to approve this variance. A discussion was held on moving the garage to another area. This area would require a variance for the distance to the water but Member Dominique said that he would be more inclined to grant that variance. The motion was voted on and it did not pass with a unanimous vote.

ANNOUNCEMENTS:
June 11, 2013 - Town Commission Meeting 6:00 p.m.
June 25, 2013 – Town Commission Workshop 6:00 p.m.
June 26, 2013 – Planning and Zoning Board Meeting 6:00 p.m.
ADJOURNMENT: Member Clements made a motion to adjourn at 6:50 p.m. Member Dominique seconded the motion and it passed unanimously.

Sheila Hansen, Deputy Clerk

June 26, 2013
Date Approved
CALL TO ORDER - Mayor Combs called the meeting to order at 6:07 p.m.

140.1 ROLL CALL FOR THE RECORD:

Mayor Gary Combs - Present
Mayor Pro-Tern Ricardo Garcia - Present
Commissioner Jim Wilton, PhD - Present
Commissioner Tim Smith - Present Commissioner
Robert Chapman - Present

140.2 OTHERS IN ATTENDANCE: TOWN MANAGER TOM BURNS, DEPUTY CLERK SHEILA HANSEN

140.3 OLD BUSINESS:
I. SIX MONTH BUDGET REVIEW - Manager Burns explained the 2013 budget needed amending by a $51,000 increase and went over the areas that needed increasing.

The Town Commission reached a consensus to keep police truck as backup and purchase one new police vehicle ($26,000), add $7,000 to beautification budget to pay for and proceed with Erwin Fleet irrigation project. The Town Commission reached a consensus on other recommended adjustments (including funding of previously approved repaving project, $50,000). The present $580,500 budget will be amended to approximately $652,000. Manager Burns will email revised adjustments with the budget resolution prior to May 14 Town Commission Meeting.

II. ORDINANCE CHANGE FOR MEETING NOTICES - Mayor Combs recapped that the Town Commission may not be adhering to the Town Ordinance for meeting notifications and recommended changes to the Ordinance. The Commissioners discussed and agreed to provide input to the Town Manager for a future Ordinance change.
discussed was possible guidance in the Administration Manual on resident notification of upcoming issues. The goal of website posting of the agenda five days before regular meetings is already in the Administration Manual.

III. TEMPORARY STORAGE ISSUE - Resolution 2013-07 Staff recommended addition to Administration Manual of guidance on temporary storage of personal items to include vehicles. Mayor Combs does not plan to make this an agenda topic unless a Commission Member takes this on as a project. Mayor Combs repeated previous Town Commission decision to not allow permanent boat-on-trailer storage on any Town property and stated he will never again allow his boat to be even temporarily stored on Town property. Mayor Combs also indicated that he is open to discussion of sale of the Richbourg lot or to use this lot for free storage of Shalimar residents’ items and may make this an agenda topic at a future regular meeting.

IV. MAINTENANCE DEPARTMENT ISSUES - Commissioner Smith expressed concern that the Maintenance Department is not adhering to his direction. Discussion ensued and Commissioner Smith stated that he wants a full two days of only grass mowing to gauge their capabilities to mow in this amount of time. Manager Burns agreed to assist Commissioner Smith with Maintenance Department supervision efforts/issues.

V. POLICE DEPARTMENT ISSUES - It was discussed that the Police Department is not routinely checking or reporting non-working street lights and not enforcing (non-approved) residential use of Town right-of-way for parking. Both these issues have been ongoing and Commissioner Wilton agreed to address them with the Police Department.
ANNOUNCEMENTS:

MAY 14, 2013 - TOWN COMMISSION MEETING - 6:00 P.M.
MAY 28, 2013 - TOWN COMMISSION WORKSHOP - 6:00 P.M.
MAY 29, 2013 - PLANNING AND ZONING BOARD MEETING - 6:00 P.M.

ADJOURNMENT: COMMISSIONER GARCIA MADE A MOTION TO ADJOURN THE MEETING AT 8:08 P.M. COMMISSIONER SMITH SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

SHEILA HANSEN, SECRETARY DATE APPROVED
CALL TO ORDER –

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Present
Commissioner Ricardo Garcia – Present
Commissioner Tim Smith – Present
Commissioner Jim Wilton PhD – Present

OLD BUSINESS:
I. COMMISSION DECISION ON MAYOR PRO-TEM – “A Mayor Pro Tem shall be a member of the Town Commission, other than the Mayor, selected by a majority of the Town Commission. The selection shall occur in every odd number year at the regular meeting next following the election of that year.” Shalimar Ordinance Sec. 27-3

Mayor Combs passed the gavel to Commissioner Garcia. Mayor Combs made a motion to open discussion on appointment of the Mayor Pro-tem. Commissioner Wilton seconded the motion. The motion passed with Commissioners Smith and Chapman voting against.

Mayor Combs said that he agreed with everything Commissioner Chapman said about Commissioner Smith on the April 9 Town Commission meeting. However, he said that he could make the same case for Commissioner Garcia with 6 years past Commission experience. He said however, that his recommendation was not based on past record; it is solely based on what responsibilities he thinks the Commission needs in a Mayor Pro Tem. Historically for the Town of Shalimar, the Mayor Pro Tem has always been the Commissioner in charge of
Finance and Administration. Commissioner Smith said he was willing to accept this responsibility.

Commissioner Wilton said that he looked at the decision differently. He said that the Mayor Pro-Tem requires more than taking over the gavel in meetings. He becomes the Town Mayor should something happen to the Mayor.

Commissioner Chapman said that he believes this is the Commission’s decision on who they want to take over if something should happen to the Mayor. He said that he did not know Commissioner Garcia but he did know Commissioner Smith and felt he has done a lot for the Town.

Commissioner Garcia said that he leaned towards Commissioner Wilton’s position.

Commissioner Smith said that the Town Ordinance states that the Town Commission chooses the Mayor Pro-tem and he could certainly handle the position.

**Commissioner Chapman nominated Commissioner Smith to be Mayor Pro-tem. Mayor Combs nominated Commissioner Garcia to be Mayor Pro-tem. The Commission voted on Commissioner Smith as Mayor Pro-tem. Commissioner Chapman and Commissioner Smith voted for and Mayor Combs, Commissioner Wilton, and Commissioner Garcia voted against. A vote was then held for Commissioner Garcia for Mayor Pro-tem. Mayor Combs, Commissioner Wilton, and Commissioner Garcia voted for Commissioner Garcia as Mayor Pro-tem. Commissioner Smith and Commissioner Chapman voted against. Commissioner Garcia was chosen as Mayor Pro-tem.**

II. **CODE ENFORCEMENT ACTIVITY** – Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Tabled from March meeting and waiting for results of bankruptcy hearing for further action. No ruling from Judge as of yet.

III. **TEMPORARY STORAGE ISSUE – ADMINISTRATION MANUAL** – Town Staff has prepared a list of resident items stored on Town property for Town use and drafted Resolution 2013-07 updating the Town Administrative Manual to specifically authorize Town Manager discretion to allow temporary storage of residential property. This item was delayed until the April 30, 2013 Town Commission Workshop for discussion.
NEW BUSINESS:

I. PEPPER’S REQUEST FOR SPECIAL EVENT – Pepper’s Town of Shalimar alcohol special exemption does not address outside sales of alcohol, and while the Town manager has permission to authorize special event activities, the desire to sell alcohol during this special event should be approved by the Town Commission. The Chair will entertain a motion to approve Pepper’s one time request to sell alcohol per the subject special event request.

Commissioner Wilton made a motion to discuss this item. Commissioner Garcia seconded the motion and it passed unanimously.

Commissioner Wilton said that he had no problem with approval of this special exception. It will be on commercial property and the music will stop at an early time. He said that their request for police presence would not be a problem if they hired an off-duty officer.

Commissioner Garcia said that he agreed with Commissioner Wilton. He did not see it as a big issue and the hours would be reasonable. Commissioner Chapman said that he thought it was a good idea at first, but when he thought about it further, he thought it could affect citizens and he expressed concern with citizen notification. He further stated that, in his view, the conservative action would be to deny the request. Commissioner Smith said that he had a number of questions but did not have a problem with the request depending on position of the tent and how loud the music would be.

Bernie Reukauf, Town resident, said that he was against the outside sales and music because he felt there were too many unanswered questions. Susan Stephens, Town resident, sent an email stating that she was against the outdoor tent and music for the celebration.

Attorney Chesser said that he thought it should be clear that the Town was not sponsoring this event and that having a Shalimar uniformed police officer in attendance could make it look this way. Attorney Chesser further suggested Manager Burns should query officer liability with the Town insurance carrier.

Commissioner Garcia made a motion to approve the event with the assurance of only beer and tacos being sold from the outside tent and to notify Pepper’s that if there is a complaint, our Town Police will respond. They will be required to hire a Shalimar Police Officer. Commissioner Smith seconded the motion. The motion passed with Commissioner Chapman voting against it.
II. **DOLLAR GENERAL** – AP1S License / Attorney briefing on statute. Attorney Chesser said that he had received a phone call from the former head of the Authority of Alcohol. The state statutes specifically say that package beer sales cannot be controlled by municipalities.

III. **PAVING CONTRACT** – *Request of two-week extension without penalty.* Commissioner Smith said he would like to make an agreement with the contractors to extend the contract with no penalty if they put ribbon curbing on an area on Irwin Fleet that was not done. **Commissioner Smith made a motion to approve the extension with the condition that Irwin Fleet has ribbon curbing all along the road.** Commissioner Garcia seconded the motion. The motion was voted on and passed unanimously.

IV. **DISCUSSION OF OKALOOSA COUNTY COMMISSIONER BOYLES’ GAS TAX LETTER** – Manager Burns explained that the Local Options Gas Tax inter-local agreement expires on May 30, 2013. If this happens, the split on the tax will revert to a state set rate, which is 67% to Okaloosa County and 33% to the municipalities. The present agreement is 60% to Okaloosa County and 40% divided among the municipalities. **Commissioner Chapman made a motion to open the discussion.** Commissioner Garcia seconded the motion and it passed unanimously. The Commission discussed this and **Commissioner Wilton made a motion to authorize the Mayor to sign the agreement.** Commissioner Garcia seconded the motion and it passed unanimously.

Manager Burns brought up that Okaloosa County was requesting input on raising the Local Option Gas Tax. Okaloosa County needs more funds in their budget and do not want to raise ad valorem taxes. The County wants the local municipalities input on raising this tax. Attorney Chesser said that there is precedent on the municipalities weighing in on their portion of this tax and that the fund would be reserved for road improvements.

**ANNOUNCEMENTS:**

April 30, 2013 – Town Commission Workshop – 6:00 p.m.

May 14, 2013 – Town Commission Meeting – 6:00 p.m.

May 29, 2013 – Planning and Zoning Board Meeting – 6:00 p.m.

**ADJOURNMENT** – **Commissioner Wilton made a motion to adjourn at 7:45 p.m.** Commissioner Garcia seconded the motion and it passed unanimously.
February 12, 2013

Sheila Hansen, Secretary

Date approved
Town of Shalimar
Planning and Zoning Board Meeting Minutes
April 24, 2013

CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The pledge was led by Chairman Gable.

155.1 ROLL CALL FOR THE RECORD:
Chairman Brad Gable – present
Member/Co-Chairman Jim Wilton – present
Member Johann Behnken – present
Member Mickey Clements – present
Member Lynn Dominique – present

ALSO PRESENT: Darlene Landsberger, Steve Peterson, and Kevin and Ali Grohoske.

Chairman Gable reported that Member Behnken is stepping down from his position on the Planning and Zoning Board. At the March Town Commission Meeting, Steve Peterson had volunteered to sit on the board and was tentatively accepted by the Town Commission. Steve has since rescinded his offer to be on the board due to Kevin Grohoske who lives on Shalimar Drive volunteering. The make-up of the board will be more evenly divided between North and South members.

Kevin Grohoske introduced himself to the board. Kevin is the Shalimar Drive resident who volunteered for the Planning and Zoning Board. He is a home-based executive for a software consulting firm headquartered in Denver. He has an undergraduate degree in Information Systems, and an MBA from Texas A&M Commerce. He has resided in this area for over 7 years and in Shalimar for nearly four of those. Kevin will be appointed and sworn in at the May Town Commission meeting.

Chairman Gable thanked Member Behnken for years of help and support as a Planning and Zoning Board member.
155.2 OLD BUSINESS:

155.3 I. APPROVE MINUTES FROM THE JANUARY 30, 2013 MEETING – Member Behnken made a motion to approve the minutes from the meeting. Member Clements seconded the motion and it passed unanimously.

155.4

155.5 NEW BUSINESS:

155.6 I. FINISTERRA RIGHT-OF-WAY USE AGREEMENT – Darlene Landsberger, Manager of the Finisterra Condominium Association addressed the Board about getting a “use agreement” with the Town to eliminate the parking area across from Shalimar Yacht Basin and do landscaping on the right-of-way in front of their sign.

155.7

155.8 The Planning and Zoning Board Members reviewed the 1979 right-of-way dedication from Robert Maxon and the survey that Finisterra had done (these items are located in the dedication folder in the first file cabinet in the vault). They decided that there was no doubt that the land in question is Town of Shalimar right-of-way.

155.9

155.10 Town Manager Burns reported that part of the Finisterra sign was already on the Town right-of-way and there was a necessity for a use agreement for this area. He said that Steve Peterson was using the parking area for the Shalimar Yacht Basin and that, in his opinion, removing these parking spots would negatively affect the Shalimar Yacht Basin.

155.11

155.12 Ms. Landsberger said that she thought the Condominium Association would be willing to make a use agreement with Shalimar Yacht Basin to move the parking spots onto their property farther west on Old Ferry Road.

155.13

155.14 President Gable said that it is his opinion, being the Shalimar Yacht Basin is in the Town limits and Finisterra is not, if Finisterra and Steve Peterson can work out an agreement between themselves, the Board would make a recommendation to the Town Commission. If the two parties cannot work out an agreement between themselves, the Board would not make a recommendation that would cause a negative impact to a Town business.
155.15 **Member Behnken made a motion to recommend approval of a use agreement to the Town Commission if the two parties can work out an acceptable agreement between themselves.** **Member Dominique seconded the motion. The motion did not pass with only Member Behnken voting to pass it.**

155.16

155.17 **Member Dominique made a motion that the Board require the two parties to work out an agreement between themselves and bring detailed plans to the Board for consideration. Member Clements seconded the motion and it passed unanimously.**

155.18

155.19 **Chairman Gable said that if an agreement is worked out between both parties, the Planning and Zoning Board would recommend approval to the Town Commission.**

155.20 **ANNOUNCEMENTS:**

April 25, 2013 – Special Town Commission Meeting 6:00 p.m.
April 30, 2013 – Town Commission Workshop 6:00 p.m.
May 14, 2013 – Town Commission Meeting 6:00 p.m.

155.21 **May 29, 2013 – Planning and Zoning Board Meeting 6:00 p.m.**

155.22

155.23 **ADJOURNMENT – Member Behnken made a motion to adjourn at 7:10 p.m. Member Dominique seconded the motion and it passed unanimously.**

May 29, 2013

Sheila Hansen, Deputy Clerk  Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

155.24 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro – Tem Robert Chapman – Present
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Absent
Commissioner Ray Morgan – Present
Commissioner Dr. Jim Wilton – Present
Commissioner Ricardo Garcia – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Lenore Wilton, Steven Peterson, Ronny Woody and Johann Behnken.

155.25 COMMITTEE REPORTS:
Beautification – No report.
Planning & Zoning Board – No report
Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No Report

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken’s reports were attached.
COMMISSIONER MORGAN’S REPORT – No report

MAYOR COMBS’ REPORT – Mayor Combs’ report was attached.

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – The Town Manager’s Report was attached.

ATTORNEY’S REPORT – Attorney Chesser briefed the Town Commission on the Sunshine Laws. He explained that it is illegal for Town Commission members to discuss orally or by email anything that will come up at the Town Commission Meetings. He also explained that any record that the Town receives is a public record. He told the Town Commission to use common sense. Do not take money or material items from anyone that wants to influence voting.

TOWN RESIDENTS’ TIME – Steve Peterson passed out flyers on the ABWA Poker Run. He also volunteered for the open position on the Planning and Zoning Board.

155.26

155.27 THE ORDER OF BUSINESS WAS CHANGED SO THAT THE NEW MEMBERS OF THE TOWN COMMISSION COULD BE SWORN IN.

NEW BUSINESS –

I. Planning & Zoning Board Appointments: Mayor Combs recommends five new staggered term appointments. Newly elected Commissioner Wilton’s now vacant P&Z board position needs to be filled. Per Planning and Zoning Board by-laws (Ordinance 97-07), the Planning and Zoning Board consists of five members with staggered three-year terms. The Mayor and Town Staff have solicited volunteers and outgoing Commissioner Morgan is the only new volunteer. The board is composed of five volunteer candidates. Four resident volunteers are presently on the board. One of the current members would like to be replaced but has agreed to remain until a volunteer comes forward.

Mayor Combs makes the following P&Z Board recommendations with staggered periods as indicated (Brad Gable - 2 years, Lynn Dominique - 2 years, Steve Peterson - 3 years, Mickey Clements - 2 years, and Ray Morgan - 3 years). These are the only known volunteers.
Commissioner Behnken made a motion to accept Ray Morgan for a three-year term on the Planning and Zoning Board. Commissioner Chapman seconded the motion and it passed unanimously. Commissioner Garcia made a motion to approve the Planning and Zoning Board members. A discussion was held in which Commissioner Chapman asked about Steve Peterson’s residence status. Steve Peterson said that he lived at 100 Old Ferry Road and that the property was zoned Industrial which allows a watchman to live on the property. Commissioner Garcia amended his motion to approve the Board pending the verification of Steve Peterson’s residency. The motion passed unanimously.

II. Swear in incoming Commissioners Jim Wilton, PHD and Ricardo Garcia, Mayor Combs and new P&Z Board Member Ray Morgan. Attorney Chesser swore in the new Commission members and Ray Morgan to the Planning and Zoning Board.

III. PRESENTATIONS: Mayor Combs presented plaques to the outgoing Town Commissioners and thanked them for their service to the Town.

IV. Appointment of Town Commission Seat assignments - Mayor Combs’ assignment of the Town Commission duties. Commissioner Chapman will remain Special Projects Commissioner, Commissioner Wilton will be Police Commissioner, Tim Smith will remain Roads and Grounds Commissioner and Commissioner Garcia will be Finance and Administration Commissioner.
V.  **Mayor Pro-Tem** – Mayor Combs passed the gavel to Commissioner Garcia and made a motion to appoint Commissioner Garcia as Mayor Pro-Tem. Commissioner Chapman made a point of order and said that he wanted to nominate Tim Smith as Mayor Pro-Tem. Attorney Chesser said that there could be more than one nomination. A discussion was held on this item during which Commissioner Wilton said he did not want to vote on this without Commissioner Smith being present to accept the nomination. **Commissioner Wilton made a motion to table this item until Commissioner Smith was present.** Commissioner Chapman seconded the motion and it passed with Mayor Combs voting against.

VI.  **Okaloosa Gas Franchise Agreement** – Chair entertained a motion to renew Okaloosa Gas Franchise Agreement. **Commissioner Garcia made a motion for the Town Commission to approve Mayor Combs signing the agreement when the updated agreement was approved by Okaloosa Gas.** Commissioner Wilton seconded the motion and it passed unanimously.

VII.  **Commissioner Chapman requests Town Commission decision on charging Mayor Combs boat storage fees of $45.** Chair entertained a motion from Commissioner Chapman to discuss this issue. **Commissioner Garcia made a motion to discuss this item. Commissioner Chapman seconded the motion.** Mayor Combs gave the gavel to Commissioner Chapman and left the meeting during this discussion at Attorney Chesser’s recommendation. Commissioner Chapman did not ask for a vote on the motion. Commissioner Chapman said that he did not think this should be an agenda item. He thinks the Town Commission should have very high standards and these standards should be policed by the Town Commission themselves. He said that the Town Ordinances say that personal vehicles cannot be stored on Town property. Commissioner Garcia asked about storage fees. Manager Burns stated that the Town has no fees for storage except for trailer storage on the Snug Harbor lot. He said that he had authority to allow temporary storage for items and that there is no set amount of time for temporary storage. The time limit is up to the Town Manager. Manager Burns suggested this be a discussion at the Town Commission Workshop.

Commissioner Wilton said that he thought this was two separate items. One item is an ethics discussion and the other it who has authority to allow temporary storage. **Commissioner Wilton then made a motion setting up rules for temporary storage.** 1. The Town Manager will have the discretion to permit temporary storage of Shalimar citizen’s personal property on Town property for a period not to exceed 15 days. 2. In the event that personal property storage will exceed 15 days, the approval of the Finance and Administration Commissioner will be required. 3. Storage of citizen’s personal property on Town property in excess of 30 days will require Town Commission approval at the earliest Town Commission meeting where potential storage fees and other conditions may be imposed. **Commissioner Garcia seconded the motion and it passed unanimously.**

**Commissioner Garcia made a motion to indefinitely table this discussion.** Commissioner Wilton seconded the motion and it passed unanimously.
VIII. Mayor Combs returned to the meeting. Mayor Combs then listed several residents’ items that the Town stored and used for Town convenience. Manager Burns recommended that a list of these items be made and discussed at the April Workshop.

155.28 OLD BUSINESS:


155.30

155.31 II. WASTE MANAGEMENT CONTRACT – COMMISSIONER GARCIA MADE A MOTION TO HAVE MAYOR COMBS SIGN THE CONTRACT WITH WASTE MANAGEMENT. COMMISSIONER WILTON SECONDED THE MOTION AND THE MOTION PASSED UNANIMOUSLY.

155.32

155.33 III. CODE ENFORCEMENT ACTIVITY – DR. KAIN LIVING IN COMMERCIAL BUSINESS AT 10 OLD FERRY ROAD AGAINST TOWN ORDINANCES. MANAGER BURNS REPORTED THAT HE HAD TESTIFIED AT DR. KAIN’S BANKRUPTCY HEARING. THE JUDGE ORDERED THAT BOTH ATTORNEYS HAD 20 DAYS TO PROVIDE BRIEFS ON TWO ISSUES. COMMISSIONER GARCIA MADE A MOTION TO TABLE THIS ITEM UNTIL THE NEXT MEETING AND THE RESULTS OF THE BANKRUPTCY CASE ARE KNOWN. COMMISSIONER WILTON SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

155.34 ANNOUNCEMENTS:

April 24, 2013 – Planning & Zoning Board Meeting – 6:00 p.m.

April 30, 2013 – Town Commission Workshop – 6:00 p.m.

May 14, 2013 – Town Commission Meeting – 6:00 p.m.

155.35 ADJOURNMENT:

Commissioner Wilton made a motion to adjourn at 7:03 p.m. Commissioner Garcia seconded the motion and it passed unanimously.
May 14, 2013
Date approved

Sheila Hansen, Secretary
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to Allegiance.

156.0 ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Present
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Absent
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Dr. Jim Wilton, PHD, Ricardo Garcia.

157.0 OLD BUSINESS:
I. SECOND READING OF ORDINANCE 2013-04 - AN ORDINANCE OF THE TOWN OF SHALIMAR, FLORIDA, REPEALING ORDINANCE 96-07 LEVYING ALL INSURERS AN EXCISE TAX FOR THE POLICE OFFICERS’ RETIREMENT TRUST FUND; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE. Commissioner Behnken made a motion to accept the second reading of Ordinance 2013-04. Commissioner Chapman seconded the motion and it passed unanimously.

II. LEGAL PROCEDURE GUIDANCE ON MOTION MADE AT MARCH 12, 2013 TOWN COMMISSION MEETING – During the March 12, 2013 Meeting, Commissioner Chapman made a motion to dismiss code enforcement proceedings against Sunset Bay Court for the condition of their wall without further action by the Town Commission. Commissioner Behnken seconded the motion. The motion passed unanimously.

Commissioner Chapman is a member of the Sunset Bay Homeowners’ Association and Attorney Chesser wrote a letter of opinion stating this is very possibly a conflict of interest (see voting conflicts
Florida Statute 112.3143) for Commissioner Chapman because it could affect his Association fees and that he should fill out a Financial Conflict Form to be filed with the minutes.

Commissioner Chapman asked to make a statement. He said that he did not agree with Attorney Chesser’s opinion. He felt this was a procedural vote and there would be no conflict of interest. Attorney Chesser stated that his recommendation is an opinion and if Commissioner Chapman does not feel it is a conflict of interest, he can choose to ignore the advice. Mayor Combs said that he thinks Commissioner Chapman should abstain from voting on the code enforcement proceedings on the wall at Sunset Bay Court. **Commissioner Behnken made a motion to rescind the prior motion regarding the Sunset Bay Court code enforcement. Commissioner Morgan seconded the motion and it passed with Commissioner Chapman voting against.**

**Commissioner Morgan made a motion that the Town Commission discontinue any code enforcement proceedings on the wall at Sunset Bay Court in its present condition. Commissioner Behnken seconded the motion and it passed. Commissioner Chapman abstained due to a conflict of interest.**

Commissioner Chapman asked why Mayor Combs could vote on zoning decisions about Plew Avenue and Cherokee Road considering he owned property on these streets. Was that not a conflict of interest? Attorney Chesser said that he had previously researched this subject and was informed that matters of zoning are not financial interests. They are property interests and abstaining for conflicts of interest are for financial reasons only.

158.0 **ANNOUNCEMENTS:**
April 9, 2013 – Town Commission Meeting – 6:00 p.m.
April 24, 2013 – Planning and Zoning Board Meeting – 6:00 p.m.
April 30, 2013 – Town Commission Workshop

159.0 **ADJOURNMENT:**
**Commissioner Morgan made a motion to adjourn at 7:30 p.m. Commissioner Behnken seconded the motion and it passed unanimously.**
CALL TO ORDER– Mayor Combs called the meeting to order at 6:00 p.m. A member of BSA Troop 529 led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Present
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Dr. Jim Wilton, PHD, Lynn Yort, Dominica Farmer, Rory Cassedy, BSA Troop 529, Lynn Dominique, Gavin Tovrea, Ricardo Garcia, Steven Peterson, and Greg Martin.

COMMITTEE REPORTS:
- Beautification – No report.
- Planning & Zoning Board – No report
- Technical Review Board – No report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman reported that he was not happy with the Town’s code enforcement policy. He thinks that the Town is trying to enforce unnecessary things and important items are not enforced.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken’s report was attached.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan was not present.

MAYOR COMBS’ REPORT – Mayor Combs reminded the Town Commission members that the Town of Shalimar’s code enforcement is complaint driven. If Manager Burns cannot handle a problem or does not agree with a complaint, the proper procedure is to bring it to the Town Commission.

POLICE REPORT – The Police Report was attached. Chief Cash went over the speed data on Shalimar Drive and also reported that Sergeant Shadwell was back on duty.
MAINTENANCE REPORT – No report.

TOWN MANAGER REPORT – Commissioner Chapman asked about the videotaping of the Town meetings. Manager Burns reported that the meeting was being recorded on camera for downloading to the website. This is a test procedure and we will see how it worked. Commissioner Chapman asked about the live streaming of video of the Town meetings and Manager Burns reported that he does not plan to go to live streaming at the present time. Commissioner Chapman asked about the boat in the Town Hall parking lot. Mayor Combs said that it was his boat and it had been used in the Christmas Parade. It was decided that the boat had been there too long and that Manager Burns would send a letter to the Mayor asking that the boat be removed and that, if it was not removed, it would be placed on the agenda for the April Town Commission meeting.

ATTORNEY’S REPORT – Attorney Chesser reminded the Town Commission to be careful of Sunshine Law violations. Sending emails between Town Commissioners on Town business is not legal. This includes sending opinions to the other members of the Commission. These items can only be discussed at the Town Commission public meetings and should be handed out at the meeting. It is against the Sunshine Laws to have any conversations (email and verbal) about anything that goes before the Town Commission.

TOWN RESIDENTS’ TIME – No residents input.

OLD BUSINESS:

I. Town Commission Meeting Minutes - February 12, 2013 Town Commission Meeting Minutes – Mayor Combs asked that the Town Commission approve posting the minutes from the last meeting on the website on the Friday before the Town Commission meeting. Manager Burns stated that the decision to not post the minutes until after approval by the Town Commission was in the Administrative Policy Manual. Mayor Combs said he thought that by the Friday before the meeting, the Town Commissioners had plenty of time to request any changes and that would give Town residents a chance to see the minutes from the last meeting and know what agenda items were referring to when they were discussed. Commissioner Chapman said he did not agree with posting the minutes before approval because he felt that there were often discrepancies between what was in the minutes and what was actually said. Commissioner Behnken made a motion to accept the minutes as written. Commissioner Smith seconded the motion. Commissioner Chapman said that he did not think the minutes reflected that the Town Commission had directed Manager Burns to send a code enforcement letter on the wall at Sunset Bay Court. Commissioner Smith said that he did not think anything was directed other than for the Town Commissioners to look at the wall. Mayor Combs said he thought Manager Burns was directed to send a code enforcement letter and, if there was no response, the item be placed on the March agenda. The motion passed with Commissioner Chapman
abstaining. Attorney Chesser said that the Florida Statutes state that every member of a Commission must vote unless there is a conflict of interest.

II. Waste Management Contract – Town Commission decision on waste contract. Commissioner Chapman asked Manager Burns to go over the responses to the RFP. Manager Burns said he had received three responses. The companies that responded were Waste Management, Allied Waste, and Waste Pro. He went over each response. He explained that Waste Management and Allied Waste had both given quotes that would supply the same services as we were now getting from Waste Management and that the pricing was similar. Commissioner Chapman asked Manager Burns for a staff recommendation. Manager Burns said that he thought that if we did a year-to-year contract we would have to negotiate prices yearly. He preferred Waste Management’s three-year contract option. Commissioner Chapman made a motion to issue a three-year contract with Waste Management. Commissioner Behnken seconded the motion and the motion passed unanimously.

Lynn Yort of Waste Management explained to the Town Commission that they would also be supplying a large recycle bin at the Town Hall for resident use.

III. CODE ENFORCEMENT ACTIVITY –

a. Resolution 2013-05 - Dr. Kain living in commercial business at 10 Old Ferry Road against Town Ordinance. Attorney Chesser explained that the Webster Law Firm was still unhappy with Dr. Kain living in her office. Dr. Kain has filed for bankruptcy and he feels she is trying to protect her commercial property from the bankruptcy case by making it her residence. Manager Burns stated that he had received a subpoena to testify at the March 27, 2013 trial. Commissioner Chapman asked Attorney Chesser what his opinion would be for a solution to the problem. Attorney Chesser suggested that the Town do nothing except enforce the Ordinance. He said he was willing to handle the problem by filing a legal document with the Court to get authority for the Town to legally stop Dr. Kain from residing in Commercial property. He suggested the Town wait until the bankruptcy case is settled before continuing. **Commissioner Chapman made a motion to table this item until the next meeting and the results of the bankruptcy case are known. Commissioner Behnken seconded the motion and it passed unanimously.**

b. Resolution 2013-06 - Sunset Bay Court fence repair. Gavin Tovrea, president of Sunset Bay HOA, said that he did not feel that the wall leaned. He stated that the purpose of the wall was to provide a sound and physical barrier for Sunset Bay
Court, which he believes the wall does. He said that he thought the Code Enforcement letter was a way for the Town to bully the HOA to accomplish something that is not what this letter is about. He thinks the letter is about someone wanting the wall pressure-washed. **Commissioner Chapman made a motion to dismiss this item without further action by the Town Commission. Commissioner Behnken seconded the motion. The motion passed unanimously.**

Commissioner Smith said he did not like the way the Code Enforcement system was set up and would like this re-addressed by the Town Commission. **Commissioner Chapman made a motion to discuss the Code Enforcement process. Commissioner Smith seconded the motion.** After a discussion, it was decided that this would be an agenda item to be discussed in the March Workshop.

Commissioner Chapman brought up the condition of the sidewalks in the Town. It was decided that Commissioner Smith will review the condition of the Town sidewalks and the Town Commission will decide what needs repairing and it will be discussed in the Budget process.

**NEW BUSINESS:**

I. **FIRST READING OF ORDINANCE 2013-04** - an ordinance of the Town of Shalimar, Florida, repealing Ordinance 96-07 levying all insurers an excise tax for the police officers retirement trust fund; providing for conflicts, severability, and an effective date. **Commissioner Chapman made a motion to approve the first reading of Ordinance 2013-04. Commissioner Smith seconded the motion and it passed unanimously.**

**ANNOUNCEMENTS:**

March 26, 2013 – Special Town Commission Meeting and Workshop – 6:00 p.m.
March 27, 2013 – Planning & Zoning Board Meeting – 6:00 p.m.
April 9, 2013 – Town Commission Meeting – 6:00 p.m.
Mayor Combs asked the Commission to look for a volunteer to fill open seats on the Planning and Zoning Board.

**ADJOURNMENT:**

**Commissioner Smith made a motion to adjourn at 7:53 p.m. Commissioner Behnken seconded the motion and it passed unanimously.**
Sheila Hansen, Secretary

Date approved

April 9, 2013
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Absent
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Jim Wilton, Lynn Yort, Ricardo Garcia, Rhonda Webster, Steven Peterson, Brad Gable, Johann Behnken, and Greg Martin.

COMMITTEE REPORTS:
Beautification – Planning & Zoning Board – Minutes from the last meeting were attached.
Technical Review Board –

TOWN COMMISSIONER SMITH’S REPORT – Commissioner Smith had nothing to report.

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman had nothing to report.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken’s report was attached.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan had nothing to report.

MAYOR COMBS’ REPORT – Mayor Combs had nothing to report.

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – Commissioner Smith asked if Manager Burns had gotten a response from Sunset Bay Court Homeowners Association on the letter asking them to repair the wall. Manager Burns reported that he had not gotten a response from the Homeowners Association. This item was discussed and Commissioner Smith asked the other Commission members to look at the wall and decide if they thought it was a code enforcement issue.
Manager Burns will send another letter to the Homeowners Association and if they do not respond, this will be an agenda item for the March Town Commission meeting.

ATTORNEY’S REPORT – Attorney Chesser reported that he had received a letter from Attorney Powell who represents a creditor of Dr. Kain who owns the property at 10 Old Ferry Road. Dr. Kain owes in excess of $200,000.00 to Attorney Powell’s client. Dr. Kain has filed for bankruptcy and has declared her office building as her homestead so that the bankruptcy court cannot take the property. Attorney Powell has offered to represent the Town in evicting Dr. Kain from her office building. Dr. Kain is presently living in a commercially zoned property and has been denied a special exception to live in the property. The Town has been fining Dr. Kain $10.00 per day for illegally residing in a commercial property and the Town has filed a lien on her property with the Clerk of Courts. Attorney Chesser said that he felt it would be best for the Town’s attorney to handle this matter. After a short discussion, Mayor Combs directed Manager Burns to send a letter referencing the lien the Town has on her property and stating that she need to come before the Town Commission and that the Town will make a decision about how to handle her code violation of the special exception ordinance.

TOWN RESIDENTS' TIME – No residents spoke.

OLD BUSINESS:
I. Town Commission Meeting Minutes – January 8, 2013 Town Commission Meeting Minutes and January 29, 2012 Town Commission Workshop – Commissioner Smith made a motion to approve the minutes as written. Commissioner Morgan seconded the motion and it passed unanimously.

III. Waste Management Contract – Greg Martin from Waste Pro addressed the Town Commission. He reported that he and his regional manager had made a tour of the Town and feel they can give a competitive bid for the waste contract for the Town. They said that they were not comfortable showing the prices of the contract without doing a RFP. Lynn Yort addressed the Town Commission and thanked the Town for the present contract with Waste Management and said that Waste Management would be willing to extend the present contract with the same prices. She also said that Waste Management would like to negotiate with Manager Burns on adding some new services. Manager Burns said that he did not think the Town would be interested in adding new services if there would be an increase in cost for the services. Attorney Chesser advised the Town Commission that, by ordinance, a franchise contract could not be longer than 3 years. Commissioner Morgan made a motion to issue and RFP for the Town of Shalimar waste contract. Commissioner Behnken seconded the motion and it passed unanimously.
Manager Burns will advertise the RFP by the end of this week.

IV. Second Reading of Ordinance 2013-03 – Adoption of the Amendments to the Town of Shalimar Comprehensive Plan. Commissioner Behnken made a motion to approve the second reading of Ordinance 2013-03. Commissioner Smith seconded the motion and it passed unanimously.

V. Resolutions 2013-03 and 2013-04 – Police Retirement fund – 2013-03 Manager Burns went over the resolutions and explained that the two ordinances will get the maximum possible proceeds from the plan termination. Commissioner Morgan made a motion to approve 2013-04 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SHALIMAR, OKALOOSA COUNTY, FLORIDA; TO TERMINATE THE RETIREMENT PLAN AND TRUST FOR THE POLICE OFFICERS OF THE TOWN OF SHALIMAR, AND TO TERMINATE PARTICIPATION IN THE FLORIDA MUNICIPAL PENSION TRUST FUND; TERMINATING AND REPEALING ALL RESOLUTIONS IN CONFLICT WITH THIS RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE. Commissioner Behnken seconded the motion and it passed unanimously.

Commissioner Morgan made a motion to approve resolution 2013-03 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SHALIMAR, OKALOOSA COUNTY, FLORIDA; AMENDING THE RETIREMENT PLAN AND TRUST FOR THE POLICE OFFICERS OF THE TOWN OF SHALIMAR; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE. Commissioner Behnken seconded the motion and it passed unanimously.

VI. Resolutions 2013-01 and annex and 2013-02 and annex Amendments to Personnel and Administrative Policy – Manager Burns went over the changes in each of the policy manuals and read the resolutions to the Town Commission. Commissioner Behnken made a motion to accept resolution 2013-02. Commissioner Smith seconded the motion and it passed unanimously. Commissioner Smith made a motion to accept resolution 2013-01. Commissioner Behnken seconded the motion and it passed unanimously.

VII. CODE ENFORCEMENT ACTIVITY – See Town Manager Report

VIII. SPEED BUMP ON PLEW AVENUE – Stephen Middleton to address the Town Commission about placing speed bumps on Plew Avenue to slow traffic. Mr. Middleton
did not address the Town Commission. Chief Cash went over the speed data on traffic speeds. This item will be removed from the agenda.

NEW BUSINESS – Mayor Combs addressed the Town Commission on ethics. He said, in his opinion, that it is against the Florida Sunshine Law for any Town Commission Member to contact the rest of the Town Commission about any item on the agenda. Any correspondence on Town business must be presented to the Town Manager who will then present it at the Town Commission meeting.

ANNOUNCEMENTS:
February 26, 2013 – Town Commission Workshop – 6:00 p.m.
February 27, 2013 – Planning & Zoning Board Meeting – 6:00 p.m.
March 12, 2013 – Town Commission Meeting – 6:00 p.m.

ADJOURNMENT:
Commissioner Smith made a motion to adjourn the meeting at 7:47 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

__________________________________________________________  March 12, 2013
Sheila Hansen, Secretary                              Date approved
Town of Shalimar
Planning and Zoning Board Meeting Minutes
January 30, 2013

CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Jim Wilton - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - absent

OLD BUSINESS:
VIII. APPROVE MINUTES FROM THE NOVEMBER 28, 2012 MEETING—Member Behnken made a motion to approve the minutes from the meeting. Member Wilton seconded the motion and it passed unanimously.

IX. TECHNICAL REVIEW REPORT – No report

X. LAND DEVELOPMENT CODE UPDATE – Member Wilton explained that he had gone over the zoning section of the LDC and updated it. Manager Burns will distribute it to the Board members to review before the next meeting.

NEW BUSINESS:
I. TREE REMOVAL AT 900 AVALON LANE (last house on Avalon) – The owner of 900 Avalon Lane explained that he would like to remove the Live Oak by his back fence because it is blocking the sun from the solar panels on his house. These solar panels generate the electricity that he uses. Member Behnken made a motion to allow the removal of these trees with the stipulation that the wood is used for firewood and that reforestation be done by planting two fruit trees on the property. Member Clements seconded the motion and it passed unanimously.

II. TREE REMOVAL AT 10 CHEROKEE RD. - Owner requests approval to remove a double Cedar from the right corner of house and Magnolia on right side of driveway. The Board reviewed photographs of the trees that they wanted removed. The property owner was not at the meeting to explain the reasons for removing the trees. Member Behnken made a motion to table the request until the owner could speak to the board. Member Clements seconded the motion and it passed unanimously.
III. REVIEW BUILDING PLANS FOR 44 SHALIMAR DRIVE – The development plans were reviewed by the Board members. Manager Burns reported that he had previously permitted the removal of several trees when the owner had planned to renovate the house that was on the property. When the demolition was done, there were several other unpermitted trees removed that were in the footprint of the foundation. He had told the owner these trees were not to be removed until the development plans had been approved.

The board discussed the development plans and decided that they would require reforestation due to the unpermitted removal of the trees. The Town Ordinance states that one tree would be planted for every 1/10 of an acre. This would be approximately three trees for the size of the lot. **Member Wilton made a motion to accept the plans as written to include sidewalk and reforestation of three trees. Member Behnken seconded the motion and it passed unanimously.**

Member Behnken suggested that Manager Burns check on the shed on the back of 10 Shalimar Drive. It looks to be in poor shape and may not comply with Town Ordinances.

ANNOUNCEMENTS:
February 12, 2013 – Town Commission Meeting 6:00 p.m.
February 26, 2013 – Town Commission Workshop 6:00 p.m.
February 27, 2013 – Planning and Zoning Board Meeting 6:00 p.m.

ADJOURNMENT:
**Member Behnken made a motion to adjourn the meeting at 6:38 p.m. Member Clements seconded the motion and it passed unanimously.**

______________________________
Sheila Hansen, Deputy Clerk

February 27, 2013
Date Approved
CALL TO ORDER: Mayor Combs called the meeting to order at 6:07 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs — Present
Mayor Pro-Tem Robert Chapman — Present
Commissioner Ursel Behnken — Absent
Commissioner Tim Smith — Present
Commissioner Ray Morgan — Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Ricardo Garcia, Lynn Yort and Dominica Farmer from Waste Management, and Greg Martin from Waste Pro.

OLD BUSINESS:
I. RESOLUTION 2013-01 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SHALIMAR, FLORIDA; AMENDING THE TOWN ADMINISTRATIVE AND PERSONNEL POLICY MANUALS - The Town Commission reviewed the Resolution section-by-section making a number of suggestions, which the Deputy Clerk and the Town Manager will include in the Resolution. The updated Resolution will be sent out to the Town Commission by February 8, 2013 for the Town Commission to review and suggest changes before the February 12, 2013 Town Commission meeting.

II. Finalize Agenda for February 12, 2013 Town Commission Meeting — The February 12, 2013 agenda was discussed and it was decided to add the waste contract and the two resolutions for the police retirement plan to the February agenda.
III. **Waste Management Contract** — Manager Burns briefed the Town Commission that the contract with Waste Management is due for renewal April 30, 2013. The Town Commission will need to decide whether they will renew the contact with Waste Management or do a Request for Proposal from other waste companies. Greg Martin from Waste Pro introduced himself to the Town Commission and explained that Waste Pro has the contract for Crestview and Laurel Hill. They would like to bid on the Town waste contract. Manager Burns will supply them with a copy of our present contract and they will work up a bid for the Town.

Dominica Farmer and Lynn Yort from Waste Management spoke to the Commission and explained that they are switching to compressed natural gas trucks. They stated that they were the largest recycler and can supply the town with solar-powered compactors. They want to supply their customers with the most innovative technology.

Waste Management's new trucks are taller than the old ones, the Town will have to trim some of the canopy trees, and Waste Management volunteered to pay for this.

IV. **Police Retirement** — Manager Burns briefed the Town Commission on the status of the Police Retirement System. He said that they planned to terminate the defined benefits plan and replace it with a defined contribution plan. The Florida League of Cities had also informed Manager Burns that they could manage the Town’s defined benefit plan at about half the fees that the present management company charges. Manager Burns will send out the information to the Town Commission as soon as it is available.

**ANNOUNCEMENTS:**

January 30, 2013 — Planning and Zoning Board meeting — 6:00 p.m.
February 12, 2013 — Town Commission Meeting — 6:00 p.m.
February 26, 2013 — Town Commission Workshop — 6:00 p.m.

**ADJOURNMENT:** The meeting adjourned at 8:48 p.m.
February 12, 2013

Sheila Hansen, Secretary

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith - Present
Commissioner Ray Morgan - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Jim Wilton, Shirley Pigott, Jeff Hobbs, and Angela Balent.

AUDITOR BRIEF – Report by Warren Averett O’Sullivan Creel on fiscal year 2012 audit. Angela Balent reported that the financial statements fairly represented the Town. She went over the financial statements and said there were no major problems with the fiscal year 2012 audit.

Commissioner Chapman asked Manager Burns to follow up on the video recording and live-streaming of the meetings.

COMMITTEE REPORTS:
  Beautification –
  Planning & Zoning Board –
  Technical Review Board –

TOWN COMMISSIONER SMITH’S REPORT – Commissioner Smith had nothing to report.

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman had nothing to report.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken’s report was attached.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan had nothing to report.

MAYOR COMBS’ REPORT – Mayor Combs had nothing to report.

POLICE REPORT – The Police Report was attached.
MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – The Town Manager’s report was attached.

ATTORNEY’S REPORT – Attorney Chesser had nothing to report.

TOWN RESIDENTS’ TIME – The residents had nothing to report.

AUDIT REPORT: Report given by representative from Warren Averett O’Sullivan Creel on fiscal year 2012 Audit

OLD BUSINESS:
I. Town Commission Meeting Minutes – December 10, 2012 Town Commission Meeting Minutes and December 19, 2012 Special Town Commission Meeting - Commissioner Behnken moved to approve the minutes as written for both meetings. Commissioner Morgan seconded the motion and it passed with Commissioner Chapman abstaining.

IX. First Reading of Ordinance 2013-03 – Adoption of the Amendments to the Town of Shalimar Comprehensive Plan - Commissioner Behnken moved to approve the first reading of Ordinance 2013-03. Commissioner Smith seconded the motion and it passed unanimously.

X. Resolution 2013-01, Amendments to Personnel and Administrative Policy – Commissioner Chapman said that he thought this resolution should be broken into small sections. After a discussion, it was decided that this resolution would be discussed at the monthly workshop.

V. CODE ENFORCEMENT ACTIVITY – Manager Burns reported that the only new item on code enforcement was that he had written a letter to the Shell station on violations of the sign ordinance.

NEW BUSINESS:
I. OKALOOSA COUNTY COMMISSION ON THE STATUS OF WOMEN – Shirley Pigott addressed the Town Commission explaining the purpose of the Okaloosa County Commission on the Status of Women. She explained that they were a committee under the Okaloosa County Commission and receives no funding from the County. Ms. Pigott requested that the Town of Shalimar make a Proclamation declaring the month of March as Women’s History Month. She read a copy of the Proclamation. Commissioner
Behnken made a motion to accept the Proclamation. Commissioner Smith seconded the motion and it passed unanimously.

II. SPEED BUMP ON PLEW AVENUE – Stephen Middleton to address the Town Commission about placing speed bumps on Plew Avenue to slow traffic. Mr. Middleton was not at the meeting to speak to the Town Commission. Mr. Hobbs addressed the Town Commission on the speed bump. He said that he didn’t see a need for it but had no objection to there being a speed bump placed on Plew Avenue. Mayor Combs asked Manager Burns how much a speed bump would cost the Town. Manager Burns thought that it cost approximately $4500.00 for the two speed bumps they placed in the past. Commissioner Chapman recommended the Police enforcement of the speed limits on Plew Avenue. Manager Burns suggested that the Police put the speed sign on Plew Avenue and collect data to see whether a speed bump is necessary and have Mr. Middleton address the Commission after the data is collected.

ANNOUNCEMENTS:
January 29, 2013 – Town Commission Workshop – 6:00 p.m.
January 30, 2013 – Planning & Zoning Board Meeting – 6:00 p.m.
February 12, 2013 – Town Commission Meeting – 6:00 p.m.

ADJOURNMENT:
Commissioner Smith made a motion to adjourn the meeting at 7:00. Commissioner Behnken seconded the motion and it passed unanimously.

__________________________________________          February 12, 2013
Sheila Hansen, Secretary                      Date approved
Town of Shalimar  
Special Town Commission Meeting  
December 19, 2012

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present  
Mayor Pro-Tem Robert Chapman - Present  
Commissioner Ursel Behnken – Absent  
Commissioner Tim Smith – Absent  
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Jim Wilton.

TOWN RESIDENTS’ TIME – There were no comments by the Residents.

NEW BUSINESS:
I. Let Contract for Paving of Irwin Fleet, Dana Court, and Barron Court - Status update by Poly-engineering. Roy Petry of Poly-Engineering reported that the low bid of $128,731.00 was submitted by Gulf Atlantic Construction, Inc. from Pensacola. They had the low bid for the paving and the low bid for the additive alternative, which would place swales on Irwin Fleet to help control flooding. Commissioner Morgan made a motion to accept the bid from Gulf Atlantic Construction, Inc. to include the additive alternative. A discussion was held in which Roy Petry answered questions about what the swales would provide for Town drainage and if there would be any disadvantages of installing the swales. Mr. Petry said that the only disadvantage would be the additional cost. The land where the swales would be put is sandy and permeable, would not hold standing water, and would not change the drainage path, and would not cause flooding in other areas. The swales would do a small but cumulative job of lessening water in the drainage pond on Shalimar Drive. Commissioner Chapman asked, being there had only been $100,000.00 budgeted for this project, where the additional funds would come from to pay for this project. Manager Burns said the additional funds, which would also include approximately $20,000.00 to Poly-Engineering for the engineering work, could be made up from under-estimated revenues or, if this was not possible, could be taken from reserves. He recommended not amending the budget for 6 months and see how the revenue stream is progressing. Commissioner Chapman seconded Commissioner Morgan’s
motion to accept the bid from Gulf-Atlantic Construction, Inc. to include the additive alternative bid. The motion passed unanimously.

XI. Discuss Shalimar Courthouse Annex Stormwater Drainage Plan – Roy Petry of Poly-engineering explained the flooding problems in the area behind the County Courthouse Annex. He said that the best solution would be an upgrade on the Courthouse pond. The pond overflows and the overflow water runs into the neighborhoods. Mr. Petry said the County representatives said that they would be willing to participate in mitigating the problem.

The Town Commission discussed this item and it was decided that Roy Petry would draft a letter from Mayor Combs to the County explaining the concept the Town would like the County to follow on the stormwater pond when they do the upgrades on the Courthouse Annex. Manager Burns will send an email to Mr. Petry with suggestions for drafting the letter.

ANNOUNCEMENTS:
January 8, 2013 – Town Commission Meeting – 6:00 p.m.
January 29, 2012 – Town Commission Workshop – 6:00 p.m.
January 30, 2012 – Planning & Zoning Board Meeting – 6:00 p.m.

ADJOURNMENT - Commissioner Morgan made a motion to adjourn the meeting at 7:30 p.m. Commissioner Chapman seconded the motion and it passed unanimously.

________________________________________________________________________________________
Sheila Hansen, Secretary Date approved
Town of Shalimar
Town Commission Meeting
December 11, 2012

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Absent
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Absent
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Manager Kent Beck, and numerous residents.

COMMITTEE REPORTS:
Beautification – No Report
Planning & Zoning Board – The Planning and Zoning Board had no report.

TECHNICAL REVIEW BOARD – No Report

COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken’s report was attached

COMMISSIONER MORGAN’S REPORT – No report

MAYOR COMBS’ REPORT – No Report

POLICE REPORT – The Police Report was attached.

MAINTENANCE REPORT – The Maintenance Report was attached.

TOWN MANAGER REPORT – The Town Manager’s Report was attached.

ATTORNEY’S REPORT – The Town Attorney had nothing to report.

TOWN RESIDENTS’ TIME – There was nothing brought up by Town residents.
OLD BUSINESS:
I.  TOWN COMMISSION MEETING MINUTES - Commissioner Morgan made a motion to accept the minutes of the November 13, 2012 Town Commission Meeting as written.  Commission Behnken seconded the motion and it passed unanimously.

XII. APPROVAL OF CHANGES FOR OCWS CONTRACT - Commissioner Behnken made a motion to approve the changes to the contract.  Commissioner Morgan seconded the motion and it passed unanimously.


XIV. Resolution 2013-01 Amendments to Personnel and Administrative Policy – To be discussed at January meeting.

XV. CODE ENFORCEMENT ACTIVITY - See Town Manager Report

NEW BUSINESS – There was no new business.

ANNOUNCEMENTS:
DECEMBER 11, 2012 - Shalimar Christmas Party – after meeting
DECEMBER 19, 2012 – Special Meeting to let paving bid and discuss Shalimar Courthouse Annex drainage plan. Status update by Poly-engineering. – 6:00 p.m.
JANUARY 8, 2013 – Town Commission Meeting – 6:00 p.m.
JANUARY 29, 2012 – Town Commission Workshop – 6:00 p.m.
JANUARY 30, 2012 – Planning & Zoning Board Meeting – 6:00 p.m.

ADJOURNMENT: Commissioner Morgan made a motion to adjourn the meeting at 6:05 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

Sheila Hansen, Secretary

January 8, 2013

Date approved
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Jim Wilton - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - present

OLD BUSINESS:
XI. APPROVE MINUTES FROM THE JULY 25, 2012 MEETING AND THE AUGUST 1, 2012 COMPREHENSIVE PLAN WORKSHOP – Member Wilton made a motion to approve the minutes from the two meetings. Member Behnken seconded the motion and it passed unanimously.

XII. TECHNICAL REVIEW REPORT – No report

XIII. COMP PLAN WORKSHOP FOLLOW-UP – Review suggestions made by Florida State DEO and Florida State Department of Education.

Section 7.A.3.4 – A discussion was held on adding a category on the Future Land Use Map that showed School Board property. It was decided this would be listed under the category of Public Lands and section f. would have Educational Facilities/Activities added as a use. The FLUM would be updated accordingly.

Section 7.A.4.1 – After a discussion, the Board decided to change the wording from “A waterfront district may be established” to “A waterfront district is established”.

Future Land Use Map – The map will be updated according to Section 7.A.3.4 and the Coastal High Hazard Area will be identified on the FLUM.

Policy 10.A.1.3 – The Level of Service for Water and Sewer were listed as being established in the Land Development Code. This was discussed and the Board decided to reinsert the Level of Service to be at 100 gallons per capita per day (average daily demand) for both collection and treatment.
Policy 10.D.1.2 – This section had been previously deleted. It was reinserted to say, “The LOS standard for potable water within the Town shall be a minimum of 100 gallons per capita per day.

Policy 13.B.1.1 – Section 1 and 2 will have the words School Board added to the list of entities on the Comprehensive Plan mailing list. Section 3 will be deleted.

Objective 13.B.2 – It was decided to add the sentence “This coordination is currently pursuant to an Inter-local Agreement for Public School Facility Planning.”.

Policy 13.B.2.3 – Section 4 and 5 will be deleted and the list will be renumbered.

**Member Dominique made a motion to adopt the Comprehensive Plan as amended based on the input from the two agencies. Member Behnken seconded the motion and it passed unanimously.**

**NEW BUSINESS:** Chairman Gable brought up that he would like to amend Public Lands first on the new Zoning Map so that the municipal owned parcels will be correct. Member Wilton said that the Land Development Code did not have a Public Land Category or a Mixed Use Category and read a suggested change that he had written.

After a discussion, it was decided that the Planning and Zoning Board is will to update the Land Development Code in the format of the Fort Walton Beach Land Development Code and that they would like to bring this subject up at the January Town Commission meeting. They would like to request guidance from the Town Commission on whether to rezone the Public Lands before the update of the Land Development Code or after it is completed.

**ANNOUNCEMENTS:**
DECEMBER 10, 2012 –CHRISTMAS PARADE – 5:00 P.M.
DECEMBER 11, 2012 – TOWN COMMISSION MEETING – 6:00 P.M.
DECEMBER 11, 2012 – CHRISTMAS PARTY FOLLOWING THE MEETING
DECEMBER 26, 2012 – PLANNING AND ZONING BOARD MEETING –CANCELLED.

**Member Behnken made a motion to cancel the December 26, 2012 Planning and Zoning Board meeting. Member Clements seconded the motion and it passed unanimously.**
Member Behnken made a motion to adjourn the meeting at 7:00 p.m. Member Dominique seconded the motion and it passed unanimously.

January 30, 2013
Sheila Hansen, Secretary

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Present
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Manager Kent Beck, Katerina Eckert, and Jim Wilton.

COMMITTEE REPORTS:
Beautification – Commissioner Behnken reported that Maintenance had cleaned up around the marquis and done some small planting in that area.
Planning & Zoning Board – The Planning and Zoning Board had no report.

TECHNICAL REVIEW BOARD – No Report

COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER BEHNKEN’S REPORT – Commissioner Chapman asked about what was transferred into reserves at fiscal year-end. He said that he would like to see a trend analysis by department for year-end. He would like to see this done on a slide show.

COMMISSIONER MORGAN’S REPORT – No report

MAYOR COMBS’ REPORT – No Report

POLICE REPORT – The Police Report was attached. Chief Cash also reported that the Toys-for-Tots run would be on November 16, 2012 and asked for a volunteer to help with traffic control. Mayor Combs volunteered.

MAINTENANCE REPORT – Commissioner Smith said that the maintenance reports were improved.
TOWN MANAGER REPORT – Manager Burns reported that he had not been able to contact Melissa Reeves at 44 Shalimar Drive but that Chief Cash had spoken to Kevin Reeves and that Kevin said he would pay the PAWS bill.

Manager Burns reported that he had emailed Missy (the Angovine’s daughter) about 188 Richbourg and asked if the landscaping company would be doing routine maintenance or was the cleanup a one-time thing. He had not gotten a response from her yet. Commissioner Smith stated that this property owner was a repeat offender and wants this closely followed.

The former Gulf Coast Auto property was discussed. Manager Burns reported that a letter had been sent by certified mail to the Meigs Trust but he had not gotten the receipt back yet. Mayor Combs suggested he contact Dr. Ferdon and let him know the property is becoming a problem because of lack of upkeep.

Manager Burns reported that Dr. Kain has filed bankruptcy, that the Town of Shalimar is listed as a possible claimant, and that there is a meeting in Pensacola on December 13, 2012 for claimants. Attorney Chesser said that he thought there would be no reason to attend the bankruptcy hearing.

Manager Burns reported that Commissioner Smith had asked about the wall at Sunset Bay Court. Commissioner Smith would like to see the wall pressure washed. Manager Burns reported that he had asked Commissioner Chapman for the Homeowners Association contact and that Commissioner Chapman said he did not believe they would be interested in having the wall pressure washed but he would take a closer look at it himself and address informally with the HOA. The Town Commission discussed this and Manager Burns will contact the Homeowners Association President. It was decided to table the discussion of the wall at Sunset Bay Court until the January 2013 Town Commission meeting.

Mayor Combs reported that there was an unlocked gate in the Sunset Bay Court wall going into a yard with a swimming pool. Manager Burns will notify the Homeowners Association President of this.

ATTORNEY’S REPORT – No Report

TOWN RESIDENTS’ TIME – There was nothing brought up by Town residents.

OLD BUSINESS:
1. TOWN COMMISSION MEETING MINUTES –
   a. October 9, 2012 Town Commission Meeting minutes – Commissioner Morgan made a motion to approve the October 9, 2012 minutes with a change on page 2, paragraph 4 which will now read "Commissioner Chapman suggested that a letter be written to Maintenance Manager Beck
outlining what is required of his position.” Commission Behnken seconded the motion and it passed unanimously.

b. October 30, 2012 Town Commission Workshop – Commissioner Smith made a motion to accept the minutes as written. Commissioner Behnken seconded the motion. The motion passed unanimously.

II. STATUS OF COMPREHENSIVE DEVELOPMENT PLAN SUBMITTAL – Manager Burns reported that the Department of Economic Opportunity had responded back with several recommended small changes to the Comprehensive Plan. These changes would be discussed at the November Planning and Zoning Board meeting and this item will be discussed at the January Town Commission meeting.

III. CHANGES TO THE ADMINISTRATION MANUAL - The item was tabled. A clean copy of the resolution will be sent to the Town Commission members and the resolution will be addressed at the January Town Commission meeting.

III. CODE ENFORCEMENT ACTIVITY

a. Commercial

1. Food Max Property – Attorney Chesser received an email from Joe Islam who is the owner of the property. He told Attorney Chesser that he had a tenant for the property who would like to open a gas station there with new fuel tanks. Attorney Chesser said that he told him that it was not the Town’s desire to keep him out of business but that the Town wanted the property cleaned up. Attorney Chesser said that he would meet with him and a representative from the Town after bringing up the subject with the Town Commission. Attorney Chesser will arrange a meeting with Mr. Islam to include Attorney Chesser, Mayor Combs, and Town Manager Burns.

2. 10 Old Ferry Rd – See Town Managers report

b. Residential

188 Richbourg – See Town Managers report

44 Shalimar Drive – See Town Manager’s report

38 Shalimar Drive – Manager Burns said he had not received a formal complaint but one of the neighbors said that there was a problem with animals and rodents living in the back yard plus mosquito problems from the pool at 38 Shalimar Drive. Manager Burns will follow up about getting this problem resolved.
Commissioner Smith brought up the Northwest Florida Daily news leaving papers soliciting subscriptions in the yards of residents that do not subscribe to the paper. Manager Burns will check into this and see if it can be stopped.

**NEW BUSINESS** – There was no new business.

**ANNOUNCEMENTS:**
November 27, 2012 - TOWN COMMISSION WORKSHOP - 6:00 pm - This workshop has been cancelled.
November 28, 2012 – PLANNING & ZONING BOARD MEETING – 6:00 p.m.
December 10 - SHALIMAR CHRISTMAS PARADE - 5:00 pm – Flyers will be placed in the candy bags announcing the Christmas Party after the December 11 Town Commission meeting.
December 11, 2012 - TOWN COMMISSION MEETING - 6:00 pm
December 11, 2012 - SHALIMAR CHRISTMAS PARTY - AFTER MEETING

**ADJOURNMENT:** Commissioner Behnken made a motion to adjourn the meeting at 7:30 p.m. Commissioner Smith seconded the motion and it passed unanimously.

_________________________________________  December 11, 2012
Sheila Hansen, Secretary                    Date approved
Town of Shalimar
Town Commission Workshop
October 30, 2012

CALL TO ORDER – Mayor Combs called the meeting to order at 6:15 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken – Absent
Commissioner Tim Smith – Absent
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE:  Town Manager Tom Burns and Deputy Clerk Sheila Hansen

OLD BUSINESS:
I. Police additions to Personnel Policy Resolution – These were discussed and Commissioner Morgan said he would review the updates and this would be discussed at the January 2013 meeting.

II. Finalize Agenda for November 13, 2012 Town Commission Meeting – The November 13, 2012 agenda was discussed and it was decided to put discussion of the Christmas parade as New Business on the agenda.

III. Other Items – Commissioner Chapman stated that he did not need a daily report from the Maintenance Department. The Christmas party and parade were discussed and it was decided that the parade would be held on December 10, 2012 at 5:00 p.m. The Christmas party will be held on December 13, 2012 after the 6:00 p.m. Town Commission meeting.

Announcements:

November 13, 2012 – Town Commission meeting – 6:00 PM
November 27, 2012 – Town Commission Workshop – 6:00 p.m.
November 28, 2012 – Planning and Zoning Board meeting – 6:00 p.m.
December 10, 2012 - Christmas Parade – 5:00 P.M.
December 11, 2012 – Town Commission Meeting and Christmas Party – 6:00

**ADJOURNMENT:** The meeting adjourned at 7:45 p.m.

_____________________________  ________________
Sheila Hansen, Secretary     November 13, 2012  Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Present
Commissioner Ursel Behnken – Absent
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Sheila Hansen, Police Chief John Cash, Ricardo Garcia, Brad Gable, Marie Shadwell, and Jim Wilton.

COMMITTEE REPORTS:
Beautification – No report.
Planning & Zoning Board – The Planning and Zoning Board had no report.

TECHNICAL REVIEW BOARD – No Report

COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER BEHNKEN’S REPORT – Not present

COMMISSIONER MORGAN’S REPORT – No report

MAYOR COMBS’ REPORT – No Report

POLICE REPORT – The Police Department Report was attached. Commissioner Morgan reported that the Department of Transportation road construction on Eglin Parkway had been extended to continue well into 2013.

TOWN MANAGER REPORT – Manager Burns reported that the $100,000.00 Certificate of Deposit with Hancock Bank rolled over on October 1, 2012 and the renewal rate was .1%. He reported that he had checked with First National Bank and they would give .5% on a two-year CD. The Commission discussed this item and it was decided that Manager Burns would do some more research on finding a better investment rate. Commissioner Chapman requested
that a list of the Town’s investments with amounts and renewal dates be sent to the Town Commission.

Commissioner Chapman inquired why there was not a report reviewing what the Maintenance department had done at the Town Commission meetings. This was discussed and it was decided that Manager Burns would request a daily report from Maintenance Manager Beck and forward this report to Roads and Grounds Commissioner Smith and he would give a monthly maintenance report as part of the Town Manager Report. After further discussion, it was decided that Manager Burns would set up a Work Order System to keep track of non-scheduled items.

Commissioner Smith asked why the part-time maintenance personnel do not have to punch out for their lunch breaks. This was discussed and it was decided that it would be put into the Employee Policy that part-time employees would be required to punch out during their lunch breaks.

Commissioner Chapman suggested that a letter of counseling be written to Maintenance Manager Beck concerning what is required of his position. Manager Burns said that this would be done.

ATTORNEY’S REPORT – Attorney Chesser reported that the owner of the Food Max property had contacted him and told him that had been ill and had a series of events that had caused him to be severely economically distressed. He informed Attorney Chesser that he would like to have the gasoline storage tanks removed from the property and have them replaced with new tanks. He asked if the Town had any grant money available for this. Attorney Chesser said he advised him to write a letter to the Town explaining his plans and that we would give him whatever help we could to find grant money.

Attorney Chesser also explained to the Commission that he was helping University of West Florida set up an environmental program at the UWF REEF Center in Shalimar.

TOWN RESIDENTS’ TIME – Brad Gable inquired about the resident’s vehicles that are consistently parked in Cherokee Park. Mayor Combs suggested to Chief Cash that these vehicles be towed if this continues. Commissioner Smith inquired about long-term items parked on the School Board property on Richbourg Ave. Manager Burns said he would contact the School Principal and find out what the status is of these items.

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES – Mayor Combs passed the gavel to Commissioner Chapman.
   a. Sep 11 Commission Meeting minutes – Mayor Combs stated that he thought the Commission had made a mistake in directing Manager Burns to not accept the Business Tax from the two businesses that the Town had liens on. Commissioner
Chapman said that it was his opinion that the Town did not decide that. There was a discussion on the subject but there was no vote taken on it. He entertained a motion that the minutes be accepted with the exception that this paragraph be deleted. He said that would free up the opportunity to take a vote on this subject. **Mayor Combs made a motion to accept the minutes with the discussion on accepting business taxes deleted. Commissioner Morgan seconded the motion. The motion passed unanimously.** It was decided this item would be discussed under New Business.

b. **Sept. 11 First Budget Hearing minutes - Commissioner Smith made a motion to accept the minutes as written. Commissioner Morgan seconded the motion and it passed unanimously.**

c. **Sept. 27th Second Budget Hearing minutes – Commissioner Morgan made a motion to accept the minutes as written. Mayor Combs seconded the motion. The motion passed with Commissioner Chapman abstaining.**

d. **Sep 27 Commission Workshop – Mayor Combs made a motion to accept the minutes as written. Commissioner Morgan seconded the motion. The motion passed with Commissioner Chapman abstaining.**

A discussion was held on whether an elected municipal official could abstain from voting on an item that was not a conflict of interest. Commissioner Chapman said he had read an Attorney General’s opinion on this subject in which the Attorney General stated that an elected municipal official was required to vote but that this was a non-binding opinion. Attorney Chesser stated that there was a statutory requirement that the Commission must all vote unless they have a financial conflict of interest. Attorney Chesser got a copy of the Statute and read it to the Town Commission. The Statute states "No member of any state, county, or municipal governmental board, commission, or agency who is present at any meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of s. 112.311, s. 112.313, or s. 112.3143. In such cases, said member shall comply with the disclosure requirements of s. 112.3143." Attorney Chesser stated that according to the statute, a Commissioner was required to vote on any issue that was not a financial conflict of interest. Commissioner Chapman stated that the Attorney General’s opinion quoted the exact statute and said that it was a non-binding opinion with no prosecutorial teeth. Attorney Chesser said that, usually, when you see an Attorney General’s opinion that is far different from the statute it is because it was given before the Statute and the statute is passed to correct an Attorney General’s opinion.

**II. STATUS OF COMPREHENSIVE DEVELOPMENT PLAN SUBMITTAL** – Manager Burns reported that the Department of Economic Opportunity notified the Town that the submittal was complete. The Department of Environmental Protection and the
Department of Transportation had also notified the Town that they saw no problems with it. Manager Burns then explained the process to go forward with the Comprehensive Plan Amendment after we receive the review from the Department of Economic Opportunity.

IV. POLICE ADDITIONS TO PERSONNEL POLICY RESOLUTION – A discussion was held on the changes to the Personnel Policy Manual. It was decided that the Town Commission would give written input to Manager Burns and he would try to improve the Resolution and it would be on the agenda for November. The item was then tabled.

III. CODE ENFORCEMENT ACTIVITY

  c. Commercial

  1. Food Max Property – Discussed in Attorney Chesser’s report

  2. 10 Old Ferry Rd – Manager Burns reported that the fine and lien has been filed with the Okaloosa County Clerk of Court. He recommended that no further action be taken on this item for 60 days and by then the Town should know the results of the lawsuit against Dr. Kain that the Pierce family has filed.

  d. Residential

  188 Richbourg – Manager Burns reported that a second registered letter had been written to the property owner but he believed the owner had not yet received the letter because the Town had not received the return receipt from the USPS.

  44 Shalimar Drive – A discussion was held on the bill from PAWS for removing the neglected animals from the property. Manager Burns said that the letter he sent to the owner had been returned as not picked up by the owner. The Police Department is watching the residence and will hand deliver the bill when they can contact the owner.

NEW BUSINESS:

I. OCWS CONTRACT – Manager Burns explained the changes that Okaloosa County had made to the contract. He recommended that the Town accept the contract. After a discussion, it was decided that the section that stated that OCWS would submit Franchise Fees to the town with “a reasonable collection fee” be changed to “a reasonable collection fee not to exceed 5% of collected taxes”. Commission Morgan made a motion to accept the contract with the suggested change. Commissioner Smith seconded the motion. The motion passed unanimously.

II. Manager Burns asked for guidance on collecting the Town Business Taxes on the properties the Town has a lien on. Attorney Chesser said he believed that we should
accept the Business Tax from Shalimar Medical Clinic as this lien is not due to property code enforcement violations but because she is still residing in the building after being denied a special exception to do so.

Attorney Chesser did not believe we should accept a Business Tax from the property at 1285 Eglin Parkway (Food Max). Commissioner Chapman asked why the two businesses were different. Attorney Chesser said that the Shalimar Medical Clinic was not business related but that 1285 Eglin Parkway has code violations and DEP violations.

Attorney Chesser explained that the Business Tax is paid to allow businesses the privilege to do business in the Town of Shalimar. If we accept a Business Tax from 1285 Eglin Parkway, we would be allowing the owner to do business in the Town.

It was decided that this issue would be referred back to Attorney Chesser and Manager Burns to do more research on the subject.

III. UPDATE OF OCLOC DINNER MEETING HOSTED BY SHALIMAR STATUS –

Deputy Clerk Hansen reported that the arrangements had been made to have the dinner at the Aegean Restaurant. Waste Management will sponsor the social hour. Commissioner Chapman recommended that the Town of Shalimar attendees each host a separate table.

ANNOUNCEMENTS:
October 16, 2012 – OCLOC DINNER MEETING AT THE AEGERAN – 6:00 p.m.
October 30, 2012 – MONTHLY WORKSHOP – 6:00 p.m.
October 31, 2012 – PLANNING AND ZONING BOARD MEETING - 6:00 p.m.
November 13, 2012 – TOWN COMMISSION MEETING – 6:00 p.m.

ADJOURNMENT: Mayor Combs made a motion to adjourn the meeting at 8:05 p.m. Commissioner Smith seconded the motion and it passed unanimously.

__________________________  __________________________
Sheila Hansen, Secretary    Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:15 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Absent
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Absent
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Sheila Hansen

OLD BUSINESS:
I. Police additions to Personnel Policy Resolution – These were discussed and Commissioner Morgan said he would review the updates.

II. Maintenance Agreement with Okaloosa County for Old Ferry Road – Manager Burns explained that Okaloosa County believes that the right-of-way on Old Ferry Road from Eglin Pkwy to Meigs Drive belongs to the County because they do the maintenance on that stretch of road. Manager Burns said he would look for a maintenance agreement with the County.

III. Finalize Agenda for October 9, 2012 Town Commission Meeting – This was not discussed and no changes were made to the agenda at the time.

NEW BUSINESS:
I. Inputs on the Restore Act – Mayor Combs said he would like to get together with the local municipalities and the County and possibly purchase the Shalimar Yacht Basin and make it into a municipal or county yacht basin.

ANNOUNCEMENTS:
October 9, 2012 – TOWN COMMISSION MEETING – 6:00 P.M.
October 16, 2012 – OCLOC DINNER MEETING AT THE AEGEAN
October 25, 2012 – MONTHLY WORKSHOP – 6:00 P.M.
November 13, 2012 – TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT:
CALL TO ORDER: Mayor Combs called the Second Budget Hearing to order at 6:00 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: present
Mayor Pro-Tem Robert Chapman: absent
Commissioner Tim Smith: absent
Commissioner Ursel Behnken: present
Commissioner Ray Morgan: present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Sheila Hansen,

HEARING ITEMS:
1. SECOND PUBLIC READING OF ORDINANCE 2013-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2012-2013 – Commission Behnken read Ordinance 2013-01. Mayor Combs moved to approve the Ordinance. Commissioner Morgan seconded the motion. The motion passed unanimously.

2. SECOND PUBLIC READING OF ORDINANCE 2013-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2012-2013. Commissioner Behnken read Ordinance 2013-02. Mayor Combs moved to approve the Ordinance. Commissioner Morgan asked why the Law Enforcement budget was lower than it was on the first reading. Manager Burns explained that he had originally used the wrong category for Chief Cash’s medical insurance. He had used “Policy Holder and Family” rather than “Policy Holder and Children”. The motion passed unanimously.

3. A discussion was held on whether to retain PGIT for the Town’s liability, worker’s compensation, property, and auto insurance or to switch to Florida Municipal Insurance Trust. Manager Burns explained the differences in the policies, that FMIT would be about 11% less expensive, and they
usually give a rebate on of about 25% on property insurance. **Commissioner Morgan made a motion to switch to FMIT. Mayor Combs seconded the motion and it passed unanimously.**

**ANNOUNCEMENTS:**
October Town Commission Meeting – October 9, 2012 at 6:00 p.m.
Okaloosa County League of Cities Dinner – October 16, 2012 at Aegean Restaurant October Planning and Zoning Board Meeting – October 31, 2012 at 6:00 p.m. October Town Commission Workshop – October 25, 2012 at 6:00 p.m.

**Mayor Combs made a motion to adjourn the Budget Hearing at 6:15.**
**Commissioner Morgan seconded the motion. The motion passed unanimously.**

______________________________  _______________________________
Sheila Hansen, Secretary        Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:30 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Present
Commissioner Ursel Behnken – Absent
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Sheila Hansen, Maintenance Manager Kent Beck, and Police Chief John Cash, Johann Behnken, Steven Peterson, Ricardo Garcia, Rusty and Suzanne Weenink, Mike Wells and Mike Wise from OCWS and Jim Wilton.

COMMITTEE REPORTS:
Beautification – Commissioner Behnken said that, as long as the construction was continuing on Eglin parkway, the Beautification Committee had no plans.
Planning & Zoning Board – The Planning and Zoning Board had no report. They are waiting on a response from the DEO on the Comprehensive Plan Amendment.

TECHNICAL REVIEW BOARD – No Report

COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken’s report was attached.

COMMISSIONER MORGAN’S REPORT – No report

MAYOR COMBS’ REPORT – No Report

POLICE REPORT – The Police Report was attached
TOWN MANAGER REPORT – Commissioner Chapman asked about the status of 10 Old Ferry Road. Manager Burns reported that there had been no change. Dr. Kain was still living in her commercial building and the Town was fining her $10.00 a day. He said that the next step for the Town would be to file a lien with the Okaloosa County Clerk of Courts and advertise the
lied in the paper. Manager Burns reported that he was to be subpoenaed to testify in the legal proceedings that the Powells have against Dr. Kain. Commissioner Chapman asked Manager Burns if he had sent a letter to Teramore Development about the engineering and legal costs that the Town would like to have reimbursed. Manager Burns said that he had not gotten a response to a phone and email request but would send another official letter requesting the payment.

ATTORNEY’S REPORT – Attorney Chesser reported that the owner of the Food Max property had contacted him and wanted to know what the Town would require for him to open another store at that location. He explained that he had done a title search on the property and that there were over $2 million in liens on the property. Attorney Chesser said that he did not think the owner could find a tenant who could afford to pay the liens.

TOWN RESIDENTS’ TIME – There were no residents with questions or issues.

OLD BUSINESS:

I. TOWN COMMISSION MEETING MINUTES –
   a. August 14, 2012 Town Commission Meeting minutes - Chair entertained a motion to approve August 14, 2012 minutes as drafted. Commissioner Smith made a motion to accept the minutes as written. Commissioner Morgan seconded the motion and it passed unanimously.

   b. August 9, 2012 Budget Workshop II Minutes. Commissioner Behnken made a motion to accept the minutes as written. Commissioner Smith seconded the motion and it passed unanimously.

II. Final reading of Ordinance 2012-05 – Marina Business Tax as attached. The title of the Ordinance was read. Commissioner Morgan made a motion to accept the final reading of this Ordinance. Commissioner Behnken seconded the motion and it passed unanimously.

III. CODE ENFORCEMENT ACTIVITY

   e. Commercial

   f. Residential

   188 Richbourg - The upkeep of this property was discussed. It was decided that photos of the property would be taken and sent to the owner with a letter from Manager Burns asking them to fix the siding and arrange for upkeep of the landscaping.

IV. OCWS CONTRACT – Mike Wells and Mark Wise from OCWS spoke to the Commission about the contract. They said they would continue to supply the Town with water and sewer even though the contract had expired. They asked that the Town send them a
new contract and modify it to show the 10% utility tax that the Town receives on the water.

The Town will modify the contract and send to OCWS for review. The Town Commission requested a master list of water customers in Shalimar.

V. MANAGER BURNS CONTRACT – The contract was discussed and several changes were made to the contract. **Commissioner Behnken made a motion to approve modified contract as per discussion. Commissioner Morgan seconded the motion. The motion passed with Commissioner Smith and Commissioner Chapman voting against.**

NEW BUSINESS:
I. RESOLUTION TO CHANGE THE PERSONNEL MANUAL AND THE ADMINISTRATION MANUAL – This item had not been completed so it was decided that it would be tabled for discussion at the monthly workshop.

ANNOUNCEMENTS:
September 27, 2012 – Final Budget Hearing – 6:00 p.m.
September 27, 2012 – Town Commission Monthly Workshop – to follow budget hearing
September 26, 2012 – Planning & Zoning Board Meeting – 6:00 p.m.
October 9, 2012 – Town Commission Meeting – 6:00 p.m.
October 18, 2012 – OCLOC Dinner meeting to be hosted by Shalimar

ADJOURNMENT: **Commissioner Behnken made a motion to adjourn the meeting at 8:53 p.m. Commissioner Smith seconded the motion and it passed unanimously.**

_________________________  October 10, 2012
Sheila Hansen, Secretary  Date approved
CALL TO ORDER: Commissioner Behnken called the First Budget Hearing to order at 5:30 p.m. in Town Hall Chambers. She led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Robert Chapman: present
Commissioner Tim Smith: present
Commissioner Ursel Behnken: present
Commissioner Ray Morgan: present

Others in attendance: Town Manager Tom Burns and Deputy Clerk Sheila Hansen, Maintenance Manager Kent Beck, and Police Chief John Cash, Johann Behnken, Steven Peterson, Ricardo Garcia, Rusty and Suzanne Weenink

HEARING ITEMS:

VII. FIRST PUBLIC READING OF ORDINANCE 2013-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2012-2013 – Mayor Combs made a motion to approve Ordinance 2013-01. Commission Morgan seconded the motion and it passed unanimously.

2. FIRST PUBLIC READING OF ORDINANCE 2013-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2012-2013. Mayor Combs made a motion to approve Ordinance 2013-02 as read. The motion was seconded by Commissioner Morgan. Commissioner Chapman asked to have a line added to the Ordinance requiring that no contingency funds be expended without a majority vote by the Town Commission. Mayor Combs amended his motion to accept the change. Commissioner Morgan seconded the amendment and the motion passed unanimously.
3. **BUDGET DISCUSSION**

Manager Burns said that he had spoken with the Florida League of Cities about the Town’s insurance policy. Their bid was less than our current carrier’s (PGIT) bid. Manager Burns said that he had spoken to several people that had told him that Florida League of Cities had given them a low bid and then, the next year, had raised the rates considerably. He said that he would like to continue to purchase the insurance from PGIT unless their bid was more than 10% higher than Florida League of Cities. It was decided this would be discussed at the next budget hearing.

**ANNOUNCEMENTS:**

Final Budget Hearing – September 27, 2012 at 6:00 p.m.
Town Commission Monthly Workshop – September 27, 2012 to follow Budget Hearing
September Planning and Zoning Board Meeting – September 26, 2012 – 6:00 p.m.
October Town Commission meeting – October 9, 2012 – 6:00 p.m.

**ADJOURNMENT:** Mayor Combs moved to adjourn at 5:50 p.m. The motion was seconded by Commissioner Morgan and it passed unanimously.

Sheila Hansen, Secretary

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken – Absent
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE:

COMMITTEE REPORTS:
  Beautification –
  Planning & Zoning Board –
    1. FLUM & Comprehensive Plan Amendment
  Technical Review Board –

COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER BEHNKEN’S REPORT – No report

COMMISSIONER MORGAN’S REPORT – No report

MAYOR COMBS’ REPORT – No Report

POLICE REPORT – The Police Report was attached.

TOWN MANAGER REPORT – Commissioner Chapman asked Manager Burns if he had sent a letter to Teramore Development about the engineering and legal costs that the Town would like to have reimbursed. Manager Burns said that he had not gotten a response to a phone and email request but would send an official letter requesting the payment.

ATTORNEY’S REPORT – No report

TOWN RESIDENTS’ TIME – Attorney Day spoke on behalf of Mattie Kain in regards to the Town Commission’s denial to grant her a special exception to live in her office building. He
requested that the Commission reconsider this request. Attorney Robert White briefly expressed his opinion that the Town should not reconsider this special exemption and that the appeal process time was past. Town Attorney Chesser responded by explaining that there was a set process to appeal a Commission decision and that appeal had to be requested within 30 days of the denial. This was not done and the Town Commission was bound by ordinance and they do not have the right to rehear this request. There were no motions nor discussion of this issue by the Commission.

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES:
   a. July 10 Town Commission Meeting minutes - Chair entertained a motion to approve July 10 minutes as drafted. **Commissioner Smith made a motion to accept the minutes with two changes.** The requested two changes were to move the reported discussion under Commissioner Smith’s report to Manager Burn’s report discussion section and to change the wording on salary proposals to “Commission received a compromise salary proposal” rather than “they agreed to a compromise salary proposal”. **Commissioner Morgan seconded the motion and it passed unanimously.**

   b. July 10 Town Commission Quasi-Judicial Special Meeting minutes: Subject Commission Enforcement of Property Owner Zoning Violation at 10 Old Ferry Road - Chair entertained a motion to approve minutes as drafted. **Commissioner Smith made a motion to accept the minutes as written.** Commissioner Morgan seconded the motion and it passed unanimously.

II. First reading of Ordinance 2012-05 – Marina Business Tax as attached. The title of the Ordinance was read and it was decided to change the wording of the title to say Ordinance rather than Resolution. **Commissioner Smith made a motion to accept the first reading of this Ordinance as corrected.** Commissioner Morgan seconded the motion and it passed unanimously.

III. CODE ENFORCEMENT ACTIVITY

   g. Commercial

   b. Residential – 188 Richbourg - **The upkeep of this property was discussed.** The owner of 188 Richbourg paid mitigations costs of $100.00 in July. A resident had contacted the Town Hall saying the grass needed mowing again. Mayor Combs directed Manager Burns to look at the property and see about the grounds maintenance as well as the mowing of the grass. Manager Burns will then notify the owner in writing of the condition of the property and include photographs of the property.
NEW BUSINESS:
I. PUBLIC HEARING ON THE APPROVAL OF SUBMISSION OF THE COMPREHENSIVE PLAN – Mayor Combs explained that the Comprehensive Plan is the long-term plan guiding development. The Land Development Code will have more specific and restrictive rules.

Manager Burns and Dr. Jim Wilton explained the Future Land Use Map and the zoning categories on the map. Commissioner Chapman objected to zoning Plew Avenue Mixed-Use. He said that he did not believe Plew Avenue should be zoned anything except low-density residential. **Commissioner Chapman made a motion to modify the FLUM so that Plew Avenue is low-density residential and to submit the draft Comprehensive Plan to the state.** Commissioner Morgan seconded the motion and it passed with Mayor Combs voting against.

II. PROCLAMATION FOR THE MUNICIPAL JOB SHADOW WEEK – Commissioner Morgan made a motion to accept the Proclamation. Commissioner Smith seconded the motion. The motion passed with Commissioner Chapman voting against.

III. OCWS CONTRACT RENEWAL – The 15-year contract was discussed and it was decided to place this item on the September agenda and have a representative from OCWS speak to the Town Commission and explain the contract and answer Commission questions.

IV. DISCUSSION ON DRAFT UPDATES TO TOWN'S PERSONNEL AND ADMINISTRATIVE MANUALS – A discussion was held on updating the Town’s Personnel and Administrative Manual with job descriptions, duties, employee requirements, and a salary schedule for employees. It was decided to remove the chart with the salary schedule from the update and the Town Commission will review the changes and give their suggestions at a later meeting.

V. CONTRACTS FOR EMPLOYEES - DISCUSSION ON COMMISSION APPROVAL FOR A 3-YEAR SALARY CONTRACT FOR TOM BURNS - Subject contract has been reviewed by Town Attorney and basically locks employee salary for 2013, 2014 and 2015 at the proposed 2013 salary rate. Chair entertained a motion to approve this contract as presented. Commissioner Chapman said there was no term in the contract. It was decided that the contract would state that it expires on September 30, 2015. He also requested that, if Manager Burns should resign, the required notice to the Town be 5 months. After further discussion, it was decided to readdress the contract at the September meeting.

ANNOUNCEMENTS:
August 29, 2012 – Planning & Zoning Board Meeting – 6:00 p.m.
Sep 11, 2012 – 2013 Budget Hearing – 5:30 p.m.
Sep 11, 2012 – Town Commission meeting – 6:30 p.m.

ADJOURNMENT: **Commissioner Chapman made a motion to adjourn the meeting at 8:45 p.m. Commissioner Smith seconded the motion and it passed unanimously.**
CALL TO ORDER – Commissioner Behnken called the workshop to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Robert Chapman II – Present
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Absent
Commissioner Ray Morgan – Present

BUSINESS:
I. SALARY ISSUES – A discussion was held on the 2013 salary proposals. Mayor Combs, Commissioner Behnken, and Commissioner Morgan had no disagreement on the compromised salary proposal as presented. Commissioner Chapman expressed his thoughts that there was not enough fiscal discipline used in preparing the 2013 budget.

II. LINE ITEM BUDGET – Manager Burns gave a line-by-line overview of the budget explaining the revenues and the expenses. Commissioner Chapman said that he felt there were too many discretionary funds in the budget. It was decided that $15,000 of the $20,000 in the Beautification fund and the $20,000 budgeted for the Land Development Code should be moved from the FY13 Budget. Manager Burns said this change would be reported in Ordinances 2013-01 Millage and 2013-02 budget.

ANNOUNCEMENTS:
August 14, 2012 – Town Commission Meeting 6:00 p.m.
August 29, 2012 – Planning and Zoning Board Meeting 6:00 p.m.
September 11, 2012 – First reading of Ordinances 2013-01 and 2013-02 5:30 p.m.
September 11, 2012 – Town Commission Meeting 6:30 p.m.

ADJOURNMENT: Mayor Combs made a motion to adjourn the workshop at 7:20 p.m. Commissioner Morgan seconded the motion and it passed unanimously.

Sheila Hansen, Secretary
Date approved
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The pledge was led by Chairman Gable.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Jim Wilton - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - absent

OLD BUSINESS:

XIV. COMP PLAN WORKSHOP FOLLOW-UP – A line by line review was done on the Comprehensive Plan draft with the following recommendations:

   a. To take out the Level of Service sections and incorporate them in the Land Development Code.
   b. To fix formatting errors.
   c. To Remove Mixed-use Limited from the Land Use categories.
   d. To change the percentages in mixed-use to 40% Commercial, 50% Residential and 10% Open Space.
   e. To Remove foster care facilities from moderate and low income housing in Chapter 9.
   f. To add “except shallow water well for irrigation purposes” to the section on prohibition of extraction of minerals and natural resources.

NEW BUSINESS: No new business

ANNOUNCEMENTS:
AUGUST 9, 2012 – BUDGET WORKSHOP II – 6:00 P.M.
AUGUST 14, 2012 – TOWN COMMISSION MEETING – 6:00 P.M.
AUGUST 29, 2012 – PLANNING AND ZONING BOARD MEETING – 6:00 P.M.
ADJOURNMENT: Member Wilton made a motion to adjourn at 8:00 p.m. Member Clements seconded the motion and it passed unanimously.

_________________________________________  _________________________
Sheila Hansen, Secretary                      August 29, 2012

_________________________________________  _________________________
                                     Date approved
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge was led by Co-Chairman Wilton.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Jim Wilton - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - absent

OLD BUSINESS:
XV. APPROVE MINUTES FROM THE JUNE 6, 2012 SPECIAL VARIANCE MEETING AND THE JUNE 27, 2012 P & Z MEETING – Member Behnken made a motion to approve the minutes from the two meetings. Member Clements seconded the motion and it passed unanimously.

XVI. TECHNICAL REVIEW REPORT – No report

XVII. COMP PLAN WORKSHOP FOLLOW-UP - Comp Plan Update & Comp Plan Data Sections – A discussion was held on the Comprehensive Plan draft documents.

Section 7.A.46.5 – A check will be done with the Department of State on the historical site.

Section 7.A.3.4 – It was decided to remove “convenience shopping, restaurant and tourist related facilities” from this section.

It was decided to remove the reference numbers from the state statues and Florida Administration Code.

The Planning and Zoning Board decided that they needed more time to review the Comprehensive Plan draft and would hold a special meeting on August 1, 2012 at 6:00 p.m.

NEW BUSINESS: No new business

ANNOUNCEMENTS:
AUGUST 1, 2012 – COMP PLAN HEARING – 6:00 P.M.
AUGUST 9, 2012 – BUDGET WORKSHOP – 6:00 P.M.
AUGUST 14, 2012 – TOWN COMMISSION MEETING – 6:00 P.M.
AUGUST 29, 2012 – PLANNING AND ZONING BOARD MEETING – 6:00 P.M.

ADJOURNMENT: Member Wilton made a motion to adjourn at 6:40 p.m. Member Clements seconded the motion and it passed unanimously.

Sheila Hansen, Secretary

July 25, 2012

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 7:20 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Jim Wilton, Steven Peterson, Ricardo Garcia

COMMITTEE REPORTS:
Beautification – No report

Planning & Zoning Board –
1. FLUM & Comprehensive Plan Amendment – Tabled by Planning and Zoning Board till August meeting

Technical Review Board – No Report

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – No report

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken’s report was attached.

COMMISSIONER MORGAN’S REPORT – No report

MAYOR COMBS’ REPORT – Mayor Combs’ report was attached.

POLICE REPORT – The Police Report was attached.

TOWN MANAGER REPORT – Commissioner Chapman requested that Manager Burns check the status of services reimbursement from Teramore Development. Commissioner Chapman requested that the staff put a link on the website with the password so that the public can view live coverage of the Town meetings. Manager Burns reported that the Shalimar Yacht Basin has paid the fine on their late Business Tax License on July 9, 2012. Commissioner
Chapman asked about the status of the Town Manager contract and asked if this was a budget consideration. There was discussion, and Mayor Combs reported that he would sponsor the request during a subsequent meeting. Commissioner Smith said he was concerned over the Code Enforcement guidelines on three properties that he had mentioned to Town Manager Burns. A discussion was held on this subject and the Town Commission requested that all members be notified when any Code Enforcement action is accomplished. Copies of all Code Enforcement letters shall be distributed to all Town Commission members when they are sent out.

ATTORNEY’S REPORT — Attorney Chesser briefed the Commission on the status of the Food Max sign violation and a potential way forward for the Town. Attorney Chesser has requested other attorney inputs on any similar issues. He received several responses to his questions and will email the Town Commission the most viable alternatives.

TOWN RESIDENTS’ TIME — The Town residents had nothing to discuss.

OLD BUSINESS:
I. TOWN COMMISSION MEETING MINUTES:

1. June 12 Town Commission Meeting minutes – Commissioner Smith made a motion to approve the June 12, 2012 Town Commission minutes. Commissioner Morgan seconded the motion and it passed unanimously.

2. June 14 Town Commission Special Workshop - Commissioner Smith made a motion to approve the June 12, 2012 Town Commission minutes. Commissioner Behnken seconded the motion and it passed unanimously.

II. RESOLUTION 2012-05 TO AMEND SHALIMAR POLICY MANUAL TO PUT IN PLACE A WAY FORWARD FOR MINUTES DEVELOPMENT AND APPROVALS. Commissioner Chapman made a motion to approve the resolution with distributed changes as discussed during the meeting and hard copy changes as provided to Manager Burns. Commissioner Smith seconded the motion and it passed unanimously.

III. SHALIMAR YACHT BASIN REQUEST FOR BUSINESS TAX ADJUSTMENT – Chair will entertain a motion to direct Town Staff to advertise first reading of Ordinance 2012-05 as attached. Commissioner Smith made a motion to advertise Ordinance 2012-05 as presented with modification to add word “covered” for dry storage slots. Commissioner Morgan seconded the motion. The motion passed unanimously. Owner Steve Peterson stated that he has 124 wet slips and 154 dry slips and that he is okay with tax rate per presented ordinance.

IV. TECHNICAL REVIEW BOARD APPOINTMENTS – Second reading of Ordinance 2012-04. Commissioner Behnken made a motion to approve the second reading of Ordinance

V. REZONING/USAGE OF RICHBOURG LOT – Public Hearing and first reading of Ordinance 2012-06 changing zoning from multi-family (R-3) to Commercial. The ordinance was reviewed and Commissioner Morgan made a motion to approve Ordinance 2012-06 as written. Commissioner Smith seconded the motion and it passed unanimously.

Commissioner Smith made a motion to abandon all further Commission discussions to go forward with plans for a storage lot on this property. Commissioner Behnken seconded the motion. Commissioner Morgan asked for clarification of the motion on uses as a storage lot. Commissioner Smith said that the motion is for no storage of any kind on the lot. Mayor Combs and Commissioner Behnken do not want to fight this battle because there may be no need for this type of storage lot on this property. Commissioner Chapman thinks this motion limits discussion unnecessarily and is against approval of this motion which limits the option of potential storage uses for this lot. The motion passed with Commissioners Smith, Behnken, and Mayor Combs voting for abandoning any storage lot discussion for this property. Commissioner Chapman and Commissioner Morgan voted against the motion.

VI. CODE ENFORCEMENT ACTIVITY (SMT 2012-001-MAYOR COMBS PMOC)

h. Commercial

1. Food Max Property – Attorney Chesser completed the title search and research for a solution is ongoing.

2. Wholesale Auto Sales – Anticipating change of ownership.

3. Durrell Law Offices – Owner will pay law office business tax to validate signage.

b. Residential – On June 19 2012 Manager Burns sent a letter of code violation to the owner of record of property at 188 Richbourg Dr. for a nuisance violation for yard maintenance. Commissioner Chapman made a motion to direct Manager Burns to send the standard Resolution with penalty to mow the property at 188 Richbourg with Town assets as required and charge the property owner $100.00 per instance. Commissioner Behnken seconded the motion and it passed unanimously.

c. General – Nothing to report

NEW BUSINESS:

I. TOWN COMPREHENSIVE DEVELOPMENT PLAN, FUTURE LAND USE MAP, AND LAND DEVELOPMENT CODES – Anticipate Commission review of P&Z draft for
both these documents at August Town Commission meeting. Commission approval of these two documents must occur prior to submission to Florida Department of Economic Opportunity. This agency has five days from receipt to indicate that Town submission is complete. Any discrepancies will be amended by the Town Administrative staff and be resubmitted to Florida DEO. Once the Town receives approval of these two documents from FL DEO, the staff will draft an ordinance to amend the Town Comprehensive Plan based on this submission. With this ordinance approval, the next step is updating of the Town's Land Development Code. Both the draft documents will be forwarded to all Commissioners for review immediately following the July 25 Planning & Zoning Board meeting. Commissioners should submit Comments/recommendations to Town staff prior to the 14 August Town Commission meeting.

II. LAND DEVELOPMENT CODES - Commission needs to halt discussing updating of these codes and make it happen. Chair will lead this effort with assistance of administrative staff, develop plan and report progress to Commission. (See Mayor’s report for this meeting)

III. UPDATE ON SALARY 2013 SUBMISSIONS FROM ALL COMMISSION MEMBERS AND SET TENTATIVE MILLAGE RATE –

A. Potential agreement on way forward for employee salary compensation packages. Chair suggests way forward is to discuss/reach 2013 salary compensation packages for each individual employee starting with those for which a majority recommendation has already been indicated in previous submissions distributed to all commissioners 6 July 2012. Commission members received a compromise salary increase package for review. As relating to Town Manager Burn’s contract, Commission decided that this subject should be addressed in regular Town Commission meeting. Mayor Combs and Manager Burns will discuss and plan way forward with possible workshop dedicated to this discussion.

B. Due to Department of Revenue trim notice deadlines, the Town must approve a tentative millage rate no later than 4 August 2012. Chair will entertain a motion to set tentative 2013 Town of Shalimar millage rate at 2.0 mills. Commissioner Chapman made a motion to set the 2013 millage rate at 2 mills. Commissioner Behnken seconded the motion and it passed unanimously.

Commissioner Behnken requested that the next Budget Workshop be set for August 6, 2012 at 6:00 p.m. The Commission members all stated that they would be available for the workshop.

ANNOUNCEMENTS:
July 25, 2012 – Planning and Zoning Board Meeting – 6:00 p.m.
August 14, 2012 – Town Commission Meeting – 6:00 p.m.

ADJOURNMENT: Commissioner Behnken made a motion to adjourn at 9:30 p.m. The motion was seconded and it passed unanimously.
CALL TO ORDER at 5:34 pm

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

Others in attendance: See sign-in roster to include names

Attorney Chesser provided meeting guidelines for Quasi-Judicial meeting.

BUSINESS: Residency Violation at 10 Old Ferry Road, Shalimar

On March 28, the Town’s Planning and Zoning board met to consider a special exception request for 10 Old Ferry Road. The request was to allow the commercial zoned property to serve as a residential dwelling. The board unanimously recommended denial of the request.

During the April 2012 Town Commission Meeting, the following occurred:
Commissioner Chapman made a motion to accept the denial of the application for a special exception in absence of proof that this property meets the requirements for a dwelling unit. Commissioner Behnken seconded the motion. The motion passed unanimously.

Commissioner Chapman made a motion that the Town Manager inspect the building at 10 Old Ferry Road to see if it is in compliance as a commercial business and report the status at the May Commission meeting. Commissioner Behnken seconded the motion. The motion passed unanimously.

Manager Burns was directed to notify Dr. Kain that she is in violation of the Town ordinances and must move out of her office.

During the June 2012 Town Commission Meeting, the following occurred:

Mattie Kain Medical Office – The Town Commission discussed what the appropriate action would be to bring Dr. Kain into compliance with our ordinances. She was denied a special exception to live in a commercial property. Commissioner Smith made a motion that Manager Burns notify Mattie Kain that the Town has determined that she is in violation of the Shalimar code and she has 30 days before she will be fined according to the Shalimar Code. Commissioner Chapman seconded the motion and it passed unanimously. It was decided that Attorney Chesser would draft a letter for Manager Burns to send to Dr. Kain and a quasi-judicial hearing will be held on this subject on July 10, 2012 at 5:30 p.m.

A. Attorney Chesser introduced Attorney Bud Day who provided his credentials. Attorney Day addressed the Commission regarding the issue. He distributed an Okaloosa County Property Appraisal email stating the appraiser's intention to grant a homestead exemption for said property for calendar year 2012 and a short case law example (exhibits 1 and 2 attached). Attorney Day expressed that resident Kain does not have any other place to live. He further stated that SYB property has a resident on their property. He said the Kain property has been inspected by various authorities and is habitable. Day asked what the Town would do in this matter. Attorney Chesser explained the Town’s position and asked Attorney Day what he would suggest. Mattie Kain’s son, Adam Joseph Schumacher requested to speak and related his irritation that the Commission was considering punitive action.

B. Commission Decision/Action:

Commission Morgan made a motion to table the issue until the August Town Commission meeting to potentially reconsider approval of the special exception for a residential dwelling in this commercial property. Commissioner Behnken seconded. Commissioner Morgan expressed concern that a special exception should be considered.
Mayor Combs stated that all facts are known and a decision could be made tonight. Commissioner Behnken expressed emotional concern but stated our laws should be upheld. Commission Chapman asked clarifications from Attorney Day and ask what further evidence might be presented. Further discussion ensued about the County Property Appraisal decision to grant homestead exemption for Town controlled commercial zoning. The Town has no evidence that this property meets Town residential requirements even though someone has inspected property. Commission Smith requested documentation that the property meets Town residential requirements and believes homestead exemption is not germane to the ordinance violation. **Commission Morgan voted for and all other Commission members voted against.**

Commission Smith made a motion that the Commission pass a resolution 2013-03 with a fine of the minimum required by Sec 1-14. Commission Behnken seconded. Commission Smith, Behnken and Mayor Combs voted for passage of motion and Commission Morgan and Chapman vote against. **Motion passed.** Attorney Day requested that the issue be added to the Aug 14 meeting agenda.

**ADJOURNMENT:** Commissioner Smith moved to adjourn at 7:05pm and motioned passed unanimously.

Sheila Hansen, Secretary

Date approved
CALL TO ORDER: Co-Chairman Wilton called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The pledge was led by Co-Chairman Wilton.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - absent
Member/Co-Chairman Jim Wilton - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - absent

OLD BUSINESS:
XVIII. APPROVE MINUTES FROM THE MAY 30, 2012 P&Z MEETING AND THE MAY 24, 2012 COMPREHENSIVE PLAN WORKSHOP – Member Clements made a motion to approve the minutes from the two meetings. Member Behnken seconded the motion and it passed unanimously.

XIX. TECHNICAL REVIEW REPORT – No report

XX. COMP PLAN WORKSHOP FOLLOW-UP – Due to the members not having a chance to thoroughly review the updated documents, it was decided that the Comp Plan will be reviewed and approved at the July 25, 2012 meeting and presented to the Town Commission at the August 14, 2012 meeting.

Section 9.A.1.6 – Mobile homes was discussed and it was decided to remove that section from the Comp Plan as mobile homes are not allowed in Shalimar. Deputy Clerk Hansen will delete that section and update the numbering.

A discussion was held on the Future Land Use Map (FLUM) and Manager Burns said he would further research whether the School Board property falls under the Town Code of Ordinances.

NEW BUSINESS: Manager Burns informed the Board that the Bank of America was doing an ADA upgrade and that he would permit this if they could find a work-a-round for not extending the impervious surface of the property.
ANNOUNCEMENTS:
July 10, 2012 – QUASI-JUDICIAL HEARING ON DR. KAIN CODE VIOLATION, 5:30 P.M.
July 10, 2012 – TOWN COMMISSION MEETING, 6:00 P.M.
July 12, 2012 – BUDGET WORKSHOP II
July 25, 2012 – PLANNING AND ZONING BOARD MEETING, 6:00 P.M.

ADJOURNMENT: Member Behnken made a motion to adjourn at 6:40 p.m. Member Clements seconded the motion and it passed unanimously.

Sheila Hansen, Secretary

July 25, 2012

Date approved
CALL TO ORDER: Mayor Gary Combs called the First Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - present
Mayor Pro-Tem Bob Chapman - present
Commissioner Ursel Behnken - present
Commissioner Tim Smith - present
Commissioner Ray Morgan - present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen, and Steve Peterson from Shalimar Yacht Basin.

I. SALARY ISSUES — Commissioner Chapman presented a PowerPoint presentation on employee compensation.
   a. Cell Phone Allowance — After a discussion, there was a general consensus that the employees who have cell phones would get a $10.00 cell phone allowance.
   b. Equipment Allowance for Police Department — After a discussion, there was a general consensus that the equipment bonus would be eliminated and replaced with a salary increase.
   c. Christmas Bonus — After a discussion, there was a general consensus that there would be a $400.00 Christmas bonus for all employees.
   d. Health Insurance — It was discussed and the allowance for the employees who do not receive health insurance through the Town will remain the same.
   e. Salaries and Wages — After a discussion, there was a general consensus that each Town Commissioner will submit suggested salary and wage changes to the Town Manager and he will submit these suggestions anonymously to the Town Commission who shall review them for discussion at Budget Workshop II.

II. KNOWN ISSUES FOR WORKSHOP II - Though on the agenda, this item was not discussed.

III. SHALIMAR YACHT BASIN - Mayor Combs presented a PowerPoint presentation on the Shalimar Yacht Basin Business Tax. After a discussion, it was decided that Manager Burns would create a proposed Ordinance and present it to the Town Commission at the July 10, 2012 meeting.
IV. MINUTES DISCUSSION – Mayor Combs made a presentation and Manager Burns’ recommendations were relayed to everyone present.

V. RICHBOURG STORAGE LOT – Mayor Combs made a presentation.

ANNOUNCEMENTS:

JUNE 27, 2012 - PLANNING AND ZONING BOARD MEETING - 6:00 PM
JULY 10, 2012 - TOWN COMMISSION MEETING - 6:00 PM

161.0 JULY 10, 2012 - QUASI-JUDICIAL HEARING ON DR. CAIN - 5:30 PM

ADJOURNMENT - Commissioner Chapman moved to adjourn the First Budget Workshop at 9:50 p.m. It was seconded by Commissioner Behnken and passed.
unanimously.

Sheila Hansen, Secretary

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken – Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Jim Wilton, Steven Peterson, Robert White, Rusty and Suzanne Weenink, Cristobal Bailon, Sharon Smith, Maintenance Manager Kent Beck and Deputy Clerk Sheila Hansen.

COMMITTEE REPORTS:
Beautification – No report
Code updates – No report
Planning & Zoning Board – Planning and Zoning Board has updated the FLUM. The Deputy Clerk is working on putting the Comprehensive Plan Amendment document together. The Planning and Zoning Board will have a public hearing on June 27, 2012 to finalize their part of the document. The document will then be presented to the Town Commission on July 10, 2012 for authorization to transmit and will then be submitted to the State of Florida.
Technical Review Board – The Technical Review Board reviewed the plans for 14 Cherokee Road and reported to the Planning and Zoning Board that there were no variances.

TOWN COMMISSIONER SMITH’S REPORT – No report

COMMISSIONER CHAPMAN’S REPORT – A discussion was held about live streaming the audio-video recording of the meetings. Commissioner Chapman moved the Town Commission allow worldwide public access of live webcasts of all Town Commission and Planning & Zoning Board meetings, such webcasts to be non-password protected. He further moved that, within storage limits of the Town website, past webcasts be archived on the website. Commissioner Morgan seconded the motion and it passed unanimously.

COMMISSIONER BEHNKEN’S REPORT – No report

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan’s report was attached.

MAYOR COMBS’ REPORT – No report.

POLICE REPORT – The Police Report was attached.
TOWN MANAGER REPORT – The Town Manager’s report was attached. Manager Burns also reported that he has a letter prepared to go to 188 Richbourg Avenue on the yard maintenance.

ATTORNEY’S REPORT – A discussion was held on Code Enforcement decisions and Attorney Chesser said that he believes all code enforcement decisions should be done at a quasi-judicial hearing. Manager Burns suggested that the Nuisance Ordinance be changed to state that a quasi-judicial meeting is required.

TOWN RESIDENTS’ TIME – The Town residents had nothing to discuss.

OLD BUSINESS:

VII. Town Commission Meeting Minutes – May 15 Town Commission meeting. Chair will entertain motion to approve minutes as drafted. A discussion was held and Commissioner Chapman made a motion to accept the minutes with one exception – edit out “as a matter of record chair requested to include in minutes a memo for record of residents who were on record as for or against Dollar General Store development (both petition and emails).” The motion died for lack of a second. After further discussion, Commissioner Morgan moved the Town Commission approve the minutes as written. Commissioner Behnken seconded the motion. The motion passed with Commissioner Chapman and Commissioner Smith voting against the motion.

VIII. Shalimar Yacht Basin Request for Business Tax Adjustment – Chair will entertain a motion to direct Town Staff to advertise first reading of Ordinance 2012-05 as attached. Commissioner Chapman moved that Steve Peterson be allowed to speak on this issue. Commissioner Smith seconded the motion and it passed unanimously. Steve Peterson spoke to the Town Commission about the cost of his license fees. His fees were originally $50.00 per year and when the new Marina Ordinance was written, they went up to $3311.00 per year. He says that he is willing to pay the $375.00 Business Tax fee, the $1200.00 for the live-aboard slips, and $14.00 for 20 non-live-aboard slips. The Town Commission held a discussion on this item and decided to have a workshop on Thursday, June 14, 2012 along with the Budget Workshop.

IX. TECHNICAL REVIEW BOARD APPOINTMENTS – During the May 15 meeting, Commissioner Chapman presented a draft of Ordinance 2012-04 addressing the composition of the Technical Review Board. Motion was made, seconded, and passed unanimously to direct Staff to advertise first reading of this Ordinance change. Chair will entertain a motion to approve first reading of this Ordinance as attached. Commissioner Smith made a motion to approve 1st reading of Technical Review Board Ordinance change. Commissioner Behnken seconded the motion and it passed unanimously.

X. Rezoning/Usage of Richbourg Lot – Commissioner Chapman presented a PowerPoint presentation showing reasons that he thinks the Town should reconsider developing the lot on Richbourg Avenue into a storage lot for the residents. Commissioner Chapman made a motion to have a workshop to discuss this item. Commissioner Morgan seconded the motion and it passed unanimously. Manager Burns will set up a date to have the workshop and decide how this item will be advertised so that all residents are notified.

V. Investment Authorization – Invest proceeds from Florida League of Cities Equity Fund. Manager Burns explained the investment choices and Commissioner Chapman made a motion that the Town Manager should take $100K out of the Money Market account and invest with the Florida League of Cities.
Intermediate High Quality Bond Fund. Commissioner Morgan seconded the motion and it passed unanimously.

VI. CODE ENFORCEMENT ACTIVITY (SMT 2012-001-MAYOR COMBS PMOC)
   a. Commercial
      2. Food Max Property – Attorney Chesser went over the information he got on the title search. He reported that there are DEP, mortgage, and tax liens on the property. He is going to research a legal plan to get the property cleaned up and Manager Burns will look into mitigation funds available for cleaning up the property.

      3. Wholesale Auto Sales – *Is this business in compliance with recently approved Nuisance Ordinances?* Does not seem to be in compliance and Manager Burns was directed to notify them that they need to come into compliance.

      4. Dewrell Law Offices – Problem areas have been cleaned up but the non-complying sign is still there. Owner has agreed to move/change sign and Manager Burns will contact them.

      5. Mattie Kain Medical Office – The Town Commission discussed what the appropriate action would be to bring Dr. Kain into compliance with our ordinances. She was denied a special exception to live in a commercial property. **Commissioner Smith made a motion that Manager Burns notify Mattie Kain that the Town has determined that she is in violation of the Shalimar code and she has 30 days before she will be fined according to the Shalimar Code. Commissioner Chapman seconded the motion and it passed unanimously.** It was decided that Attorney Chesser would draft a letter for Manager Burns to send to Dr. Kain and a quasi-judicial hearing will be held on this subject on July 10, 2012 at 5:30 p.m.

   b. Residential – Nothing to report

   c. General – Nothing to report

NEW BUSINESS:

II. Resolution on Overtime Pay for Police Officers - *Chair will entertain motion from Commissioner Morgan to approve this resolution.* Commissioner Chapman recommended that the Police Chief be removed from the list of people who can authorize overtime. The rest of the Town Commission agreed with this change. **Commissioner Morgan made a motion to approve this resolution with the modification of removal of Police Chief approval authority. Commissioner Behnken seconded the motion. The motion passed with Commissioner Smith voting against.**

III. Town Comprehensive Development Plan, Future Land Use Map, and Land Development Codes – *Commission needs to halt discussing updating of these documents and make it happen. Chair needs a Commissioner to lead this effort, develop plan and report progress to Commission.* This item was discussed and Manager Burns suggested that the Planning and Zoning Board review the Town’s Land Development Code and review Fort Walton Beach’s new Land Development Code and take out what does not pertain to Shalimar and parts of the Town’s code that we wish to keep. Mayor Combs asked Commissioner Chapman to consider chairing this project.

ANNOUNCEMENTS:
June 23, 2012 – INITIAL BUDGET 2013 WORKSHOP – 6:00 PM
June 27, 2012 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
July 10, 2012 – TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT: **Commissioner Chapman made a motion to adjourn at 9:25 p.m.**
**Commissioner Behnkken seconded the motion and it passed unanimously.**

__________________________________________  June 12, 2012
Sheila Hansen, Secretary                  Date approved
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: Chairman Gable led the Pledge of Allegiance

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member Jim Wilton - present
Member Johann Behnken - present
Member Mickey Clements - absent
Member Lynn Dominique - present

I. SETBACK VARIANCE FOR 14 CHEROKEE ROAD

Watree Construction and Land Development, LLC requested a 2 ½-foot setback variance at 14 Cherokee Road to preserve two protected oak trees on the right side of the lot by Cherokee Park. This setback requires removal of one protected oak tree by the front of the house.

A discussion was held on this subject. The two oak trees that are being preserved will have to have some trimming and Manager Burns requested that this be done by a certified arborist. The developer said that this would not be a problem.

No reforestation will be required for the removal of the one tree due to credit from the number of saved trees.

Member Dominique made a motion to grant the variance. Member Wilton seconded the motion. After a discussion, Member Dominique amended his motion to allow the removal of the 24” oak tree on the front left side of the property. Member Wilton seconded the amendment. A vote was taken on the amendment and passed unanimously. A vote was taken on the original motion which passed unanimously.

ANNOUNCEMENTS:
JUNE 12, 2012 – TOWN COMMISSION MEETING, 6:00 P.M.
JUNE 14, 2012 – BUDGET WORKSHOP 6:00 P.M.
JUNE 27, 2012 – PLANNING & ZONING MEETING, 6:00 P.M.

ADJOURNMENT: Member Dominique made a motion to adjourn at 6:13 p.m. Member Behnken seconded the motion and it passed unanimously.
June 27, 2012
Date approved
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge was led by Zachary Fenton of Boy Scout Troop 529.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member Jim Wilton - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - present

OLD BUSINESS:

II. APPROVE MINUTES FROM THE MARCH 28, 2012 P&Z MEETING AND THE MAY 24, 2012 COMPREHENSIVE PLAN WORKSHOP - Member Dominique made a motion to approve the minutes from the March 28, 2012 meeting. Member Clements seconded the motion and it passed unanimously. Member Behnken made a motion to approve the minutes from the May 24, 2012 workshop. Member Wilton seconded the motion and it passed unanimously.

III. TECHNICAL REVIEW REPORT – Chairman Gable explained that the Planning and Zoning Board would no longer be the Technical Review Board as has been done historically. The Technical Review Board will consist of the Chairman of the Planning and Zoning Board, the Town Manager, the Roads and Grounds Commissioner or other Commission member and, if needed, an adjoining property owner or other requested member.

The Technical Review Board reviewed the building plans for a single resident house at 14 Cherokee Road. Chairman Gable explained that the builders were removing one tree where the footprint of the building will be. There are enough other trees on the lot that this will require no reforestation.

IV. COMP PLAN WORKSHOP FOLLOW-UP –

a. FLUM – A copy of the update FLUM was reviewed. Member Wilton brought up that it would be more appropriate for the Yacht Basin to be zoned Commercial rather than Mixed Use, which was the zoning on the updated FLUM. The Board all agreed that this would be an appropriate change.

It was also decided that the coloring of some of the zoning would be changed so that it will be more visible.

Member Wilton suggested that the School District property be listed as an uncontrolled area since the School District may not have to follow Town Ordinances. Manager Burns said he would get a legal opinion on whether or not this was true.
b. A discussion was held about the sections of the Comprehensive Plan that the Board Members were updating. Manager Burns explained that these sections were data sections and not part of the Comprehensive Plan Elements.

c. It was decided that a Public Hearing will be held on the Comprehensive Plan at the June 27, 2012 Planning and Zoning Board meeting.

NEW BUSINESS:

I. APPOINTMENT OF A CO-CHAIRMAN FOR THE PLANNING AND ZONING BOARD – Member Behnken made a motion to appoint Member Wilton as Co-Chairman of the Planning and Zoning Board. Member Dominique seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
JUNE 12, 2012 – TOWN COMMISSION MEETING, 6:00 P.M.
JUNE 27, 2012 - PLANNING & ZONING MEETING, 6:00 P.M.

ADJOURNMENT: Co-Chairman Wilton made a motion to adjourn at 6:50 p.m. Member Dominique seconded the motion and it passed unanimously.

_________________________________  June 27 2012
Sheila Hansen, Secretary          Date approved
Town of Shalimar
Planning and Zoning Board
Comprehensive Plan Workshop
May 24, 2012

CALL TO ORDER: Chairman Gable called the Planning and Zoning Board Workshop to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Present
Member Jim Wilton - Present
Member Johann Behnken - Present
Member Mickey Clements - Present
Member Lynn Dominique – Absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen,

1. Review Comprehensive Plan Amendment procedures
Manager Burns reviewed the processes that were available to amend the Comprehensive Plan. It was decided that the new State Coordinated Review was what the Town of Shalimar would be required to use.

   A. Deleted requirements
Manager Burns then explained what the State had eliminated from the requirements. He recommended that Shalimar eliminate the Public School Element (Chapter 17) since the State no longer requires that element.

   Manager Burns then went over the new State Coordinated Review Process and explained the package preparation required before submitting it to the State.

   B. Current submission and public hearing requirements
Manager Burns explained the current rules for submitting the package and the requirements for public hearings. The Public Hearing has to be advertised 10 days prior and it was decided that they would try to have the Public Hearing at the June 27, 2012 Planning and Zoning Board meeting. The Town Commission then needs to have a Public Hearing on the amendments. Manager Burns said that he would like to see that hearing be done at the July 10, 2012 Town Commission meeting.

   Manager Burns then went over the flow chart describing all of the required steps to amend the Comprehensive Plan.
2. Review current Comprehensive Plan draft status

The Planning and Zoning Board then reviewed the current draft of the Comprehensive Plan and discussed the elements that Bill Compton of WFRPC said needed to still be updated. He had supplied Manager Burns with an electronic copy of Niceville’s Comprehensive Plan and suggested that Shalimar copy its elements from there. It was decided that these five elements would be divided among the five people attending the meeting and assigned as follows:

- Capital Improvements – Manager Burns
- Infrastructure – Brad Gable
- Coastal Management – Johann Behnken
- Recreation – Mickey Clements
- Inter-governmental Coordination – Jim Wilton

A. Remove Unnecessary Elements

It was discussed earlier to remove the Public School Element.

B. New FLUM zoning categories with density data

The Board reviewed the Future Land Use Map (Chapter 7) and decided to replace all present chapter references to FS 163 Pt 2 as this is the new reference chapter.

C. Proposed FLUM

A discussion was held on the categories on the FLUM. It was decided that the Conservation category would be changed to Public Lands. This category would include the following.

- Municipal Operations
- Public Education
- Parks and Recreation

Section 7A4.1 – Waterfront District was discussed. This category is not listed on the FLUM but it was decided that this would be in the Mixed Use category and what is allowed in this area would be controlled by the Land Development Code.

They decided to remove Mixed Use Limited from the FLUM categories. It was decided that Manager Burns would redo the FLUM and email a copy to each Board member.

D. 5 year capital improvements

After a discussion, it was decided that there is no 5 year capital improvements that need to be listed on the Comprehensive Plan.

3. Set action items, POC's, and deadlines

These decisions were all made during the discussions.

April 25, 2012

Sheila Hansen, Secretary

Date approved
CALL TO ORDER – Mayor Combs called the meeting to Order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Present
Commissioner Ursel Behnken – Absent
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE:

COMMITTEE REPORTS:
- Beautification
- Code updates
- Planning & Zoning Board
- Technical Review Board

POLICE REPORT – The Police Report was attached.

TOWN MANAGER REPORT – The Town Manager’s Report was attached.

Commissioner Chapman made a motion that the below administrative change to the nuisance ordinance be accepted to better reflect the Commissions intent. If the code enforcement official deems any report to be in violation of this chapter, it will be the code enforcement official's duty to notify, within 5 days, by certified mail, each property owner and/or resident in violation of this chapter and to demand the violation be remedied within 15 days of such notice. Commissioner Morgan seconded the motion. It passed unanimously.

A discussion was held on investing the $100k from the FMITF and it was decided that the subject would be delayed until further information is acquired on investment availability.

ATTORNEY’S REPORT – Attorney Chesser had no report

COMMISSIONER SMITH’S REPORT – Commissioner Smith was absent

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman’s report was attached.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken was absent.
COMMISSIONER MORGAN’S REPORT – Commissioner Morgan’s report was attached.

MAYOR COMBS’ REPORT – Mayor Combs’ report was attached. As a matter of record, Chair requested to include in minutes a Memo for Record of Residents who were on record as for or against Dollar General Store development (both petition and emails).

TOWN RESIDENTS’ TIME:

Buck Lowery from Gulf Power spoke to the Town Commission. He said that Gulf Power was about to start maintenance on the Shalimar power lines. They will be doing the normal, routine tree trimming in Shalimar that they do every four (4) years. They will be leaving flyers at residences with notification of when this will start.

OLD BUSINESS:

I. Teramore Development Corporation Building Permit
   An invoice has been sent for reimbursement of expenses and the construction permit will be issued upon request.

II. Town Commission Meeting Minutes – Based on outcome of 30 April Workshop, chair entertained a motion to amend, repeal, or rescind April 10, 2012 Commission Meeting decision below:

   "Commissioner Chapman made a motion that all of the comments referenced to reporting what was said at the meeting be stricken from the minutes and the minutes be limited to the record of the motions made, the votes taken, and the results of those votes. Commissioner Smith seconded the motion."

   Commissioner Chapman made a motion that the amended meeting minutes submitted for Town Commission review following the administrator workshop which includes the March 13, 2012, the April 10, 2012 Town Commission meeting, and the April 30, 2012 workshop, be approved. Commissioner Morgan seconded the motion. The motion passed unanimously.

III. Posting of draft unapproved minutes on Internet Town Website – A discussion was held about directing the Town Staff to post draft Commission meeting minutes 14 days after they are emailed to all Commissioners under silent procedure rules. By silent procedure rule, any Commission member must request in writing a temporary halt of posting a specific draft based on a significant modification amendment for which they plan to propose at the next Commission meeting. Missing information that can be added or minor grammatical errors should be noted and corrected and not limit posting of draft minutes. A note shall be posted on the website that the minutes draft will be posted after 14 days or that a hold is placed on the draft minutes until next Town Commission meeting due to a request by a Town Commissioner.

IV. Shalimar Yacht Basin Request for Business Tax Adjustment – This topic has been a meeting agenda item almost every year since the commission voted in January 2006 to amend (Ordinance 2007-04 business license tax rates to include new rates for Hotels and Marinas. During the July 2011 Commission meeting, Attorney Chesser presented an Ordinance 2011-06 that clarified
methods for charging the Marina business tax based on actual rentals of slips. First reading of the ordinance passed during the August 2011 Commission meeting with an amendment on when it would be effective. At the September 2011 Commission meeting, the second reading of Ordinance 2011-06 failed due to the lack of a second on the main motion. To bring this issue to closure, the Chair revised Ordinance 2011-06 with further clarifications and conditions to provide relief for SYB during difficult economic periods. Accordingly, the Chair entertained a motion to direct Town staff to advertise a first reading of Ordinance 2012-04 on the June 2012 meeting. Commissioner Chapman requested this item be delayed until the June Town Commission meeting and he told the Shalimar Yacht Basin owner he would meet with him prior to the June meeting.

V. TECHNICAL REVIEW BOARD APPOINTMENTS – Commissioner Chapman did a Power-point presentation explaining an ordinance change to update the Technical Review Board appointments. Commissioner Chapman made a motion that the Town Commission accept this ordinance as proposed and direct the Town Manager to advertise the first reading. Commissioner Morgan seconded the motion. The motion passed unanimously.

VI. CODE ENFORCEMENT ACTIVITY (SMT 2012-001-MAYOR COMBS PMOC)

A. Commercial
1. Food Max Property – Attorney Chesser was asked by Commissioner Chapman to do a title research on the property.
2. Wholesale Auto Sales – Is this business in compliance with recently approved Nuisance Ordinances?

B. Residential – Nothing to report

C. General
1. Parking on Right of Way

NEW BUSINESS:

Sale of Richbourg Lot – Mayor Combs recommended the Commission dispose of this lot as its stated purpose was previously disapproved and Chair suggested this property be re-zoned Commercial to increase resale value. Commissioner Morgan made a motion to have town proceed with a rezoning application for the property. The motion died for lack of second. Commissioner Chapman said that he did not believe the Town should sell the property at this time. He gave a presentation showing a comparison of property values in the Town of Shalimar from 2008 to 2012. Commissioner Chapman made a motion to direct the Town Manager to take appropriate action to rezone the Richbourg property as Commercial. He further moved that the Town Commission reconsider its decision of 2 December 2010 to eliminate the Richbourg storage facility and instead move forward with the project to build the Richbourg storage facility as recommended by the Planning and Zoning Board. Commissioner Morgan seconded the motion. The motion passed unanimously.

II. WRITTEN REPORTS TO THE COMMISSION – Based on outcome of Item II and III of Old Business above, all future reports (resident, Commissioner, Committee and Staff) given during
Town Commission meetings will be presented in written form and read during subject meeting. Subject reports can then be attached to condensed minutes.

III. FLORIDA SUNSHINE LAW VOTING RULES AND VOTING GUIDELINES – Discussion only: It was discussed that the only time a Commissioner can abstain from voting on an issue is if they have a financial conflict of interest and there is a form that must be filed and kept on record.

IV. RENEWAL OF TOWN CONTRACTS FOR LEGAL AND ENGINEERING SERVICES. Manager Burns explained what changes would be made to the contracts. **Commissioner Chapman made a motion to approve renewal of both legal and engineering contracts. Commissioner Morgan seconded the motion. The motion passed unanimously.**

A discussion was held on video recording of the Town meetings and whether they should be streamed live or posted to the website. It was decided that Commissioner Chapman would research and make a recommendation at the next Town Commission meeting.

**ANNOUNCEMENTS:**

May 24, 2012 – P&Z BOARD COMPREHENSIVE PLAN WORKSHOP – 6:00 P.M.  
May 30, 2012 – PLANNING AND ZONING BOARD MEETING – 6:00 PM  
June 12, 2012 – TOWN COMMISSION MEETING – 6:00 PM

June 12, 2012

Sheila Hansen, Secretary  
Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to allegiance.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith - Present
Commissioner Ray Morgan - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Maintenance Supervisor Kent Beck, Rick Powell, Brad Gable, Roy Petry of Poly-engineering, Jesse Rigby, Steve Peterson, Rusty Weenink, Buddy Page, Jennifer Bell, Steve Hufstetler, Josh Hufstetler, Jeff Hobbs, Jim Wilton, Ronda Webster, Frank Kane, Kim Hopkins, Stephen Hopkins, Jennifer Chapman, Sharon Smith

COMMITTEE REPORTS:
Beautification – No report
Code updates – No report

PLANNING AND ZONING BUSINESS – No report

BEAUTIFICATION-REVITALIZATION COMMITTEE – No report

TOWN RESIDENTS' TIME – No residents spoke.

TOWN ATTORNEY'S REPORT – Attorney Chesser had nothing to report.

OLD BUSINESS:
I. APPROVE MINUTES FOR THE March 13, 2012 TOWN COMMISSION MEETING – Mayor Combs requested a motion to approve the March 13, 2012 minutes. Commissioner Chapman stated his opposition to the expanded minute’s format. Mayor Combs stated Commissioners had adequate time to review and recommend changes to draft minutes. Commissioner Chapman said that he understood that, but if you consult any professional parliamentary site, it will tell you that meeting minutes should be a record of what was done and not necessarily, a record of what was said. Commissioner Behnken made a motion to accept the minutes as written. Motion died for lack of second.

Mayor Combs said that this was the first time he can recall minutes not being approved considering there is an audio report of the meeting. Further discussion ensued related to posting draft minutes.

Mayor Combs stated he had reviewed draft minutes and they appeared to reflect what occurred during the meeting. Commissioner Chapman disagreed. Mayor Combs suggested Commissioner Chapman make a motion to amend the minutes.
Commissioner Chapman made a motion that all of the comments referenced to reporting what was said at the meeting be stricken from the minutes and the minutes be limited to the record of the motions made, the votes taken, and the results of those votes. Commissioner Smith seconded the motion.

Mayor Combs questioned this changing of posted minutes. Attorney Chesser stated that unapproved minutes could be amended.

Commissioner Morgan made a motion to table the approval of the March 13, 2012 minutes. Commissioner Behnken seconded the motion. The motion did not pass 2 to 3. Commissioner Morgan and Mayor Combs voting for and Commissioners Chapman, Smith, and Behnken voting against.

A discussion was held and a vote was taken on Commissioner Chapman’s motion. Mayor Combs expressed his objections to this motion. Commissioner Chapman requested Manager Burns research and provide a report on obtaining verbatim minutes. The motion that all comments referenced to reporting what was said at the meeting be stricken from the minutes and the minutes be limited to the record of the motions made, the votes taken, and the results of those votes passed with Mayor Combs and Commissioner Morgan voting against.

Attorney Chesser stated that minutes posted on the website should be rewritten to follow the approved guideline. He said that the Town Commission should discuss the practice of posting draft minutes.

Mayor Combs stated he would be voting against all meeting minutes prepared under this guideline. He also clarified that the motion applies to only the Town Commission meeting minutes.

II. PLANNING AND ZONING BOARD RECOMMENDATION ON DOLLAR GENERAL STORE DEVELOPMENT (Quasi-Judicial Hearing).

Mayor Combs stated that, based on everything that happened at the last meeting – everyone received the attorney’s opinion – we are basically right where we ended with the main motion that Commissioner Morgan made still on the table. He asked for Attorney Chesser’s opinion. Attorney Chesser said that he had read the minutes of what he saw to be a representation of what happened there and he said that it looked to him that Commissioner Morgan had consented to the withdrawal of that motion in light of the one that conflicted with it. He said it should not make any difference whether that motion is pending or whether it is made again tonight. He said that he did not know the answer to the Mayor’s question. The motion can be withdrawn by Commissioner Morgan. If Commissioner Morgan did not withdraw the motion, then it is still on the table.

Commissioner Morgan repeated his March 13 2012 motion that the development order application by Teramore Development Corporation for a Dollar General Store at 1198 Eglin Parkway based on the currently submitted plan dated March 13, 2012, which include the changes requested earlier, be approved. Commissioner Morgan further stated his motion needs amending to include the changes that could be incorporated into an annex in the original development order. Because Commissioner Smith has been intimately involved in that activity, he suggested that Commissioner Smith make the appropriate amendment. Commissioner Morgan’s repeated motion was considered a valid update to his original motion made during the March 2012 meeting, thus no second was necessary. There had been a number of changes made to the development order since the last meeting and Commissioner Smith had been in the
center of getting these changes made. Mayor Combs suggested an amendment to include updating the development site plan date to April 10, 2012. The amended motion should include approval for site plan plotting across three lots, at least two ordinance variances, one for the 25-foot driveway, which the Planning and Zoning Board asked the developer to do, and another for a small traffic island, per our engineering report, which the Planning and Zoning Board also asked Teramore Development to do. In addition, Commissioner Smith met with Teramore Development and has 12 items that he would like to include in the site plan annex. Commissioner Morgan asked if these changes were incorporated into the submitted plans. Manager Burns stated the two of the items were already in the site plan and the others are not included because they apply to the elevation or details on the building that will not be available until the building plans are finalized and go to the county. Those 10 items were the building changes that Commissioner Smith requested. Commissioner Smith requested a review of all items recommended by the Planning & Zoning Board. Brad Gable, Chairman of the Planning and Zoning Board said that there was one additional recommendation to prohibit outdoor display of merchandise. Manager Burns proceeded to review the Planning and Zoning Board list recommendations below:

**Planning and Zoning Board recommendation and Manager Burn’s comments**

1. Change the Plew Ave access point to the approx. location of the previous commercial establishment (current Plew access). “This has been overtaken by events.”
2. Modify plans to retain the 14’ oak tree at the far rear of the proposed site. Reforestation requirements are fulfilled with rear trees as currently depicted in the landscaping plan.
3. Increase the height of the proposed buffer zone fence at the rear of the property to 8 ft. and change construction to one-sided privacy instead of shadow box. “That has been modified and agreed to and is already in the list. Length of fence toward Plew Ave will be until Plew side of waste receptacle area. New fence will replace current property owner’s (8 Plew Ave) fence. A 6 ft. high (opaque when mature) vegetative buffer will then proceed to the end of the rear development property line.
4. A 6 ft. high opaque vegetative buffer will be added on Town ROW next to the development Plew Ave. property line, proceeding from the end of the rear buffer to the west end of the Plew access point. A 4 ft. buffer or hedge will be added on Town ROW next to the Plew property line to the Eglin pkwy end of the parking area along Plew. “This has been overtaken by events. This buffer zone is no longer in the right-of-way.”
5. The parking area along Plew Ave will be up to 14 parking slots uninterrupted with any landscaping island.
6. The planned swale along the south side of the building will be augmented with a buried drainage pipe connected to the south side roof spouts.
7. The waste receptacle area will be privacy gated.
8. The Elevation Plan will be as depicted in the photo dated 1/27/12 and as annotated with architecture enhancements to stucco sides/rear and stucco front roof parapet. “This will be eliminated and added in on details of the building.”
9. The proposed exterior lighting plan may be adjusted by lowering bulb wattage on selected fixtures as determined by P&Z inspection after installation. “This is in the current list”.
10. Irrigation is required for all landscaping. “Already in the list”
11. No merchandise will be displayed outside of the building. “Added to the current list as number 12.”
12. Delivery hours will be governed by pending noise ordinance. “Manager Burns said that he did not think this needs to be added because once the ordinance is passed it will be law and the Town will enforce it.”
13. Final Development Order is contingent on acceptable county, DOT, and Water Management District concurrency and application approvals. “This has already taken place”.

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14. Poly-Engineering will review all plans for accuracy and feasibility at Town expense. PolyEngineering will review load-bearing sufficiency of Plew Ave at Developer's expense. Deficiencies in Plew load bearing capabilities will be addressed before Final development order approval. “Testimony has been heard by the engineer for the developer and we have posted the requested review by Poly-engineering which is the certified report which has been on the website.” Manager Burns said that he would have that entered into the record. This report is identified as Review of Site Construction Plans for the retail store Dollar General to be located at 1198 Eglin Parkway prepared by Poly-Engineering and dated April 5, 2012.

Manager Burns said these items were all he thought would be applicable from the originally Planning and Zoning Board recommendation.

**Plan changes resulting from Commissioner Smith’s meeting with Teramore Developers**

1. Reuse pole lights on existing Starbucks site to accommodate proper lighting in parking lot and shield wall packs for downward directed light.
2. Storefront sign to be box letters rather than normal Dollar General 3’6” x 26’ sign.
3. The front parapet will have crown molding and side ends will be "thickened" to provide depth to the front elevation. Back of parapet to be stucco.
4. Change the gutter color to light stone rather than the darker medium bronze color. Roofing to be color matched and not galvalume.
5. Recess the light on the inset at the storefront so it is not visible from the street.
6. Exposed ductwork on back of building to be light stone to match rather than galvalume.
7. Privacy fence buffer at rear to be pre-colored s/f block with brick columns to break it up every 15-20’. Columns will be capped at top w/ pyramid block or the like.
8. Reduce as much as possible the amount of pine straw/mulch in landscaping areas.
9. Sod, irrigate, and maintain to edge of pavement in ROW.
10. Keep shadowbox privacy fence around HVAC units.
11. Doors to dumpster to be heavily constructed and supported.
12. No outside merchandise displays

**Commissioner Morgan amended the motion to be based on the plans dated April 10, 2012 and to include the latest 12 changes as listed above to be incorporated into the development order as an annex and also include the recommendations of the Planning and Zoning Board. The motion will also include approval for the combination of the three lots and approve the widened driveway on Plew Avenue with the western island to be less than 7 feet wide. Commissioner Behnken seconded the amended motion.**

Commissioner Chapman questioned Town Manager Burns to explain lot setback requirements for individual lots versus a combined lot and to identify any code variances needed. Commissioner Chapman and Town manager discussed setback requirements. Manager Burns also stated two variances were required: (1) the driveway on Plew Avenue is larger than 24 feet and (2) the western-most island of that driveway entrance was narrower than 7 feet.

Commissioner Chapman stated his opposition to the motion.
Commissioner Chapman and Mayor Combs discussed information flow and disagreed on the number of Shalimar residents on record as for or against the development.

Mayor Combs called for a vote. The motion passed 4 to 1 with Commissioner Chapman voting against.

III. SECOND READING OF ORDINANCE 2012-03 NUISANCE ORDINANCE - Commissioner Chapman made a motion to approve the second reading of Ordinance 2012-03 Nuisance Ordinance. Commissioner Behnken seconded the motion.

Commissioner Smith stated he was still not completely satisfied with the Nuisance Ordinance. He expressed concern that the Commission and staff are not expert ordinance preparers and the ordinance could be better.

Commissioner Morgan stated that some might argue the nuisance ordinance is too restrictive.

Commissioner Smith said that Commissioner Morgan may be right and he may be wrong.

Discussion continued related to ordinance procedures once a nuisance is identified. The process included Town Manager’s written notification to the nuisance violator followed by Commission resolution to either fine or take other corrective action with a charge for the offense. Manager Burns stated the entire enforcement decision process could take up to 45 days with the violator given two weeks to correct the problem following a Commission resolution. Discussion continued as to Town’s past and current code enforcement actions.

Manager Burns restated that according to the pending nuisance ordinance: (1) staff sends a certified letter (the courtesy letter) within 5 days after nuisance has been identified, (2) the violator has two weeks to remedy the identified nuisance. (3) If the violator has not corrected the nuisance within the two-week period, the Town manager requests Commission’s review at next Commission meeting. (4) During Commission review, the Commission can pass a resolution to either fine the nuisance violator or direct the staff to mitigate the violation and charge the violator for it. Mayor Combs stated that per Town attorney opinion this process is required to enable legal collection of fines and/or charges based on an identified nuisance violation.

Commissioner Chapman stated that he realizes the nuisance ordinance is not perfect but it is better than the one we have now.

More discussion ensued on how the ordinance was prepared by committee and the merits of spending funds to codify it. Discussion continued on preparing a schedule of nuisances and set fines as well as an appeal process for violators. Commissioners agreed that the nuisance ordinance could be amended and, although not perfect, it should be approved.

This Commission discussion was followed by a lengthy attorney opinion related to enforcement of ordinances. Although difficult to summarize our Attorney, it appears he believes the Commission should make the hard decisions related to nuisance enforcement, and although he was provided a copy of the ordinance, he plans to read it again.
A vote was called for. Commissioner Morgan asked for clarification if this was the final reading. Attorney Chesser said that the second reading is final unless the Town Commission says otherwise. After a short discussion it was decided that this would be the final reading.

The motion passed 4-1 with Commissioner Smith voting against.

NEW BUSINESS:

I. PLANNING & ZONING BOARD APPOINTMENTS – Mayor Combs recommended 5 new staggered term appointments. Mayor Combs explained that a member of the Planning and Zoning Board had resigned due to not being able to attend the meetings. Mayor Combs said that he had reviewed the Planning and Zoning Board bylaws (Ordinance 97-07). The by-laws say that the Planning and Zoning Board consists of five members with staggered three-year terms. He has only five volunteer candidates. Four of these volunteers are presently on the board and have Planning and Zoning Board experience. Mayor Combs said that the new volunteer, James Wilton, is in the audience. He has run for Town Commission, he has attended several meetings, he is aware of our ordinances, and he has agreed to take the vacant position. Discussion ensued on how appointments were made and Mayor Combs stated he would not appoint even a substitute member without Commission approval. Commission Chapman stated he would prefer a larger candidate list and he thinks other residents might be interested. Mayor Combs stated he would sponsor any resident who officially requests consideration, and discussion continued related to methods for advertising vacant positions and maintaining a volunteer list.

Mayor Combs stated he is making a recommendation with staggered periods of the following residents (Brad Gable-3 years, Lynn Dominique-2 years, Johann Behnken-2 years, Mickey Clements-1 year, and Jim Wilton-3 years). These are the only known volunteers.

Commissioner Chapman said that all organizations, including this one, can benefit from the infusion of fresh blood and he thinks that Brad does a wonderful job as the Chairman. He stated he has no problems with James Wilton joining the board but he would like to see some additional fresh blood on the Planning and Zoning Board. Commissioner Behnken made a motion to approve the appointments. Commissioner Morgan seconded the motion. The motion passed with Commissioner Chapman abstaining.

II. TECHNICAL REVIEW BOARD APPOINTMENTS – Mayor Combs/Manager Burns outlined Shalimar’s standing development approval process following Mayor Combs recommendation of the following positions to perpetually serve as the Town of Shalimar Technical Review Board committee members: Roads & Grounds Commissioner, Town Manager or Head Administrative Clerk, Chairman or Acting Chairman of the P&Z, and if available, one additional P&Z member or any adjacent property town resident with concerns. Commissioner Chapman said he did not have any objection to the structure of the Technical Review Board but he had two questions. One, where does this fit into the ordinances because we need to identify a specific ordinance change. He said that he thought in the Preliminary Development Review that there is a section that is appropriate but there is also sections in other places. The second thing he asked about was that, he is okay with the professional standing committee but in the last part, the language is too vague. It says, if available, and that either is or is not. We are going to have one additional Planning and Zoning Board member and any adjacent property owner with concerns. He asked if there was a way to do that. He said it was at the chairman’s discretion that additional members could be added. He said he thought that was too vague. A discussion was held where it was explained that the Technical Review Board goes over the development before it goes to the Planning and Zoning Board who will then make a recommendation to the Town Commission. Manager Burns explained the Technical Review
Board should outline any variances that will be considered by the Planning and Zoning Board. 
**Commissioner Chapman made a motion for the Mayor to appoint a 5-member panel consisting of one Commissioner, 1 Planning and Zoning Board member, and 3 other people to serve as the Technical Review Board.** Commissioner Behnken seconded the motion. After more discussion, being the ordinance for the Technical Review Board was written before the Sunshine Laws went into effect and two members of the Town Commission cannot both be on the board, it was decided that Commissioner Chapman would rewrite the Ordinance on the Technical Review Board and present it at the May 8, 2012 meeting.  **Commissioner Chapman withdrew his motion.**

### III. CODE ENFORCEMENT ACTIVITY (SMT 2012-001-MAYOR COMBS PMOC):

Mayor Combs said that he wanted to see standing meeting topics that do not go away until the problem is resolved. Commissioner Chapman and Mayor Combs discussed merits of standing meeting topics with Commissioner Chapman agreeing that some topics could be standing items. Commissioner Chapman said he was okay with standing code enforcement agenda items.

a. Commercial
   1. Food Max Property
   2. Wholesale Auto Sales

b. Residential – Nothing to report

c. General
   1. Parking on Right of Way – A discussion was held on illegal parking on the street. With the extra traffic due to construction, illegal parking cannot go on. Commissioner Morgan asked if the police could have illegally parked vehicles towed. Chief Cash said that, in the 10 years he had been here, the only vehicles he had towed were illegally parked by the bridge for several days. Commissioner Morgan said that he would speak to the Police about being consistent on enforcing parking ordinances.

### IV. SHALIMAR YACHT BASIN REQUEST FOR BUSINESS TAX ADJUSTMENT

Steve Peterson brought up that Ordinance 2006-03 raised his occupational license from $50.00 a year to $3300.00 per year. He is being charged for 134 wet slips and 10 live-aboard slips. It was explained to him that before that time there was no category for marinas in the business tax ordinance. The tax was set high to cover Town costs caused by the Marina, which are not covered by ad valorem taxes. Commissioner Chapman asked Mr. Peterson to present his request to the Town as a written request, which will be brought up at a future meeting.

### V. PLANNING AND ZONING BUSINESS - Chairman Gable presented the recommendation to deny special exception for dwelling unit in a commercial business at 10 Old Ferry Road.

Mayor Combs announced that Attorney Bud Day notified the Town Hall he could not be available for this meeting due to illness and requested the decision be delayed until a later date. Mayor Combs asked if the Town Commission wished to delay the decision or address it at this meeting. Commissioner Chapman said he was inclined to keep the item on the agenda.

Attorney Chesser said that, even though there is a request to delay the decision, the Town Commission is not required to do so. Commissioner Morgan asked if there would be any damage done by delaying the
decision. Attorney Chesser said that the only damages are that there are people here who oppose the issue and that there has been a published advertisement that has cost the Town money and that if someone is going to delay the decision they should, at least, have to pay for the republishing of the advertisement.

It was decided that the item would be discussed.

Richard Powell, representing Virginia Pierce, who is a creditor of Dr. Kain, spoke to the Town Commission. Ronda Webster spoke to the Town Commission. She explained that Michael Webster had purchased the property at 10 and 12 Old Ferry Road and sold 10 Old Ferry Road to Dr. Kain. Dr. Kain made a verbal agreement with Attorney Webster that she would share the cost of the utilities. She purchased this property for a Commercial medical clinic. Mrs. Webster supplied sketches (exhibit 1) of the property at the time it was sold to Dr. Kain. Mrs. Webster said that Dr. Kain’s living at 10 Old Ferry Road had become very disruptive to Attorney Webster’s business. Mrs. Kain, as well as her son, had threatened herself and employees of the other businesses on the property. Mrs. Kain had not paid her share of the expenses for a number of years and owes the Websters over $9,000.00 on back utility bills. She also supplied the Town Commission with photos of the building at the time it was sold to Dr. Kain.

**Commissioner Chapman made a motion to accept the denial of the application for a special exception in absence of proof that this property meets the requirements for a dwelling unit.**

**Commissioner Behnken seconded the motion. The motion passed unanimously.**

**Commissioner Chapman made a motion that the Town Manager inspect the building at 10 Old Ferry Road to see if it is in compliance as a commercial business and report the status at the May Commission meeting.** **Commissioner Behnken seconded the motion. The motion passed unanimously.**

Manager Burns was directed to notify Dr. Kain that she is in violation of the Town ordinances and must move out of her office.

**COMMISSIONER CHAPMAN’S REPORT** – Commissioner Chapman reported that the budget remains on track for fiscal year 2012. He also reported that Manager Burns had contacted an IT Specialist and that he had quoted a $60.00 an hour cost on an as needed basis for IT support for the Town. He will also investigate getting a server for the Town.

**COMMISSIONER MORGAN’S REPORT** – Commissioner Morgan said that, with the construction work on Eglin Parkway, the police are putting a lot of emphasis on controlling traffic. If anyone has any problems with the Police Department, he would like them to contact him. He also said that he is considering hiring another part-time officer.

**COMMISSIONER SMITH’S REPORT** – Commissioner Smith had nothing to report.

**COMMISSIONER BEHNKEN’S REPORT** – Commissioner Behnken had nothing to report.

**MAYOR COMBS’ REPORT** – Mayor Combs reported that his wife’s car had been stolen from his driveway and that Chief Cash succeeded in finding the car in 5 hours. Mayor Combs has installed a security system on his property with cameras that cover most of Gardner Drive.
POLICE REPORT – Chief Cash did not make a report.

TOWN MANAGER UPDATE – Town Manager Burns said that he had a resident request for the Town to share the cost of trimming trees next to Meigs Park. The resident had Town park trees trimmed to allow clearance for their own satellite dish and to remove branches from over their driveway. Some of the trees were Town trees in Meigs Park and he would like the Town to pay for half of the cost. The Town Commission all agreed that the Town should not pay for this.

A discussion was held on the status of the lien on the Food Max property. **Commissioner Chapman made a motion to direct Attorney Chesser to do a title search on the property.** The audio record does not support a second for this motion. Nevertheless, Commission discussion continued. Attorney Chesser explained that if the Town foreclosed on the lien on the Food Max property there was a good chance that the Town would own the property because municipal liens prime even first mortgages. He did warn that the Town needed to consider if there is an environmental problem with the property. It may be so expensive to clean up that it is not worth owning. Commission members discussed ways of finding out what, if any, clean-up in necessary and there was a Commission consensus to have Attorney Chesser do the title search before any other action is taken.

Attorney Chesser swore Jim Wilton in as a member of the Planning and Zoning Board.

ANNOUNCEMENTS:  
APRIL 17, 2011 – OCLOC DINNER SPONSORED BY MARY ESTHER  
APRIL 25, 2012 – PLANNING AND ZONING BOARD MEETING - 6:00 pm  
MAY 15, 2011 – TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT: **Commissioner Chapman moved to adjourn the meeting at 9:20 p.m. Commissioner Morgan seconded the motion and it passed unanimously.**
CALL TO ORDER: Chairman Gable called the Planning and Zoning Board Meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Present
Member/Co-Chairman Gene Tucker - Absent
Member Johann Behnken - Present
Member Mickey Clements - Present
Member Lynn Dominique - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Attorney Mike Chesser, Robert White, Chuck Comella, Jr., Colonel Bud Day, Dr. Carol Kain, Linda Mayfield, Elmer Wagner, Richard Powel, Rusty Weenink, Tim Smith, Nina Trawick, Ronda Webster, Karen Jones of Okaloosa County Property Appraisers Office, and Marion Cook. Attorney Chesser explained the process to be followed for a quasi-judicial hearing.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 29, 2012 P&Z MEETING Member Behnken made a motion to approve the Minutes from the February 29, 2012 Planning and Zoning Board meetings. Member Dominique seconded the motion and it was passed unanimously.

II. CONSIDER SPECIAL EXCEPTION FOR DWELLING UNIT IN COMMERCIAL BUSINESS AT 10 OLD FERRY ROAD – SHALIMAR MEDICAL CLINIC

Chairman Gable explained that the request was tabled at the February meeting. Manager Burns was sworn in by the court reporter. He explained that Dr. Kain was requesting a dwelling unit in her commercial building at 10 Old Ferry Road. At the February meeting, he was directed by the Planning and Zoning Board to inspect the dwelling unit and determine if it conformed to what the Town’s ordinances require for a dwelling unit in a commercial building. He said that Attorney Bud Day’s office contacted him and told him to contact Dr. Kain to arrange a time for him to inspect the premises on March 9, 2012. He contacted Dr. Kain and she said that the date was incorrect and should be March 16, 2012 and he made an appointment with her to inspect the premises at 4:00 p.m. on that date. On the morning of March 16, 2012 Dr. Kain contacted the Town Hall office and said she had an out-of-town doctor’s appointment and would not be
able to make the appointment with Manager Burns. Manager Burns then tried to contact her to set up another appointment and on March 21, 2012 Dr. Kain contacted him by phone and said that she considered the inspection an invasion of her privacy. No inspection was scheduled. Manager Burns then wrote her a letter, which was mailed on March 22, 2012 explaining the preceding events, and asking what her intentions were on proceeding with the request for a special exception. He received no response to that letter.

Attorney Chesser asked if a copy of Manager Burns’ letter was available to become part of the record and if there were other items that should be included in the record. Manager Burns said that a copy of the letter and other correspondence as well as Dr. Kain’s application for the special exception would be placed with the minutes and that a file of the items would be kept and will be available for any records request.

Member Dominique asked if Dr. Kain was present and Attorney Day stated that she was present with Counsel.

The board held a discussion in which Member Dominique said that he did not think the board could make a decision without having Dr. Kain’s dwelling unit inspected. Attorney Chesser explained that after Dr. Kain’s presentation was heard, then the Board could make a decision.

Attorney George Day stated Dr. Kain’s position. He said that she had made an application for a special exception. He had not researched the Town of Shalimar’s Ordinances because he said he could not find them on-line. Chairman Gable explained that they could be researched at Muni-code.com and were available.

Attorney Day said that Dr. Kain had applied for a Homestead Exemption from the Okaloosa County Appraiser’s Office and her building was inspected by the appraiser’s office. Attorney Day said that she had been granted a homestead exception, which would be recorded on-line, and a notice posted on the property appraiser’s website. He said he believes that the issue here is whether or not a decision that has already been made by the county and property appraiser who he believes would trump a decision made at the municipal level.

He said a review of Supreme Court cases show that, essentially, when a homestead exemption is granted there are only three ways that this exemption can be challenged and taken away. 1. Mortgage holder for non-payment. 2. Delinquent taxes and 3. Mechanic’s lien. He said the Constitution is extremely broad and not all the cases are geared at giving the claimant a homestead exemption. They are not uniform or really 100% for everyone who made a homestead claim. He had a document (see exhibit) from the Tax Appraiser’s Office that showed Dr. Kain’s application for a homestead had been made and verified.
Member Dominique said that the Planning and Zoning Board’s job is to follow the zoning laws of the Town of Shalimar. He said he was interested in having valid reasons why Dr. Kain should be given a special exception for a dwelling unit in a commercial building.

Attorney Day stated that she is living there.

Member Dominique explained that she was living there illegally because she did not have a special exception from the Town and therefore the fact that she is living there is not a reason to grant the special exception.

Elmer Wagner from Niceville was sworn in. Attorney Day asked him if he was familiar with Dr. Kain. He said that he was. Attorney Day then asked if he knew where she was residing. He said she was residing in her office at 10 Old Ferry Road and been living there since 2009. He said that she was living and sleeping there.

Attorney Powell asked to cross-examine the witness. Attorney Chesser suggested that Attorney Powell wait until all of Dr. Kain’s witnesses had spoken and then recall anyone he wished to question.

Attorney Day presented Dr. Kain’s receipt from the Property Appraiser’s Office showing that she has a Homestead Exemption for 2012.

Linda Mayfield of Lakeshore Drive was sworn in. Ms. Mayfield stated that Dr. Kain has been living in her office building since 2009 because she has nowhere else to live. She thinks Dr. Kain should be given the special exemption because it would not hurt anyone.

Attorney Chesser brought up the fact that Manager Burns was tasked to check the office to see if it was suitable to have a dwelling unit. Manager Burns restated that Dr. Kain had not scheduled him to inspect her premises. Attorney Chesser then asked Manager Burns if the property was in a commercial zone and was the property surrounded by commercial properties. Manager Burns answered “yes”.

**Member Dominique made a motion to deny recommending the special exception for a dwelling unit at 10 Old Ferry Road. Member Behnken seconded the motion.**

Member Clements asked Manager Burns if he had spoken to the Property Appraiser’s Office. Manager Burns said that he had spoken to Karen Jones about the procedures that should be in place for insuring that the laws of Shalimar are taken into consideration before the county takes action on a homestead exemption. He opined that it might be similar to the agreement we have
with Okaloosa County Building Department in that the county does not accept or deliver a building permit until they are presented with a Shalimar zoning permit for that same project. We have an inter-local agreement to that affect. Karen Jones and Manager Burns are unaware of any inter-local agreement that exists between the Town of Shalimar and the Property Appraiser’s Office to not issue a homestead exemption until they have proof from the Town of Shalimar that it is zoned residential or, if it is zoned commercial, that they have been granted a special exemption. Karen Jones and Manager Burns will probably have a meeting at a later date and discuss an inter-local agreement.

Attorney Chesser requested that the motion include a finding that, in fact, there is no evidence here that this is a dwelling and that there is no evidence that supports the reason and rational that supports the zoning ordinances for the Town of Shalimar.

**Member Dominique amended the motion to include that there is no evidence that this building includes a proper dwelling unit that supports the codes of the Town of Shalimar.**

Attorney Day objected that there was no evidence supplied. He had witnesses and the County inspection. Manager Burns elaborated further on his discussion with the Property Appraiser’s Office. He had asked Ms. Jones if there was an inspection done of the premises. She said an appraiser had gone out and looked at the building but there was no written report of the inspection.

**Member Behnken seconded the motion.**

Member Dominique stated that the homestead exemption was immaterial because what Okaloosa County does with the homestead is between the property owner and the County. The Planning and Zoning board is not questioning the homestead exemption. They are questioning commercial property that wants to be used as residential.

Member Behnken said that he had talked to the County Property Appraisers Office also. He had found that the property taxes had not been paid for 2010 and 2011. Rhonda Webster said that there were no sanitary facilities in the building and that the building does not have its’ own water meter. She said that the water could be cut off at any time.

Chairman Gable said the delinquent taxes were immaterial but not having a water meter does not even meet commercial zoning requirements for the building.
A vote was taken on the amendment and it passed unanimously. A vote was then taken on the motion to deny the recommendation for a special exception for a dwelling unit and that passed unanimously.

Member Dominique made a motion that Chairman Gable present a recommendation to deny the special exception to the Town Commission by the April 10, 2012 Town Commission meeting. Member Clements seconded the motion and it was passed with a unanimous vote.

III. COMP PLAN UPDATE
It was decided that a workshop to discuss the Comp Plan would be held on May 24, 2012.

NEW BUSINESS:
Marion Cook spoke to the Board about Department of Economic Opportunity requiring that municipalities adopt a compatibility criteria requirement statement with Eglin AFB. This can be one policy in the Comp Plan. This requirement has a deadline of June 30, 2012. She said that she would send copies of the compatibility letters from other municipalities.

ANNOUNCEMENTS:
April 10, 2012 at 6:00 p.m. -- Shalimar Town Commission Meeting
April 25, 2012 at 6:00 p.m. – Planning and Zoning Board Meeting
May 24, 2012 at 6:00 p.m. – Workshop to discuss the Comprehensive Plan

Member Clements made a motion to adjourn the meeting at 7:10 p.m. The motion was seconded by Member Dominique and passed unanimously.

Sheila Hansen, Secretary

April 25, 2012

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:01 p.m. and led the Pledge to allegiance.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith - Present
Commissioner Ray Morgan - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Maintenance Supervisor Kent Beck, Deputy Clerk Sheila Hansen, Mickey Clements, Michele Stone, Teri Hamilton, Jeff Hobbs, Sherry Davis, Jeff Davis, Steven Peterson, Gloria Johnson, Kris Lee, Jim Wilton, Vito Tomasello, Gordon Talbot, J. H. Ortega, Kim Hopkins, Cristobel Burton, Jennifer Bell, Brad Gable, Kay Rasmussen, Linda Burns, Jane Doe, Frances Brown, Polly Schambeau, Josh Hufstetler, Jesse Rigby, Buddy Page, Johann Behnken

SWEARING IN OF NEW PART-TIME POLICE OFFICER: Chief Cash introduced and swore in Greg Freelander who will be the Town’s new part-time Police Officer. Greg was born in Atlanta Georgia in 1963 and moved to Fort Walton Beach 25 years ago. Greg is a single father of 3 small children and one adult daughter. Olivia is 3, Lucas is 2, Nathan is 7, and Jerrica is 24. Greg served in the Air Force from 1982-1988. Greg graduated from the Law Enforcement academy in 2010 and also holds an Associate Degree. Greg is currently on the board of directors at the YMCA. Greg owns a cleaning business and has served this area for 20 years, since (1992). Greg enjoys spending time with his kids, playing basketball, hunting, and riding motorcycles.

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – No report

BEAUTIFICATION-REVITALIZATION COMMITTEE – Sharon Smith said it was a great time of year to clean up yards. The Town dumpsters will be going out in April. She also reported that the Beautification Committee is going to present awards quarterly to the nicest yards.

TOWN RESIDENTS' TIME – Sharon Smith had an issue with the minutes that were posted to the ShalimarFlorida.org website. She stated that she thought the minutes were often not complete and other times too in-depth with too much personal information. Manager Burns stated he would find out if it was legal to redact the addresses of people speaking.

TOWN ATTORNEY'S REPORT – Attorney Chesser had nothing to report.

OLD BUSINESS:
I. APPROVE MINUTES FOR THE FEBRUARY 14, 2012 TOWN COMMISSION MEETING AND THE FEBRUARY 28, 2012 SPECIAL TOWN COMMISSION MEETING – Commissioner Morgan made a motion to accept the February 14, 2012 minutes as written. Commissioner Smith seconded the motion. The motion passed with Commissioner Behnken abstaining due to having not been at the February 14 meeting and Commissioner Chapman voting against. Commissioner Morgan made a motion to accept the February 28th, 2012 Special Meeting minutes. Commissioner Behnken seconded the motion. Commissioner Chapman commented that he shares Mrs. Smith’s concerns about there being too much information on the posted minutes. He would like to see the minutes be less detailed and not have any personal information in them. Attorney Chesser suggested that this topic be discussed at a later meeting. The motion passed with Commissioner Chapman voting against.

Mayor Combs stated he felt “more was better” and that the town had been accused of withholding information from the public and that was why he agreed to the minutes being more detailed.

2. PLANNING AND ZONING BOARD RECOMMENDATION ON DOLLAR GENERAL STORE DEVELOPMENT (Quasi-Judicial Hearing). Planning and Zoning Recommendation Elevation, building plan, grading plan, landscape plan, pictures of Fort Braden Dollar General. Mayor Combs outlined rules of engagement for discussions related to this topic. He requested the Town Attorney to insure meeting was conducted in accordance with Robert’s Rules of Order.

He further stated that speakers should not repeat the same concern or opinion and each person desiring to address the Commission will be allowed 5 minutes. Chief of Police, John Cash, was designated official timekeeper.

Commissioner Morgan made a motion that the development order application by Teramore Development Corporation for a Dollar General Store at 1198 Eglin Parkway based on the currently submitted plan dated March 13, 2012, which include the changes requested earlier, be approved. Commissioner Behnken seconded the motion.

A. Topic at February 14, 2012 Town Commission meeting and Feb 28, 2012 Special Meeting was to: REVIEW PLANNING AND ZONING BOARD RECOMMENDATION FOR DEVELOPMENT ORDER FOR DOLLAR GENERAL STORE. After considerable discussion to include attending resident concerns, the Commission decided to table this decision to this meeting pending developer responses to Commissioner Tim Smith and Commissioner Bob Chapman additional questions.

B. DOLLAR GENERAL STORE REPRESENTATIVE discussion on responses to questions.

Attorney Jesse Rigby, Land Use Attorney from Pensacola, representing the Dollar General Store and Teramore Development spoke. Mayor Combs asked Attorney Rigby to address the changes that have been made since the last time the Commission reviewed the Development. Attorney Rigby asked for inclusion in the record of the questions from Commissioner Smith and Commissioner Chapman and answers that replied to them (See links above and attachments to minutes). These were marked March 13, 2012 exhibits 1 and 2. Jennifer Bell of Bell Engineering in Pensacola Florida addressed the Commission. She has been an engineer since 2001 and had her PE license since 2006. All of her experience is in site development. Attorney Rigby asked Ms. Bell for a rough estimate of commercial site plans that she had prepared or worked directly on that were submitted to local governments. She said that she thought that she had worked on approximately
50 site plans that she had submitted to local governments. Mr. Rigby then asked if any of the local governments had required her to re-plat multiple lots. She said that she had never been required to do this. Mr. Rigby stated that he would like to offer Ms. Bell as an expert witness in civil engineering and preparation of Commercial Site Plans based upon her qualifications.

Ms. Bell went over the changes on the Development Plans that were submitted on March 13, 2012. The rear property line will have a 6-foot masonry wall rather than an 8-foot wooden fence. The specifications for the shrubs on Plew Avenue have been changed to plant 36” shrubs west of the entrance with 12” shrubs on the east side of the entrance.

She stated that they did not anticipate increased traffic on Plew Avenue and on Shalimar Drive but plan on putting in “No Thru Traffic” signs.

The Plew Avenue entrance has been striped to show 24-ft. access. The original layout for the site had the driveway on the west property line but the resident across the street was concerned with this lining up with his driveway. It was suggested using the present driveway entrance to accommodate the neighborhood concerns. If the driveway were only 24 feet wide there would be problems with truck and emergency vehicle access. These vehicles need a wider turn radius and would be driving over the landscaping and curbing with a narrower driveway.

Commissioner Chapman asked Ms. Bell several questions related to traffic flow on Plew Ave and Shalimar Drive and asked if she had completed the initial application checklist. Ms. Bell offered a copy of the checklist and further stated she was not a traffic flow expert but testifying as a Professional engineer.

Commissioner Chapman further asked how many protected trees would be cut down or destroyed for this development if they are allowed to proceed. Ms. Bell said she did not remember exactly what the protected trees were in Shalimar and further stated she did not really know. Commissioner Chapman then asked a question about set back requirement for commercial property. Ms. Bell said that on the cover sheet of the plans that the front set-back is 10 feet, and she thinks the side yard set-back for commercial establishments is zero and the side yard set-back adjacent to residential is 20 feet and the rear yard is 20 feet. Commissioner Chapman said that by combining these two lots, the setback requirements are essentially being vacated. Ms. Bell said these three lots are functioning as one commercial development so the setbacks would apply to the overall property boundary.

Commissioner Smith said he had a couple of questions. He asked if any calculations were performed for floor area ratios. Ms. Bell said that Shalimar’s floor area ratio is a little different but that it calculates to 33% and Shalimar requires it to be no more than 74%. Commissioner Smith asked what Ms. Bell used to determine parking. She said she had used the parking stalls but if it was figured with driveway areas as well, it calculates to .733, which is still within the Town’s requirements.

Commissioner Smith asked about the driveway. He wanted to know if, in her opinion, the driveway could go where it is at or in the rear. She said that it would not work at the rear if it is restricted to a 24-foot width. The driveway location was re-evaluated and moved to the present location in request of the resident across the street. Resident, Sharon Smith, asked if the Planning and Zoning Board gave any exceptions to the ordinances on this project. Ms. Bell said the only change was, in re-evaluating the driveway location, to allow more than 10 parking spots in a row. Another question was asked about landscaping in the right-of-way and the Dollar General Store’s requirement to maintain it. Mrs. Smith then asked about moving
the access entrance into the carwash property. Attorney Rigby said that would be an agreement between the two property owners.

More discussion ensued relating to the no left turn onto Eglin Parkway. Ms. Bell stated that the no left turn onto Eglin Parkway was a Florida Department of Transportation requirement. Terramore representatives responded to several other resident concerns.

Attorney Rigby called Buddy Page of Profession Growth Management Services, LLC, Pace, FL. Mr. Page stated his qualifications. Mr. Page said that he had assisted in 200-300 commercial site plans. These developments did include combining of multiple lots and that he had never been required to re-plat these lots.

Attorney Rigby said that he had asked Mr. Page to research whether there were any of the commercial developments is Shalimar that had combined multiple lots. Mr. Page had examples of three lots that were combined. Maps of these developments were placed in the record as exhibits 3 and 4.

Attorney Rigby called Josh Hufstetler, Limousine Lane, Thomasville, GA, of Teramore Development, LLC. Mr. Hufstetler stated he wants to work with Shalimar and displayed photos of the Fort Brant Dollar General which he is proposing a similar construction for Shalimar.

Commissioner Smith asked about cost comparison between the split-face block and the brick. Mr. Hufstetler said the brick is more expensive. Commissioner Morgan asked what the size of the Fort Brant store was and Mr. Hufstetler said it was approximately 9100 square feet and the lot orientation was approximately the same as the propose development in Shalimar.

C. Public Input

1. Resident, Kay Rasmussen of Plew Avenue was sworn in. Ms. Rasmussen has been a resident of Shalimar for over 20 years. She said she was pleased when she heard the Dollar General Store was coming to Shalimar. She is the Vice President of Community and Economic Development of the Okaloosa County Economic Development Council. She said that as a veteran in economic development the Dollar General is a merchandising store that would be very good asset for the Town of Shalimar.

Ms. Rasmussen had a retail service sector market analysis report done by the University of West Florida Cost Center. In short, the analysis said that in whatever geographic area, in this case the Town of Shalimar, it determined if the residents of the area are able to meet their needs for retail shopping or are they willing to go outside the area for their needs. The data shows that the residents of Shalimar have to leave Shalimar in order to buy their general merchandise needs. She further stated, from an economic standpoint, this development is a very good because the Town would be exporting goods out of your town thus generating more cash revenue to circulate within the municipality.

2. Resident, Mr. Hobbs of Plew Avenue was sworn in. He asked about the no left turn onto Eglin Parkway. He thought most traffic would want to avoid a dangerous turn. He would like the traffic issue addressed. Commissioner Morgan stated, though he was not a traffic expert, he would have the traffic monitored, and if there were a problem there were several solutions, which could include speed rises to keep traffic at a slow speed and increased traffic surveillance and monitoring.
Mr. Hobbs asked Teramore Development about the wall and the dumpster area. Mr. Hufstetler said the dumpster smells should not be a problem as the store does not sell any produce and any items they sell that would spoil would be returned to the distributor and not placed in the dumpster. Mr. Hobbs also asked about hours for the delivery trucks and maintenance people. He hoped these things would be done during store hours.

3. Resident, Jennifer Chapman was sworn in. She said she would like to clarify that opposition to the Dollar General Store coming into Shalimar was not against the Dollar General Corporation itself. She addressed the media reports and said that this was not class warfare. She was concerned about the children. She is concerned about increased traffic, the store hours, alcohol sales and a lack of Town resident prior notification about the development.

4. Resident, Kim Hopkins was sworn in. She said that she has been a resident and business owner in Shalimar for 15 years. She addressed the 44,000 vehicles that travel through Shalimar daily and thinks the Dollar General development would bring business into Shalimar and be good for the Town.

5. Resident, Sharon Smith said she felt she had a unique perspective on the development because she is married to one of the Town Commissioners. Her husband has done a lot of research on the Dollar General Stores while traveling. She thanked Teramore Development for upgrading the building but had found that the Dollar General Stores that she and Commissioner Smith had visited were poorly maintained and had a large quantity of junk and trash around them. She said that they have found it difficult to get the Town to follow through when there are issues on the landowner’s upkeep on their property. She is also concerned about the law enforcement, Town Management, and the Commission enforcing the upkeep on this facility. Mrs. Smith supplied a computer thumb-drive with approximately 100 pictures of Dollar General Store’s landscaping and property.

Attorney Rigby said that he understood the concerns on the upkeep of the facility but he did not think it was relevant to whether or not the proposal meets the Town’s code requirements.

6. Vito Thomasello, county resident and Shalimar Yacht Basin employee, was sworn in. He asked Teramore Development who manages the facilities. Mr. Hufstetler explained that they do not manage the buildings. They are turned over to the Dollar General.

7. Jeff Hobbs asked whether the 63-foot trucks would have an impact on Plew Avenue. Ms. Bell said that Poly-Engineering had done a test drill of the surface and that the road had 4” of asphalt over a 4” base, which has been determined to be suitable for the truck traffic on Plew Avenue.

8. Resident, Gloria Johnson was sworn in. Mrs. Johnson said that she lives on Shalimar Drive and was concerned that the trucks would be exiting the Dollar General onto Plew Avenue and then going left and driving down Shalimar Drive. Ms. Bell said that the proposed path was to turn right on Plew Avenue and enter onto Eglin Parkway from there. Plew Avenue can be designated a “No Truck Traffic” zone. She also asked if there could be a stoplight put on Plew Avenue and Eglin Parkway. That is the Department of Transportation jurisdiction but the Town can ask if they would place a stop light there.
D. COMMISSION DISCUSSION

Commissioner Smith asked Mr. Hufstetler about his questions (see attachment). He wanted to know how often he visited the stores owned by Teramore Development and, if he visited them often, how can they be such a mess. Mr. Hufstetler said the Shalimar store would be the responsibility of the Dollar General management. Mr. Hufstetler said he understood the Town’s concerns but the truth is, if Teramore Development does not build on that property, someone else will and the Town may have worse problems.

Commissioner Smith asked about vacating the exit onto Plew Avenue. Mr. Hufstetler said that was a safety issue and could not be changed.

Commissioner Smith said he had done a lot of research and he has been on both sides, for and against.

Commissioner Morgan suggested amending his motion (Commissioner Morgan made a motion that the development order application by Teramore Development Corporation for a Dollar General Store at 1198 Eglin Parkway based on the currently submitted plan dated March 13, 2012, which include the changes requested earlier, be approved. Commissioner Behnken seconded the motion.) to address Commissioner Smith’s concerns.

Commissioner Smith asked that the Town have an engineer review the plans and see that they meet the Town’s code. Manager Burns said he thought that our engineer would be involved in traffic flow, stormwater management, and other technical issues. He said that the code would probably have to be reviewed by a land planning professional or attorney.

Commissioner Smith asked Planning and Zoning Board Chairman Brad Gable what calculations were used to decide to recommend this development to the Town Commission. Chairman Gable said that they had referenced the Town Codes to validate the drawings. When Commissioner Smith asked about removing the islands between the parking areas, Chairman Gable said that they had done this to accommodate Mr. Baker’s request to move the driveway down so that it was not across from his driveway. The Planning & Zoning Board suggested more trees and shrubbery than were in the original plan to protect the view for Plew Avenue residents.

Commissioner Smith asked about planting the trees in the right-of-way. Discussion continued related to planting trees and shrubbery in Town right-of-way and drainage swales. The discussion concluded that the developer would be in charge of the maintenance on the right-of-way.

Discussion ensued concerning the Planning & Zoning Board’s recommendation to have the Town engineer review presented site plans.

Commissioner Smith amended Commissioner Morgan’s motion to have an engineering review by Poly-engineering for accuracy and feasibility as stated in the Planning and Zoning Board recommendation. Commissioner Behnken seconded the motion. Commissioner Chapman asked Commissioner Morgan to amend the motion so that after successful completion of the engineering review to send it back to the Planning and Zoning Board.

Mayor Combs asked Commissioner Smith to state exactly what he wanted Town engineers to review. After considerable commission discussion on costs for this engineering review and what was the Planning & Zoning Board’s intent in recommending this review, Commissioner Smith provided the following list of things that he would like Poly-engineering to review:
1. Stormwater management
2. Floor area ratio
3. Open space landscaping
4. Tree reforestation
5. Traffic flow circulation for the 63 foot trucks

Commissioner Smith also requested the review consider planting of trees in a storm water swale and the Town right-of-way.

Attorney Chesser said that he thinks that the Town Commission is suggesting that Polyengineering be appointed to make a final decision. He said the real question is whether the developers can join the lots and that is a discretionary decision of the Town Commission.

Commissioner Chapman requested Commissioner Smith revise his amendment to send the development order back to the Planning and Zoning Board for review.

Commissioner Chapman stated this is a property rights issue. The owners of the three lots in question have every right to develop those lots according to the Town ordinances. He further requested the Commission consider the merits of approving this development in light of the Town’s comprehensive plan even if it is flawed. In his opinion, the developer has not submitted any compelling testimony to refute the residents’ testimony related to safety and potential deflated property values. Commission Chapman requested the Commission approve Commissioner Smith’s amendment sending the development order back to the Planning and Zoning Board.

Mayor Combs stated his concern that the developer could build three businesses on these three lots.

Commissioner Morgan stated any non-compliant code variances should be clearly stated and that Town engineers should review these variances

Commissioner Behnken stated the issue should not be returned to the Planning and Zoning Board.

A review of this motion – Commissioner Smith amended Commissioner Morgan’s motion to have an engineering review by Poly-engineering for accuracy and feasibility as stated in the Planning and Zoning Board recommendation. Commissioner Behnken seconded the motion. Commissioner Smith then added that Poly-engineering review the stormwater management, floor area ratio, open space landscaping, tree reforestation, and traffic flow analysis. The development order should then be returned to the Planning and Zoning Board to review again. The amendment was voted on and was not approved with Commissioners Chapman and Smith voting for the motion and Commissioners Behnken and Morgan and Mayor Combs voting against the amendment.

Commissioner Smith reconsidered his motion and revised the motion to not go back to the Planning and Zoning Board but returned to the Commission for consideration. Commissioner Behnken seconded the motion and it passed with Mayor Combs voting against.
Mayor Combs then brought up that the original motion had to be voted on. **A vote was called for the original motion but Attorney Chesser and Commissioner Morgan said the amendment conflicted with Commissioner Morgan’s original motion. Commissioner Morgan then withdrew his motion.**

3. FIRST READING OF ORDINANCE 2012-03 NUISANCE ORDINANCE UPDATE

Commissioner Behnken made a motion to approve the first reading of Ordinance 2012-03 with a change of wording from sidewalk to right-of-way in section 26-33 (c). Commissioner Morgan seconded the motion and it passed unanimously.

NEW BUSINESS: There was no new business

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman said that the budget was relatively on track.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan had nothing to report.

COMMISSIONER SMITH’S REPORT – Commissioner Smith had nothing to report.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken had nothing to report.

MAYOR COMBS’ REPORT – Mayor Combs reported that the Planning and Zoning Board were reviewing a request for a special exception for a dwelling unit in a commercial building at 10 Old Ferry Road and that this would probably be presented to the Town Commissioner at the April Town Commission meeting.

POLICE REPORT – Chief Cash requested residents be careful because next week is Spring Break and the children will be out more.

TOWN MANAGER UPDATE – Manager Burns reported that he had given Shalimar Yacht Basin until February 29 to pay their Business Tax License without a penalty. Owners paid their license on March 7th but did not pay any penalty and requested a waiver without any justification. Commissioner Morgan suggested deferring the payment of the fine until the summer months when the Shalimar Yacht Basin’s business picks up. **Commissioner Chapman made a motion to defer payment of the fine until July 9. Commissioner Behnken seconded the motion and it passed unanimously.**

Steve Peterson, owner of the Shalimar Yacht Basin, requested to be put on the April agenda.

Manager Burns said that the 6-month budget cycle reports had been given out. If there were any changes required to please let him know.

Manager Burns said that the Florida League of Cities Equity Fund had regained the $15,000.00 loss that was reported at the end of September 2011 and has an increase of $7,917.00. He proposed that the fund be moved to a safer investment. **Commissioner Morgan made a motion to remove the money from the fund. Commissioner Behnken seconded the motion and it passed unanimously.**

Commissioner Chapman said that the Planning and Zoning Board is supposed to be appointed for 3-year appointments. The most recent member of the board had been appointed in 2007. He recommended canvassing for new members. It was decided this would be done and will be brought up at the April 10, 2012 meeting.
ANNOUNCEMENTS:
March 28, 2012 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
April 10, 2012 – TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 10:45 p.m. Commissioner Morgan seconded the motion and it passed unanimously.

Sheila Hansen, Secretary

May 15, 2012

Date approved
CALL TO ORDER: Member Behnken called the Planning and Zoning Board Meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - Absent
Member/Co-Chairman Gene Tucker - Absent
Member Johann Behnken - Present
Member Mickey Clements - Present
Member Lynn Dominique - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Attorney Mike Chesser, Robert White, Chuck Comella, Jr., Bruce Bornben, Paul Shelton, Bud Day, Corle Moore, Linda Mayfield, Elmer Wagner, Richard Powel, Rusty & Suzanne Wegnink, Tim Smith, and Richard Hoffert

Member Dominique made a motion for Member Behnken to chair the meeting. Member Clements seconded the motion. It was unanimously passed.

Attorney Chesser explained the process to be followed for a quasi-judicial hearing.

It was decided by the Board to change the order of business and go over the New Business first.

NEW BUSINESS:

1. CONSIDER SPECIAL EXCEPTION FOR DWELLING UNIT IN COMMERCIAL BUSINESS AT 10 OLD FERRY ROAD – SHALIMAR MEDICAL CLINIC

Member Behnken read the request for a special exception to allow a dwelling unit at 10 Old Ferry Road. Manager Burns said that he had reviewed the application and that the property is zoned Commercial and that there is adequate parking for the businesses and to also have a dwelling unit.

Member Behnken read from Chapter 54-1 Land Development Code- Dwelling unit means a single housing unit providing complete, independent living facilities for one housekeeping unit, including, but not limited to, permanent provisions for living, sleeping, eating, cooking, and sanitation. He then referred to Chapter 82-161 – Zoning for dwelling within a principle building under special exception.
Manager Burns confirmed that everything was in order but he could not confirm whether the building conforms to dwelling unit requirements. The Board asked Mattie Kain to approach the podium and answer questions.

Attorney Bud Day stated that Mattie Kain was not present at the meeting, due to illness. He said that he had witnesses that could testify that her building was qualified to be a dwelling unit.

Member Behnken asked if the Board needed to see the dwelling to verify that it qualifies for the special exception. Attorney Chesser stated that witnesses could testify that the dwelling unit is acceptable. The opposing attorney said that his preference would be to postpone the decision until Mrs. Kain is able to be present.

A discussion was held in which it was decided that the discussion would be postponed until the regular March 28, 2012 Planning and Zoning Board meeting. Member Dominique made a motion to have Manager Burns contact Mrs. Kain and arrange a time to inspect her premises and report to the Planning and Zoning Board whether or not the building qualifies to have a dwelling unit. Member Clements seconded the motion and it was passed unanimously.

Manager Burns was directed to inspect the property at his earliest opportunity. Manager Burns asked if he should take photographs and if they would be part of the public record at the time that he takes them or would they be public record after being introduced at the March meeting. Attorney Chesser said that he will research that item.

A member of the audience asked if Mrs. Kain would be allowed to continue to live at the location without a special exception until the March meeting. Attorney Chesser explained that this was a government issue and, as such, does not move quickly.

A discussion was held about requiring Mrs. Kain to supply a medical excuse if she could not be available for the March Planning and Zoning Board meeting.

Member Dominique reminded the audience that the Board is bound by Ordinances and that personal opinions are not allowed to be taken into consideration.

Manager Burns explained the situation about her living in the premises at present and the code enforcement rules that would cover this. He said he would further research the rules.

OLD BUSINESS:


Member Clements made a motion to approve the Minutes from the January 25th Planning and Zoning Board meetings with a correction on the date. Member Dominique seconded the motion and it was passed unanimously.
Member Dominique made a motion to accept the minutes from February 6, 2012 Special Planning and Zoning Board meeting. Member Clements seconded the motion and the motion was passed unanimously.

VI. Comprehensive Plan – Manager Burns reported that there was no new discussion on the Comprehensive Plan. He did suggest that the Board added a Professional Building category to the zoning categories.

ANNOUNCEMENTS:
March 13, 2012 at 6:00 p.m. -- Shalimar Town Commission Meeting
March 28, 2012 at 6:00 p.m. – Planning and Zoning Board Meeting

Member Clements made a motion to adjourn the meeting at 7:10 p.m. The motion was seconded by Member Dominique and passed unanimously.

Sheila Hansen, Deputy Clerk

Date Approved

March 28, 2012
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to allegiance.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present


WHY ARE WE HERE?

I. New Business Topic at February 14, 2012 Town Commission meeting was to: REVIEW PLANNING AND ZONING BOARD RECOMMENDATION FOR DEVELOPMENT ORDER FOR DOLLAR GENERAL STORE. After considerable discussion to include attending resident concerns, the Commission decided to table this decision pending an official legal opinion and additional public input. Directly from the draft meeting minutes:

“Mayor Combs made a motion to have a special meeting on the Dollar General Store on 28 February 2012 at 6:00. A flyer will go out to all of the Town residents notifying them of the meeting. It shall be posted on the marquis and the website starting on the 15th of February. Manager Burns said it would also be advertised in the paper. Commissioner Chapman asked Attorney Chesser to give a short tutorial before the meeting on the legal rules as well as his legal opinion. Commission Morgan seconded the motion. It was unanimously passed.”

II. DOLLAR GENERAL STORE REPRESENTATIVE PRESENTATION (ALONG WITH REQUIRED DOCUMENTATION)
Buddy Page of Profession Growth Management Services, LLC, Pace, FL was sworn in to represent Teramore Development, LLC, which are the developers for the Dollar General Store. He stated he has well over 30 years’ experience in planning and zoning, formerly as an assistant city planner for the City of Pensacola, Planning Director for Escambia County, FL, for 15 years, Senior Planner for West Florida Regional Planning Council in Pensacola. He also stated he teaches two graduate level classes at the University of West Florida, occasionally at the Eglin Campus. Under the Martinez Administration, he cited a two-year appointment as the District Administrator for Florida DEP for the 16 counties based out of Tallahassee. For the past 9 years, he stated he has been in the private consulting group covering most of the Panhandle.”
Mr. Page gave a brief overview of the Dollar General Store Development’s application. They went before the Technical Review Board on January 25, 2012 and then before the Planning and Zoning Board on February 2, 2012. The Planning and Zoning Board made a recommendation to the Town Commission with 14 changes, which the applicant accepted. He went over the site plans that showed a 9026 square foot building with the main entry on Eglin Parkway. He also showed a rendition of a Dollar General Store that had been built in South Florida.

Jennifer Bell of Bell Engineering in Pensacola Florida was sworn in. She is the engineer of record representing Teramore Development, LLC. She replied to questions and went over the changes that the Planning and Zoning Board recommended. She said that the developers would be willing to put another wooden fence around the air conditioner to help muffle noise.

Ms. Bell said they would consider using the existing light fixtures rather than the lights on the side of the building. She said the store hours would be from 8 a.m. to 9 p.m. and that deliveries are usually only once a week and would be during working hours.

The Department of Transportation has given them the notice of intent on driveway connections and approval on drainage. Water Management will issue their permit within the week.

Josh Hufstetler, 501 Limousine Lane, Thomasville, GA, of Teramore Development, LLC was sworn in. Mr. Hufstetler said they were doing their best to address the Town’s concerns. Would like to make everybody happy with the Dollar General Store. He said that they had a 15-year lease with 4 five-year options with the Dollar General Store for the property in Shalimar so there is a potential for the store to be in Shalimar for 35 years. They develop these properties, have sold some properties, and retained ownership of some. They are interested in keeping the Town of Shalimar beautiful and are trying to dress up the building. They are planning faux windows with canopies and are willing to do anything within reason to make the Town happy with the development.

III. PUBLIC INPUT

Gene Brown of 74 Shalimar Drive asked about the stores signage. Manager Burns said the signage ordinance would apply. A special banner is allowed twice a year and must be permitted.

Jeff Dorr of 911 Sunset Bay Court was sworn in. He asked about the two lots being joined and why the Dollar General Development thought that they could combine the lots. Manager Burns was sworn in and then stated that the question of combining the two lots did not arise at either of the two Planning and Zoning Board meetings. Mr. Dorr asked Buddy Page why they thought they could combine the lots and who had told him that this could be done. Buddy Page said he could not give a name but that these two lots had been combined into one lot at the Okaloosa County Property appraiser’s office. Attorney Chesser stated that the property appraiser did not have the authority to combine lots in Shalimar. Mr. Dorr then asked about whether the store planned on selling beer and wine. The Dollar General would like to sell alcohol but it is not a requirement and this would have to be brought before the Town at another meeting requesting a special exception to sell alcohol. This would not be part of this meeting.

Al Davis, 20 Plew Avenue, was sworn in. He stated he was concerned about safety. He has two small children and is worried about more traffic. This property is listed on the property appraiser’s site as a restaurant and he thought that was the type of property the Commission wanted there. He thinks the Dollar General Store would change the small town character of Shalimar.
Jeff Hobbs of 8 Plew Avenue was sworn in. Mr. Hobbs showed a drawing of his property in relation to the proposed Dollar General Store. He has concerns about the fence between his property and the Dollar General Store as well as the delivery and dumpster area. He would like to see the fence between the properties go to the Plew Avenue property line. He is also concerned about noise from the air conditioners. Mr. Hufstetler said that the air conditioners were fairly quiet but that he was willing to do whatever is necessary to make sure the noise did not disturb Mr. Hobbs. Mr. Hobbs is also concerned about the lighting. Mr. Hufstetler said that the back light was for security and would be shielded and would aim downward and would not shine on Mr. Hobbs property. Mr. Hobbs was also concerned that, with only 30 parking spots, there would not be enough parking for four employers and the customers. He also asked about the drainage on the lots. Ms. Bell responded to this stating that the drainage was arranged so that it would drain into the stormwater on Eglin Parkway. Mr. Hobbs also asked about what kind of hedges would be used for landscaping. The redtops that were suggested die easily because they are susceptible to disease. The Dollar General is willing to put in whatever plantings the Town recommends. Mr. Hobbs also asked about the dumpster area and whether there would be an odor problem. Mr. Hufstetler explained that the trash would be mostly plastic and paper. The store does not sell produce or meat so that odors should be very minimal.

Frances Brown of 74 Shalimar Drive was sworn in. Mrs. Brown suggested that a concrete wall might be a better buffer than a wooden fence. Mr. Hufstetler said that would be a possibility if Mr. Hobbs agreed with this idea. He restated that he was willing to do anything possible if it is within a reasonable budget.

Holly Kaspar of 915 Sunset Bay Court was sworn in. She asked about the distance from the building to back property line. Ms. Bell said it was 28 feet.

Jim Savage of 6 Cherokee Rd was sworn in. He brought up the fact that the air conditioners that are built today are very quiet. He also thought that some of the residents at the meeting should visit a Dollar General Store to see what the clientele and the stores are actually like.

Danny Baker of 7 Plew Avenue was sworn in. He said he wanted to be sure that the buffer zone hedge would be a perennial green hedge and that he would like to see fairly mature plants put into this buffer zone so that it would not be years before it was completely mature. Josh Hufstetler said that he understood Mr. Baker’s concerned and would probably be able to work with that. Mr. Baker asked about the alcohol sales. Mr. Hufstetler said they would like to have alcohol sales but that was not a necessity.

Mr. Baker asked if it would be possible to get a speed table installed on Plew Avenue to slow traffic. Mayor Combs said that should not be a problem. Just contact the Roads & Grounds Commissioner and request a speed table be installed on Plew Avenue. Mayor Combs said that all the residents that live on Plew Avenue would need to be asked if they feel a speed table is appropriate because some may not want it due to it being hard on vehicles if driven over at too high a speed.

Rudy Kaspar of 915 Sunset Bay Court said he had a list of things he thinks we should go over.

He thinks the question is “Is this what we want?”

Pros
1. Construction will bring temporary jobs.
2. Jobs created by the Dollar General Store
3. Tax revenue
4. Secondary business impact – how big this would be.
Cons
1. Does it fit Shalimar’s image? He feels that Shalimar presents itself as an upscale community and that the Dollar General Store does not fit that image.
2. What happens if it closes?
3. Safety and security issues – people driving through town and looking at residence’s homes and property.

Mr. Hufstetler said that the sales projection for the development was based on the population of the Town of Shalimar. He also stated he has a 15-year lease with Dollar General so they should be in Town for a minimum of 15 years.

Mr. Kaspar said that there is a Dollar General in Fort Walton Beach and did not see why another one should be built so close to that store.

Mr. Hufstetler said that the Dollar General Store had a bad reputation in the past but has been bought out by another company that has upgraded and retailed the business to have an image that will appeal to higher-level customers.

Richard Hoffert of 36 Old Ferry Road was sworn in. He stated that he plans on growing old in this area and he feels the Dollar General Store would be very convenient for him when he reaches the stage where he does not want to do a lot of driving.

Jeff Dorr spoke again about the security. He feels that the Dollar General Store will be inviting a different class of people into Shalimar. He is afraid, in the present economy; these people will be driving down Plew Avenue and Shalimar Drive looking for opportunities to steal things. He would like to see the entrance on Plew Avenue closed off. He thinks that plans should be made for a worst-case scenario.

Mr. Hufstetler said that most Dollar General Store customers are convenience shoppers and will be in and out quickly. He did not think that closing off the Plew Avenue entrance was an option because of safety issues such as quick access and egress for fire trucks.

Jeff Dorr asked about moving the parking lot to the back and having the building on the front part of the lot. Jennifer said that the site layout would not allow that and also the parking in back can cause a safety issue for customers.

Steve Middleton, 9 Plew Ave, was sworn in. He asked why, if parking in the back of the store would be a safety issue, why would they not worry about safety of the surrounding neighborhoods.

Ms. Bell replied that she meant that, typically, parking in front of stores is safer.

Mr. Middleton asked if didn’t stores of this type tend to have a lower type of people gravitate toward them.

Mr. Hufstetler said that he shopped at Dollar General Stores and they tailor to a vast demographic. He said it was a tough question to answer because, yes, the lower income shoppers will go there but so will your higher income shoppers.

Mr. Middleton asked if they were planning to cater to the military from Eglin and he thinks the stores on Base are just as cheap or cheaper and did not see the store getting much business from Eglin AFB. He
then commented that Shalimar needed to get the money to put the speed bumps on Plew Avenue to which Mayor Combs responded that putting speed bumps on Plew Avenue will not be a problem.

Sharon Smith of 912 Sara Drive asked if was a typical scenario for Dollar General to purchase property and then get a development order.

Mr. Hufstetler replied that they do not like for it to be done this way but in this case it had to be because of a short closing time on the property.

Johann Behnken, 111 Clifford Drive, said that he shops at Dollar General Stores and finds that some things are cheaper than he can buy on Eglin AFB. As for the store being a success and what will happen if they don’t succeed, look at Starbuck’s, they came into Town and were selling high priced items and did not succeed. They property has sat vacant for two years and there is no guarantee Dollar General will be there for 30 years but their plans are for 15 years.

Jennifer Chapman, 910 Sunset Bay Court, was sworn in. She stated that she feels it is easy for people that don’t live right in the affected community to say “Oh ya, I will shop at the Dollar General Store” because it is not in your neighborhood and your children are not walking to school down Shalimar Drive and you’re not worried about the traffic that is looky-lookoing around and we already have local residents about blowing down our children. But it is easy to say if you are one of the residents living across Eglin Parkway that these people are not going to affect you. The people that it is going to affect feel shortchanged that we didn’t know in advance before it ever happened. She thinks Dollar General is great but would rather go across the bridge and shop at the one in Fort Walton Beach. She does not want it next door to her or on Plew Avenue and have to worry about her children walking to school.

Don Brown of 902 Sunset Bay Court was sworn in. He said the quickest route to the Dollar General when coming across the Shalimar Bridge is to take Shalimar Drive to Plew Avenue and he is very concerned about the extra traffic and the kind of people that will be driving through there looking at their homes. There are lot of people out there that think the wealth should be shared.

Jim Savage spoke again. He said there are three large communities of elderly people living in the area. He thinks these are a lot of the people who will be shopping there.

Mr. Hufstetler stated that they own the property and would like to build there. It a prime commercial property and is perfect for the Dollar General Store. They hope that they can address everyone’s concerns as much as possible, within reason.

IV. TOWN ATTORNEY MIKE CHESSER DISCUSSION ON OFFICIAL OPINION

Attorney Chesser said that all documents would be part of the public record. He explained that, in his opinion, the development is a re-subdivision by putting two lots together. The Subdivision Ordinance applies which states the requirements for the location that includes setbacks, etc. The written opinion from Attorney Chesser is attached to these minutes.

V. COMMISSION DECISION – Following motion for action or actions, commissioner members express opinions followed by call for vote.

Mayor Combs asked for a motion on the Dollar General Store Development. **Commissioner Chapman made a motion to table this issue indefinitely. Commissioner Smith seconded the motion.**
Commissioner Chapman said he respects the people from Teramore Development, LLC. He has two concerns. Once is the impervious surface of this development but he thinks Ms. Bell would be able to overcome any problems with that. The other concern is that this development is, in his opinion, not in keeping with the character of Shalimar. The Town has talked, for many years, about building a professional corridor and the Town has made great progress towards this. The Town has talked about creating a special land use category for that purpose and they have probably been remiss in the past at not getting our land development code and documents up to speed to support that. He feels that does not justify an action that would irrevocably damage that goal. He stated that in his opinion the “City Fathers” that laid out the plots were very conscious of the fact that there was residential housing on Plew Avenue and they deliberately made those lots small to ease the buffer into the commercial space. He feels if these lots are joined it will unfairly devalue the property of the residents on Plew Avenue.

Commissioner Smith said he is pro-business and does not like to see empty buildings. He said he visited nine Dollar General Stores in the area and has seen nothing like the elevation pictures the Town has been shown. Most of these stores are poorly maintained and, if that is the way this store is maintained, it will not fit in Shalimar.

Commissioner Morgan said, as Police Commissioner, he has done some research and that in areas where there are Dollar General Stores there does not seem to be any increase in crime. The Town Police Force should have no problem handling the traffic on Plew Avenue. He does not think the image of the Dollar General Store is that significantly degrading as some other businesses could be. He feels that the Dollar General Store would be a positive addition to Shalimar.

Commissioner Behnkken is opposed to tabling the item. She thinks that as long as the Town insists on the Dollar General Stores following the Town Ordinances there should not be any problem.

Mayor Combs said he owns property on Plew Avenue and he is big-time pro-business and is afraid that if the Town does not approve the Dollar General Store, two businesses could be placed on the two lots and the Town would have no say about what is developed there and that scares him and he thinks that should scare the neighborhood. He asked Mr. Hobbs and Mr. Baker what their opinions are after hearing everything that has been said.

Mr. Baker said that he would like to see the lots remain separate and the smaller lot would not have such a large business there. He does not want a 9000 square foot building on that corner.

Mr. Hobbs said that the smaller lot is standard residential size lot and he feels that if they were not combined that would limit what is built on that lot. He also feels that a 9000 square foot building is excessive and he thinks he could have been laid out better. He does not want to see the lots left vacant, can see both the pros and cons of the project, and can’t really decide. He definitely wants a good buffer zone if the project is approved.

Commissioner Smith has questions for the developer. He said that it looks as though this business is typically in a rural community. He realizes that they are moving more into municipalities where there is more attention to detail and that is where they are right now with Shalimar. The buildings are basically a warehouse but he would like to see the outside be much more upscale. He had looked at several stores and asked if the Milton store was one of Teramore Developments stores.

Mr. Hufstetler said that Shalimar does have tougher regulations and takes pride in their buildings. Dollar General is willing to do whatever it takes, within reason, to upgrade the building. He said that the worst
thing that could happen to them, they took a huge risk on this store with a large financial investment, and if it is not a Dollar General, they have to build on these lots. They cannot afford to let that property sit vacant.

Commissioner Chapman asked if their business planned to sell this store after it was built. Mr. Hufstetler said that it would depend on investor interest and current market cap rate. They do have a lot of money invested in this property and a large budget because of the investment. Yes, they possibly may sell it at some future time but he thinks the Town Ordinances would make whoever is the owner maintain this building to the highest standards.

Commissioner Smith asked for a copy of one of the leases to Dollar General Stores.

Commissioner Chapman urged the Commission not to repeat the mistakes the previous Commissions made in acting hastily. He thinks these Commissions have an unfortunate tendency to “ready, shoot, aim”. That is the reason he ran for this Commission. Once this project is approved, it cannot be undone. In addition, if the public is listened to, not very many people think it is a good idea. Most of the people have expressed a negative opinion and overwhelmingly the residents on that side of town have strongly opposed it. He thinks the Town needs to be careful how they proceed and not rush into it.

Commissioner Smith agrees with a lot of what Commissioner Chapman said but he thinks the Town owes them to do this as expeditiously as we can but he is not sure he can make that decision tonight. He still has a lot of questions to ask and the upgrades he’s looking at are going to cost Teramore Development a lot of money.

Mr. Hufstetler said he was willing to do a lot extra to make this building acceptable for the Town of Shalimar. They have a lot of money invested and cannot afford to let this property stand empty.

**Commissioner Morgan made an amendment to the motion to change the terminology from “delaying indefinitely” to “delaying until the next Town Commission meeting”. Commissioner Behnken seconded the amendment.** Commissioner Morgan said that Commissioner Smith brought up valid points on the development and he feels delaying to the next meeting in enough time.

Commissioner Behnken requested a photo of the South Florida store that is more upscale.

Mayor Combs asked Mr. Hufstetler, if the development was disapproved, what could be built on the smaller lot? Mr. Hufstetler said he would have to research that but that it would have to be the largest possible building and any available tenant.

Commissioner Smith said he was smart enough to know something will go in there. Coming from his standpoint, he thinks the building may be too big to not be ugly. One of his main complaints about the stores he had looked at were their dumpster areas. The management tend to remove the gates because they are heavy and it ends up being a mess. He also does not like the silver roof that is the norm on these buildings. He is worried about looks, the dumpster area, and traffic on the street. However, he knows something will go into these lots and wants to address it being a warehouse style building and to consider its appearance.

Mr. Hufstetler said that he would like to have any questions sent to him before the next meeting. Commissioner Smith and Commission Chapman said they would have their questions to Manager Burns by Monday.
A vote was taken on the motion to table the project until the next meeting. The motion passed with Commissioner Chapman the only dissenting vote.

Attorney Chesser opined about what the Town has the right to control. This is the size of the building, the landscaping, and the access. The Town does not have a right to consider who thinks this is a good idea or not. The Town does not have a right to take a poll of the community and the community does not have a right to tell the Commission what they think. They have a right to come to the Commission meeting and present testimony and evidence about why you think this way.

Commissioner Chapman said they do have the flexibility of considering the wisdom of joining the two lots. Attorney Chesser said that is the wisdom on doing it and how it is done.

Buddy Page said that at an evidentiary hearing, it was his understanding that it is finding of fact and that those findings of fact generally reflect only the requirements for the competent and substantial evidence. He said he heard comments about the appearance and the Land Development Code has very rigid standards on what that is supposed to be. If the Commission has opinions on whether those standards should be higher or lower he would expect the Land Development Code to be modified to meet the wishes of what the Town Commission would like to have. As far as he could tell, the process that was gone through presenting the competent and substantial evidence in the form of the site plan and the attended information, it went to the Planning and Zoning Board and they approved it unanimously and it came before the Town Commission. He is sure some of the objections he hears were not actual findings of fact. There were opinions but not a lot of fact. He hope that at the March meeting, if there is an evaluation made, either for or against, if there is opposition and discussion on that, that they actually would be a finding of fact.

Commissioner Chapman said he appreciates Mr. Page’s judgment on our competency here on the way we make our determinations. He directed him to Ordinance 58-131 where it says “The Town Commission is the final approval authority on all decisions effecting land usage in the Town” and Ordinance 58-135 where it says “nothing in this section shall be construed to prevent the local planning agency or the Town Commission from delaying action or decision on any application by majority vote” and that is what we choose to do and we may choose to do it again.

Mayor Combs clarified that the Town values Commissioner Smith’s opinion and would like the answers to Commissioner Smith’s questions and a list of the Teramore Developments’ owned stores.

Manager Burns asked if the Town would receive a new elevation plans and site plans. Mayor Combs said the Commission would present questions to Manager Burns and he would send them to Teramore Development and when they have answered the questions, they would be given to the Town Commission.

ANNOUNCEMENTS:

MARCH 13, 2012 – TOWN COMMISSION MEETING – 6:00 P.M.
MARCH 28, 2012 – PLANNING AND ZONING BOARD MEETING – 6:00 P.M.

ADJOURNMENT: Commissioner Smith moved to adjourn the meeting at 8:40 p.m. Commissioner Chapman seconded the motion and it passed unanimously.
CALL TO ORDER – Mayor Combs called the meeting to order at 6:03 p.m. and led the Pledge to allegiance.

ROLL CALL FOR THE RECORD
Mayor Gary Combs – Present
Mayor Pro-Tem Robert Chapman – Present
Commissioner Ursel Behnken – Absent
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Maintenance Supervisor Kent Beck, Gloria Turner, Virginia Short, Jennifer Chapman, Jeff Dorr, Mike Turk, Jeff Hobbs, Stephen Middleton, and Danny Baker

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – The Planning and Zoning Board recommended the Dollar General Store development to the Town Commission. This was discussed in the New Business.

BEAUTIFICATION-REVITALIZATION COMMITTEE – No report

TOWN RESIDENTS' TIME – No residents spoke.

TOWN ATTORNEY'S REPORT – Attorney Chesser had nothing to report.

OLD BUSINESS:
I. APPROVE MINUTES FOR THE JANUARY 10, 2012 TOWN COMMISSION MEETING AND THE FEBRUARY 1, 2012 NUISANCE ORDINANCE WORKSHOP– Commissioner Chapman made a motion to accept the January 10, 2012 minutes as written. Commissioner Morgan seconded the motion. The motion passed unanimously. Commissioner Chapman made a motion to accept the February 1, 2012 Workshop minutes with a change to section 26-33 stating that the item was referred to Manager Burns to research and make suggestions. Commissioner Morgan seconded the motion and it was unanimously passed.

II. REVIEW PLANNING AND ZONING BOARD RECOMMENDATION TO APPROVE FIVE SPECIAL EXCEPTIONS FOR ALCOHOL SALES AT EXISTING BUSINESSES.

Mayor Combs suggested discussing the Special Exception for each business separately and then making a decision on each. Mayor Combs passed the gavel to Mayor Pro-Tem Chapman.
It was decided to discuss the BP Station and the Shell Station at the same time as they have the same type of alcohol licenses. Mayor Combs made a motion that the Commission take the BP and Shell Stations and add to the special exception that they can be open 24/7 and add a clause that says there will be no consumption of alcohol on the premises. Commissioner Morgan seconded the motion.
Commissioner Morgan stated that he believes that if we have one operation that can sell 24/7, he feels that we should not restrict the other businesses to tougher standards. He thinks the special exception should be
written to allow the other businesses to change their hours without having to go for another special exception. Commission Chapman stated, “As much as I respect both you gentlemen, I couldn’t disagree more with you. I believe it would be an abrogation of our responsibilities as a Commission to give these guys blanket approval to sell 24/7 if they are, in fact, not doing so now. We should consider these applications on a case-by-case basis and not give them the freedom to do whatever they want. That, to me, is not what the citizens expect. If they are selling in their current hours now, in my view, that is what you should consider approving, not a blanket approval to do more. I also agree we should do this by a case-by-case situation for another reason. The location matters. The Shell Station is closer to the bridge than the Raceway. The bridge, as we know, attracts a certain kind of people that we always have to keep a close eye on and those of us who live near the bridge are more cognizant of this than the other people and for that reason I think we should consider them separately.” Commissioner Morgan asked, “What is the distance between the Shell Station and Raceway? Maybe a block.” Commissioner Chapman said, “It’s more than a block.” Commissioner Morgan said, “I do not think that is a deterrent to someone who wants to buy something to drink off premises. I do not see that as a deterrent to make them go to Raceway instead of the Shell Station. There is no indication that these stations would want to stay open longer hours than they stay presently. Is that correct?” Commissioner Chapman “Well I don’t think I can speak for the gas stations, but if we are just trying to, as matter of our convenience, give these guys a blanket approval so that we don’t have to do this again, then that is, again, abrogating our responsibility. I don’t know why we give them more than they currently are doing now.” Mayor Combs stated “Let me ask you a question, Bob, if they ask for different hours, do you think we have grounds to disapprove it?” Commissioner Chapman said, “I don’t know, that is what we will consider at that time. It is a special exception. It is not a right. It is an exception to the current ordinance.” Commissioner Morgan “To support your position, they have not asked for any additional hours. Is that correct?” Manager Burns: “On the original applications that I sent out, this is retroactive just to get these people to come in so we can get this cleaned up. You are correct, they just asked for the current hours on the applications.” Mayor Combs: “These hours weren’t on the Planning and Zoning Boards application, right?” Manager Burns, “The Planning and Zoning Board made the recommendation that you stated. Okay, we have the other two stations that have not asked for 24/7. Their thinking was if they change their hours, even by an hour or so, they would have to come in for a new special exception.” Commissioner Chapman “In my view, it was probably a mistake to let the Raceway be open 24/7 but now that we made that mistake I am not sure we should repeat it.” Tim Smith, “My position is somewhere what Bob’s is. From what I have heard, this is to make this easier on us and we are not exactly overworked up here. If they ask for it, we can consider it then. I do not like the blanket thing. It just appears to me, if we give these guys the blanket thing, I don’t know how we can limit the Eglin Grill and the Aegean Restaurant…” Mayor Combs: “Okay, I revise my motion to say, We approve it with the hours that they ask for and we add the statement “No alcohol consumption on premises”. Will that suit you guys?” The motion was amended with consent of Ray Morgan who had seconded the original motion. The motion is to approve the special exception for the BP Station and the Shell Station for their present hours with no consumption on premises. Manager Burns suggested that the motion say “No consumption anywhere on the commercial lot or parcel”. When a business applies to the State for a 2APS license, the business supplies a drawing of the premises from which they can sell alcohol. These drawing for the Shell Station, the BP Station, and the Shalimar Yacht Basin are the point of sales buildings. There is nothing that says they cannot have consumption outside of the building outline. Mayor Combs amended the motion to say “no consumption on the commercial parcel”. Commissioner Morgan seconded the motion. Commissioner Smith asked Attorney Chesser about his suggestion at the last Town Commission Meeting about adding square footage to this special exception. Attorney Chesser stated that he just wanted to tighten up the special exception so that the Town would have control if the businesses came back to change their special exception and he felt that the motion had done that. The Deputy Clerk read the motion: The motion is to approve the special exceptions for the BP Station and the Shell Station...
limited to their present hours of sale and that there will be no consumption anywhere on the commercial parcel. The vote was passed unanimously.

It was decided that the Aegean Restaurant and the Shalimar Cheers Club would be done at the same time. Mayor Combs made a motion recommending they approve the Planning and Zoning Board’s recommendation for the Special Exception for the Aegean Restaurant and Shalimar Cheers Club for the current hours of operation and with the caveat that they do not have consumption outside of the building area that they have listed on their 2COP license. This license shows a drawing of where they can consume alcohol. Commissioner Morgan seconded the motion. The motion passed unanimously.

Mayor Combs recommended they approve the special exception for the Shalimar Yacht Basin with the hours of 9:00 a.m. to 9:00 p.m. Their present hours are 9:00 to 9:00 with prearrangement for sales at other times. Commissioner Chapman feels that the hours should be 9:00 a.m. to 9:00 p.m. with no sales outside of those hours. Manager Burns asked if they were going to try to have Steve Peterson sign an agreement that, when he is having fishermen fuel their boats at 5:00 a.m. that he will not sell alcohol to these fishermen? Commissioner Chapman said, “I am not going to have him sign anything. I am going to grant him a special exception to allow him to do something.” Manager Burns said that he has to sign it to which Commissioner Chapman responded, “Well, he can sign it.” Commissioner Morgan stated, “I don’t understand why we would do 9:00 a.m. to 9:00 p.m. when fishermen come into the yacht basin and fuel up at 5:00 a.m. and want to stock up on beer.” Commissioner Smith asked if Steve had told Manager Burns that he was open 9:00 to 9:00. Manager Burns said that he told him his normal hours of the Ships Store were 9:00 to 9:00 and that someone could make a request by phone or radio to come in at other hours to buy fuel and they would also sell alcohol to these customers, if they so requested. After further discussion, Mayor Combs suggested that they set the hours of alcohol sales at Shalimar Yacht Basin from 5:00 a.m. to 10:00 p.m. Mayor Combs made a motion to approve the special exemption for alcohol sales for the yacht basin with the hours of operation of 5:00 a.m. to 10:00 p.m. and no caveat saying no consumption on premises. Commissioner Morgan seconded the motion. Commissioner Smith said that he thought he should be able to sell alcohol whenever he wants to. Mayor Combs amended his motion to allow him to sell 24/7 and Commissioner Morgan seconded the motion. Commissioner Chapman stated that he was opposed to this and he did not feel the Shalimar Yacht Basin should be granted special privileges after they so flagrantly disregarded Town rules by not paying their Business License Tax. He thinks this is the wrong message to send and he much preferred 5:00 a.m. to 10:00 p.m. A discussion of the area of consumption was then held. Commissioner Smith said that he thought there should be a restriction to area of consumption. Manager Burns stated that he was told to get the special exceptions taken care of and that the yacht basin was different than the gas stations. They are a marina and it is not the same. Mayor Combs amended the motion to grant the Shalimar Yacht Basin a 2APS special exception with hours of 5:00 a.m. to 10:00 p.m. with no restriction on area of consumption. Commissioner Morgan seconded the motion and it passed unanimously.

III. REVIEW OF NUISANCE ORDINANCE
Commissioner Chapman suspended the rules and decided to go to New Business and review the Planning and Zoning Board recommendation for a development order for the Dollar General Store. The Nuisance Ordinance will be reviewed after that.

NEW BUSINESS:
I. REVIEW PLANNING AND ZONING BOARD RECOMMENDATION FOR DEVELOPMENT ORDER FOR DOLLAR GENERAL STORE
Manager Burns explained that the Dollar General Store wants to put in a store in the old Starbucks location and that the Planning and Zoning Board made a recommendation to approve this with plans as presented with 14 changes. Manager Burns went over these changes and explained each. The hours of operation requested are 8:00 a.m. to 10:00 p.m. The project Engineer could not attend the meeting but was available by phone if there were any questions. There were no representatives of the Dollar General Store at the meeting.

Commissioner Chapman said, “My primary concern is that we, the Town, have not done a particularly good job of informing the residents of this activity. Fundamentally, that bothers me a great deal.” He decided that the Town residents should be allowed to speak at this time. He asked that they come to the podium, announce their name and address, and express their opinions, trying to limit their time to about 2 minutes.

Attorney Chesser asked to make some comments at this time. “If you are considering a special exception you have the right to get the facts that make this property special and I will explain why I say that. The property that is now the Eglin Grill came to you in its last presentation asking for a special exception to sell alcohol. At that special exception meeting, the duty of the town was to take evidence in what is called a quasi-judicial hearing. You may remember that the people who testified there were under oath. I had to tell the Town Commission that they had to consider what was testified to and both sides got to state their opinion.

This item comes as a zoning consideration and that reason is that the owner is trying to put two lots together as one development in lieu of the individual lot on its own. Let me tell you what I mean by that. If we have a house that is scheduled to be built on a residential lot, it is zoned residential, we do not have a hearing about that because it does or does not comply with the ordinance. We do not have the right to tell the owner what the front, back, or trees look like. Here, this property has the combination of two commercial lots and in that sense it is be presented here for a development order and we have a limited right to consider what ought to be included in the development order.

In my opinion, we do not have the right to say to this owner that you cannot use property for commercial purposes. We do not have that right because this property is zoned commercial and, it is entirely possible, that as a result of what you are to talk about tonight, that you want simply to hear from people and you want to make this to be heard on a night where both sides can be here and both sides get to put evidence on the record that the Town Commission will consider and then decide what the special conditions are for the combination of these two lots. That is really what the question is. What needs to be attached to these two lots to make them functional as a single parcel and make them less intrusive to the adjacent property that they would otherwise be if someone just said, “I’ve got a right to build on that property, I am building a commercial building. It is zoned for that and I’ve got a right to do it.

So, that having been said, whatever testimony someone wants to make in view of the fact that both parties are not here tonight, if it becomes necessary to do, I am going to suggest that it be set for another hearing when both sides can be here and both sides have to take that oath and then testify about this plan.”

Commissioner Chapman said that we probably would require another meeting. At least that is his sentiment. I think that we owe the town residents the right to express themselves and their opinion and how they choose. He asked if anyone would like to speak on this issue.
Jeff Hobbs spoke. He is the homeowner of the adjacent property, which is 8 Plew Avenue. He stated, “What my concern is, is that we have negotiation where I am not adversely affected by this development. The building is going to be within 28 feet, the air conditioning will be even closer. The loading dock will be adjacent to the eastern side and that side has two bedrooms. I just want to negotiate with these people as to ways to buffer sound and not have their patrons looking over the fence at me, throwing trash, or whatever may occur. So I am not sure if this is the time that we can get them in here to where we can discuss this. I would like to do so. This is, I guess I have been working too much and missed this and I understand that but they have bought the property. It used to be part of the Meigs’ Estate and the buffer zone between residential and commercial. Times change but I want to try and make sure there is an appropriate, decent looking separation between what is basically a zero lot line residential/commercial area and I believe Tom has worked with Danny and Steve on some questions.”

Manager Burns asked, “With the plan as I explained it, would you have any changes?”

Mr. Hobbs said, “Well, we have discussed the 8-foot fence. I am not in favor of the Crepe Myrtles. I would like to see some different vegetation, something that is perennial, something that lasts all year and is a little more decent looking. I do have concerns about the dumpster storage. The dumpster is right there in the corner which, if I have that scaled correctly, when I walk out onto my front porch that is going to be to my right and if the fence stops at my house I am going to be looking at their…."

Manager Burns explained, “Mr. Hobbs, there is going to be another opaque 6 foot and then the actual dumpster and the loading dock will have their own fence.

Commissioner Chapman, “Well, he is expressing his own concern”.

Manager Burns explained that he was trying to get specific.

Mr. Hobbs had nothing else to say.

Danny Baker spoke next. He is the homeowner at 7 Plew Avenue and is directly across the street from the back lot. “I was at the last meeting of the Planning and Zoning Board and they made some changes to accommodate some of my concerns. They moved the entrance down on Plew. They did have that right across from my driveway. I think they are going to leave it now where it is. Is that Correct Tom?” Tom replied, “Yes Sir. It will be in its current location.” Mr. Baker said, “That will help a whole lot. The vegetation along Plew, we added that and that’s okay. One thing I am concerned about that is new here, I guess I left before this happened last time, is that they are going to go for a beer and wine sales on the property.”

Manager Burns answered, “The Developer has told me that he is interested in going through the special exception for a 2APS license.

Mr. Baker, “Well, I have concerns about that.” Mr. Burns explained that would be a completely separate process. Mr. Baker, “Well, you got a whole lot of residential lots around here now; I don’t know how that works. That is an exception right?”

Manager Burns, “That will require me to advertise in the paper, send out letters to 150 feet in all directions so you will get another letter. That process begins with the Planning and Zoning Board also.”
Mr. Baker, “If they do good selling beer and wine they can extend their hours and stay open as long as they want and sell beer and wine just like Raceway does.”
Manager Burns, “It depends on what their special exception says. The special exception alcohol process will allow this Commission to put some boxes and rules around the alcohol sales.”

Mr. Baker, “I would be very concerned about that if they move into staying open later, selling beer and wine later, that kind of thing. I am also concerned how come a flyer didn’t go out to everyone who lives in Shalimar to make them aware that this was coming. Flyers went out just to people who were adjacent to the property. I don’t know how this works, maybe the residents don’t have a say so that don’t live close by on if they want this kind of business in Shalimar. I mean, when Cash’s came in and wanted to put liquor sales here we stopped them.”

Commissioner Smith said, “That was an alcohol special exception.”

Mr. Baker said, “But because this is zoned commercial, it doesn’t matter, I guess, what the residents want in Shalimar as long as everything is done to mitigate the problems for the residents on Plew, they have a right to go in. I just don’t understand how come flyers didn’t go out to everyone that lives in Shalimar to be aware of this and voice their concerns and maybe say that we don’t want a Dollar General Store in Shalimar.

Commissioner Chapman said, “I think that’s a fair concern and it is the concern I expressed by opening this up for public comment. I would agree with your comment. I personally don’t know what the Commission’s power is. That’s one of the reasons I don’t think we should consider this issue tonight. I think we should do a little more legal research and explore some of the issues Attorney Chesser brought up as to what we can do as a Commission to address those concerns.”

Mr. Baker: “Well I know, on Plew Avenue, alone, I think that everybody on that street signed a petition except a couple people. And I think one of them is here tonight and has some questions that didn’t sign the petition but he had concerns. I would like to think we could find a better business to go in this lot than a Dollar General. I think the clientele is going to be a little bit, I don’t know, I don’t want to stereotype or say anything wrong, but I think we are going to be looking at people that are going to be looking at the houses on the street and seeing what laying around in the yards and scope, checking things out. I think there is going to be more crime because of this kind of business. I’d just like to see something better and I think we can get something better and I think you will probably find that most of the people in Shalimar would agree but they don’t even know. They should, at least, have a chance.”

Commissioner Chapman, “I agree.”

Mr. Baker, “I think the Zoning Board did very good on our concerns, on my concerns, on helping me feel better about this, but maybe there is a lot of other people in Shalimar who don’t even want this business there.”

Jeff Dorr of Sunset Bay Court spoke next. He said, “I heard about this from a real estate agent and then, next thing I know, there is a sign “sold”. I concur with these gentlemen that I think there has not been enough notification to anybody in Shalimar. I concur with you that is amazing the motions put up here we debate and yet this thing seems to be popping up out of nowhere. I might be something to the Commission here, but I certainly don’t think most of the Shalimar residents, they hear the rumors, but I don’t think most of the people really are aware of what’s going down and how quickly it is being pushed
through. My concern here is they have 8:00 a.m. to 10 p.m. hours. That really means 6 a.m. to midnight because employees are going to be coming early and leaving late. I think there is going to be major traffic issues. I think that people are going to start turning in by the Post Office to cruise down that road to come in. I think people are going to be coming down, Tim, where you live. I just think you are going to see influxes or, quite frankly, people just cruising by to kind of check the neighborhoods out, not saying there is anything wrong with that, but, again, I am stunned. I got to believe that you told those people, on that side of the street, about a Dollar General Store going in first and then the hours second and the fact that I just now understood that they sell beer and wine, which I never knew. I think people would be shocked, and I feel we are going to be doing most of the Town of Shalimar an injustice. For all of the concerns we keep hearing at these Commission meetings about selling alcohol and hours and how people run their business, I am stunned that this thing is going to be ramrodded through. That is only my impression. I am not saying that’s what’s being done. But quite frankly, to get a flyer, I just happen to be in town this week, to get a flyer in my mailbox 2 days ago and that we’re having this meeting on Valentine’s Day night. It’s pitiful. That’s my opinion. As representatives of the Town you guys have to do more to open this up to people to come in and really have a say so. And from the Dollar General Store as well but I don’t see anything good coming out of this at all. That’s all I have”.

Steve Middleton of 9 Plew Avenue spoke next. “My concern, basically, is traffic. I have little kids. I have a 5-year-old and a 2-year-old. I like to play with them outdoors, ride bikes. I already have to deal with all the traffic from people coming through to go to the Post Office. Now I have to deal with more traffic from people coming through to pick up alcohol and stuff like that. It’s kind of upsetting because when I came back to this area from Iraq I bought this home. And I was like, man, this is great area. I’m from Fort Walton originally and like, man, nice cozy area. I’ve gotten away from Fort Walton. It got too big. Too big business. Now there’s a Dollar General where you can leave Shalimar and drive 2.3 miles one way. Or you can get onto Racetrack Road and drive 2.7 mile. So then you have to contend with people coming off the bridge, what’s stopping them from just coming up the back way, coming up Plew, checking out our homes. What point will the safety become a factor for our kids and everyone else? I probably dumped 40 plus thousand into my home refurbishing it and probably like 230 into it. So now my house is going to depreciate and I can’t even sell it for what I bought it which is kind of ridiculous. Just my opinion. It is probably kind of weird to see someone who is in their early 30’s who has these concerns but I plan to be in this area for a long time. My in-laws are here. My wife’s from this area. I want my kids to grow up here. I don’t want, like man it is getting too big. I might think I will have to move somewhere else where I won’t have to see all these big businesses. It’s pretty simple. I appreciate your time.”

The resident from 11 Plew spoke next. “I just want to say I agree with what the others have said and that I am against a Dollar General Store.”
No other audience participant spoke.

Commission Chapman entertained a motion. Mayor Combs made a motion that they approve the Planning and Zoning Board recommendation as submitted. The motion died for lack of a second.

Commissioner Chapman asked for an alternative motion. Commissioner Morgan made a motion that we postpone the vote and have a second meeting. The motion died for lack of a second.

Commissioner Chapman said, “I have a thought that I would refer to Attorney Chesser here.”
Attorney Chesser, “I have heard enough to understand that there are some very deep-seated concerns that I know the Commission is going to want to hear. I want you all to know that there are two kinds of decisions that any Commission can make. One is called a legislative decision and that is what should be the law and when they decide what the law ought to be everybody who has an opinion should and may convey to the Commissioners what the law ought to be. What the budget ought to be, for instance, is a law. What zoning ought to be in Shalimar is a law and when they pass that zoning code, everyone had the right to say to them, “the property in these locations ought to be commercial, residential, industrial, or whatever.

Those are legislative decisions that have been made and are reflected in the zoning code. There are no decisions to be made now except two, as I see it. One is, you’re combining two lots, and what are the special conditions that should be imposed for the privilege for somebody combining the lots. The second is, if there is a special exception requested, and that will be the use of this property for alcohol sales, if that is requested. Then the issue is, is that a condition of the first. In other words, if that can’t be created, do these people not want to use this property for that purpose, don’t want to buy that property, and don’t want to proceed with the project. I don’t know that. That question hasn’t been asked and it hasn’t come to you. But if it comes to you, that is a two-part decision. It may be that it is presented here in two steps. The first is under what conditions may these lots be combined. That subject will permit anyone who wants to give evidence about those conditions to take an oath and stand there and, under oath, testify about what those conditions ought to be. And that will have to do with traffic, proximity, with odor, with sound, with light, and all those things we’ve talked about when we consider a special exception. Is there going to be 24 lighting, is that lighting going to be hooded from adjacent residential properties and all kinds of things. The people in this audience have a right to have an engineer come through and say “Here’s what should be done and here’s what’s wrong with this engineering project. The people who are proposing this project have the right to have their engineer come here and say, “Here’s what’s right about this or here is why we are presenting it this way. When it is heard again, and I am assuming these people are serious about wanting to do this, they will have their proponents here to stand up there and testify about why this is the right thing, why putting the two lots together, should be done like this.”

Commissioner Chapman said, “I think that is the right way to go. We need more discussion on both sides of this.”

Attorney Chesser asked to speak again. “We are passed the point of saying “Do you have the right to put up a business, Dollar General, and I am sorry but whether it is a Dollar General Store, doctor’s office, lawyer’s office, at this point it is Commercial and the Dollar General Store is a commercial business.”

Commissioner Chapman, “Here is the question I am going to propose to you Attorney Chesser, I am going to ask you to give us a written answer, it is not something I want you to give us off the top of your head. The question before the Commission, as I understand it, is will we permit a business entity to join two commercial lots to pursue this enterprise, and if so, under what conditions will we approve that. And we have a recommendation by the Planning and Zoning Board to do this. Obviously, they need some approval to do this. What are our options and, that approval, the very fact that they need approval, means that we can disapprove if we so choose to do so. And so, I would like to know more about the conditions on which we can and should act and what would constitute legal justification for denying their request. I don’t want to put the Town in a position where they are exposed to litigation but, with the same token, if the majority of citizens oppose this, then, if it takes a legal battle to defend our position, I am not necessarily afraid of that. That is the question that I have. I would ask of you to give us a legal opinion
on what the limits of our authority are and what conditions we might choose to approve or disapprove this request.”

“So I guess what I would like to see is perhaps a Town Hall meeting similar to what we once hosted for the storage lot. We invite representatives of Dollar General to come in and present their plan to all the interested parties, allow the residents to speak to the Dollar General representatives and voices their concerns. That would not be a voting meeting. There would be no votes taken at that meeting and it would be more of a Town Hall affair and then, once the Commission is armed with the information Attorney Chesser provides and has an opportunity to get input from the citizens.”

**Mayor Combs made a motion that they table this until Tuesday, February 21 and it be a voting meeting.** The Town Manager will notify every resident in Town and that the decision will be made, yes or no. Attorney Chesser can get his information to the Commission and The Dollar General Store can have a representative here to answer concerns. Mayor Combs explained how the developers have been doing everything they can to make the Town happy and they would like to get this through as soon as possible. Residents did not feel 7 days was enough time for everyone to be informed.

Commissioner Smith did not feel that the building plans that he had seen were adequate to make a decision on. Mayor Combs explained that if they were to put the Dollar General on only the Starbuck’s lot the Town would have no say. A resident said that would be okay or even if the parking lot was in back rather than in front would be more acceptable.

Commissioner Smith said, “In my opinion I do not think we can stop the Dollar General Store. I think what we are going have to do, and what we have the ability to do, is to control, 1) aesthetically what it looks like and 2) the hours of operation, the conditions that it is going to appear to the Town. Other than that, I don’t think we have a whole lot of control.” Commissioner Chapman said, “The crux of this issue is, is the Town going to approve the joining of those two lots. There isn’t any other question to decide because, as the Mayor points out, if they wanted to build a store on a single lot, they wouldn’t have to ask us. But that is not what they want so.” Commissioner Smith said, “I understand that. I think that the double lot thing is a special exception but looking at it from the Dollar General Store, I don’t think that is going to happen.”

Mayor Combs stated, “The point is we can control it now. We have the power to get some things that we want done and make it look pretty. I mean I don’t have any problem if we say move the whole thing to the front and use the back as parking but…”

Commissioner Smith requested a detailed elevation plan which Manager Burns said he would ask Dollar General for.

Commissioner Chapman said, “The bottom line is that this is an issue that has strong feelings. Some people feel strongly for it and some people feel strongly against it and, admittedly, it is a different type of business in a larger scope that has the potential to change the character of Shalimar. I don’t think that it is in our interest to fast track this. I think we need to be slow and deliberate and make sure that we have considered this properly and taken all the views of the citizens into account before we make our decision.”

Commissioner Chapman suggested, “That we have a special meeting on February 28th and allow representatives of Dollar General Store and the citizens the opportunity to voice their opinion and give testimony, if appropriate, and then make a decision either that night or at a later date”.

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Mayor Combs stated, “The only thing the Commission is voting on is whether they can combine the two lots. We cannot vote on whether the Dollar General Store goes in there or not.”

Attorney Chesser stated, “I think I would put that, under what conditions may we reject their request. It may be that I will come back here and say, I am sorry. I can’t find any. The question I asked today, when I knew this was coming up, is what right do we have to impose any conditions on somebody to do that.”

Mayor Combs said, “I am just worried, these people have bent over backwards to appease us, and if we get nasty we may lose.”

**Mayor Combs made a motion to have a special meeting on the Dollar General Store on 28 February 2012 at 6:00.** A flyer will go out to all of the Town residents notifying them of the meeting. It shall be posted on the marquis and the website starting on the 15Th of February. Manager Burns said it would also be advertised in the paper. Commissioner Chapman asked Attorney Chesser to give a short tutorial before the meeting on the legal rules as well as his legal opinion. Commission Morgan seconded the motion. It was unanimously passed.

**REVIEW OF NUISANCE ORDINANCE**

Attorney Chesser said that after reviewing the nuisance ordinance it could have a few tweaks but in general it was a good ordinance.

Manager Burns explained the changes that were done were highlighted in yellow and his recommended changes were on the last page in blue print.

Section 26-23 Definitions

Abandoned vehicles – Any vehicle, vessel or trailer left on private property with the owner’s consent or on public property for at least 48 hours.

Nuisance Vehicle: Any vehicle, vessel, or trailer which exhibits at least two of the following conditions:

1. Damage, including, but not limited to: a broken window or windshield, missing wheels, missing or flat tires, missing motor or transmission, or missing body parts.
2. Cannot be moved in its designed manner under its own power.
3. Without a valid, current registration plate.
4. Having a fair market value equivalent to the scrap therein.
5. Is being used for storage.
6. Is leaking fluids.
7. Constitutes a fire or other safety hazard.
8. Is not roadworthy or seaworthy.

The items listed above were discussed. Commissioner Morgan said that he thought it should be three of the conditions. Mayor Combs said that he liked it as two of the conditions. Commissioner Chapman was happy with the way it was written and Commissioner Morgan liked the ordinance.

There was a discussion to allow sleeping in parked recreational vehicles when visiting a Shalimar resident. It was decided that Manager Burns would reword this section and bring it back at the next regular Commission meeting. It was decided any other suggestions or recommendation should be emailed to Manager Burns.
COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman said that the budget was relatively on track. 35% of year has passed and the Town has received 42% of the expected income and spent 27% of the budgeted funds.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan brought up that Officer Shadwell would be take a leave of absence and that they would be hiring a temporary part-time officer.

COMMISSIONER SMITH’S REPORT – Commissioner Smith had nothing to report.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken was absent.

MAYOR COMBS’ REPORT – Mayor Combs brought up the stipend of $10.00 the employees use to get for using their personal cell phones for work. He asked Commission to consider reinstating this stipend. He feels the police should be available on their cell phones because it is to everyone’s advantage to be able to contact them. The maintenance people are able to contact the office when they see something that needs checked out in the Town. “Commissioner Chapman did not agree that a supplement for personal cell phone use was appropriate. He stated that termination of the stipend was factored in when Commission made the decision to grant a cost of living pay increase for FY12.” Commissioner Morgan agreed with the Mayor that it made sense to be able to contact employees on their cell phones. Mayor Combs asked the Commission to please just think about it.

POLICE REPORT – Chief Cash went over the Monthly Activities Report. He also said that the Police Department will be getting two IPADS with grant money that the department had received. Sergeant Shadwell will be deployed to Afghanistan in April and the Police Department will be hiring a temporary part-time officer while he is deployed.

TOWN MANAGER UPDATE – Manager Burns had nothing else.

ANNOUNCEMENTS:
FEBRUARY 28, 2012 – 6:00 PM – SPECIAL TOWN COMMISSION MEETING ON DOLLAR GENERAL STORE
FEBRUARY 29, 2012 – 6:00 PM – PLANNING AND ZONING BOARD MEETING
MARCH 13, 2012 – 6:00 PM – TOWN COMMISSION MEETING

ADJOURNMENT:  Commissioner Chapman moved to adjourn the meeting at 8:45 p.m. Commissioner Smith seconded the motion and it passed unanimously.

Sheila Hansen, Secretary
February 14, 2011
Date approved
CALL TO ORDER: Chairman Brad Gable called the Planning and Zoning Board Meeting to order at 6:03 p.m.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - Present
Member/Co-Chairman Gene Tucker - Absent
Member Johann Behnken - Present
Member Mickey Clements - Present
Member Lynn Dominique - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Danny Baker, and Jennifer Bell.

OLD BUSINESS:

1. JENNIFER BELL TO REQUEST APPROVAL FOR BUILDING OF DOLLAR GENERAL STORE IN SHALIMAR – Chairman Gable explained that the special meeting was called to discuss the development order for the Dollar General Store. It was decided that the Board would discuss each page of the construction drawings and decide if any changes were needed. They would address the lighting, trees, stormwater runoff and riprap, and the engineering.

Member Behnken asked, for the record, if the lots the development will be on are currently zoned commercial. Manager Burns said that they were.

The plan, as presented, was to remove 5 protected trees. The Town would like to save one 14” live oak tree. The tree was discussed and Jennifer Bell said she would try to redo the dumpster pad so there would be plenty of room for the tree. There will be four protected trees removed and the reforestation policy requires replanting. It was decided that the additional crepe myrtle trees that are being planted for landscaping could be used as the reforestation trees.

Resident Danny Baker said that he had problems with a Dollar General Store being built on those lots. It will be directly across from his house and driveway. Jennifer Bell said that the driveway cut could possibly be left where it presently is located. She would have to run a computer program to see if there would be room for the delivery trucks to turn at that area but did not think it would be a problem. Manager
Burns suggested that there be a vegetative barrier along the back and on Plew Avenue. He suggested a vegetative buffer of 6 feet high and 10 feet deep along Plew Avenue to where road cut is. It was decided that the Plew barrier could be planted on the Town right-of-way if an agreement was made with the Dollar General Store to do the right-of-way maintenance. Everyone on the Board agreed that this was a good idea.

It was decided that the delivery trucks would enter the lot on Plew Avenue and exit on Eglin Parkway. The original plans were to have the trucks enter on Eglin Parkway and exit on Plew but the road cut could not remain where it is if this is done.

Member Behnken asked Jennifer Bell if the store elevation picture that she gave the Town was the same as the building that was planned. She said yes except the building will be have stucco on the sides and the front façade would be stucco.

The parking was discussed with a decision that the requirement of 10 parking spots and then an island could be changed to 14 contiguous parking spots. That is the current parking plan for the old Starbucks and there was no reason to change.

The back of the property should have an 8-foot wooden privacy fence past the dumpster area and a vegetative barrier the rest of the way. The dumpster area must be gated. The Development Order will state that all landscaped areas must be irrigated.

Grading and Drainage: The plans show a small swale between the car wash property and building. Manager Burns was concerned that this swale would be too small and fill up with debris that would stop the water flow. Jennifer Bell said that she would have an 8-inch pipe placed in that area as well as leave the swale. Chairman Gable asked about the riprap material. Ms. Bell said it would be 50 lb. stone on dugout areas with filter fiber. This stone will be a formed riprap and would be above the ground no more than 6 inches.

Lighting Plan: The lighting plan is all attached to the building with no freestanding poles. The bulbs for the lights are changeable so that lower wattage bulbs can be used if the lighting is too bright. The light on the back of the lot will be shielded to avoid disturbing the resident behind the lot. The Board said it would reserve the option to adjust the lighting intensity.

Jennifer Bell asked about the sales of beer and wine. A special exception will need to be granted for this and Manager Burns suggested she get together with him and start the process for the special exception.

Jennifer Bell said that Development Order could include the prohibition of outside sales displays and limited delivery hours.

**Member Dominique made a motion that the Board move forward and approve the Development Order based on the minutes of record. Member Clements seconded the motion.**

A recommended Development Order was approved by the Planning and Zoning Board according to the construction drawings dated January 31, 2012 with the following changes:

a. The Plew Avenue access will approximate the current access location.

b. The 14-inch live oak tree will be saved.
c. An 8-foot privacy fence will be built to back of dumpster area with a 6 foot by 10-foot vegetative buffer on the rest of the back lot line.
d. A 6-foot vegetative buffer will be planted on the Plew Avenue right-of-way from the road cut to the back of the property and a 4-foot hedge will continue along the Plew right-of-way toward Eglin Pkwy until the end of the Plew side parking area.
e. The lighting will possibly be modified with lower wattage bulbs.
f. The swale on the car wash side of the building will remain with an 8-inch pipe buried beneath for unblocked drainage.
g. The Development Order will allow a maximum of 14 contiguous parking spots without requiring an island.
h. The elevation plan will be as depicted in the attached picture dated January 27, 2012 with the addition of a stucco front façade. The sides will all be stucco with architectural awnings and shutters.
i. The dumpster area will be gated.
j. Irrigation is required for all landscaping.
k. No outside merchandise displays.
l. Delivery hours will be according to allowable times by Town Ordinance.
m. All approval is subject to DOT and Water Management approvals.
n. Poly-Engineering will be asked to review the Development plans and the road for load-bearing limits.

Member Behnken brought up that the residents near the development be taken into consideration.

**The Development Order was unanimously approved by the Board.**

**Member Clements moved to adjourn the meeting at 8:05 p.m. Member Dominique seconded the motion and it was unanimously approved.**

Sheila Hansen, Deputy Clerk

Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. and led the Pledge to allegiance.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE:  Town Manager Tom Burns, Deputy Clerk Sheila Hansen

WORKSHOP DISCUSSION: Nuisance Ordinance Rewrite – A discussion was held to decide if the draft ordinance was acceptable.

Article I

Sec. 26-23 Definitions
Abandoned vehicles were discussed and it was decided that “all vehicles will be considered abandoned if not currently registered and licensed” would be removed from the abandoned vehicle definition. Developed: It was decided that “to include docks” would be added to the developed definition.

Sec. 26-25 Report of Nuisance Violations; Notice:
Change “acting Town Clerk” to “Code Enforcement Official” and to add “within 5 working days” to notification section.

Sec. 26-26 Failure to Remedy after Notice:
Changed last sentence to read, “The Public Nuisance Resolution will direct the Town Clerk to proceed with one or both of the following actions”.

It was decided that Town Manager Burns should check and find out what is the legal annual interest rate that can be charged. It now says 2 per cent per month.

Article II

Sec. 26-27 Declaration of Nuisances

This was discussed and there were no changes made to this section.

Sec. 26-28 Litter

This was discussed and there were no changes made to this section.

Sec. 26-29 Landscape Maintenance

This was discussed and there were no changes made to this section.
Sec. 26-30 Structure Maintenance

This was discussed and there were no changes made to this section.

Sec. 26-31 Noise

This was discussed and there were no changes made to this section.

Sec. 26-32 Pollution

This was discussed and there were no changes made to this section.

Sec. 26-33 Vehicles

(a) It was decided that “if license is required” be added to the not currently licensed section.
(e) It was decided that the parking on streets section to should have “unless there is a parking agreement with the Town” added.

Manager Burns was directed to research the vehicle nuisance rules and make suggestions to the Town Commission on rules and wording.

Sec. 26-34 Fire Hazards

This was discussed and there were no changes made to this section.

Sec. 26-35 Graffiti

This was discussed and there were no changes made to this section.

Sec. 26-36 Use of Right-of-Ways and Roadways

This was discussed and there were no changes made to this section.

**ADJOURNMENT:** The workshop adjourned at 7:50 p.m.
CALL TO ORDER: Member Behnken called the Planning and Zoning Board Meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - Absent
Member/Co-Chairman Gene Tucker - Absent
Member Johann Behnken - Present
Member Mickey Clements - Present
Member Lynn Dominique - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Tim Smith, and Jennifer Bell.

OLD BUSINESS:

2. APPROVE MINUTES FROM THE NOVEMBER 30, 2011. Member Clements made a motion to approve the November minutes. Member Dominique seconded the motion and it was unanimously approved.

3. Comprehensive Plan – Manager Burns reported that by the next regular Planning and Zoning Board meeting the Future Land Use Map will have been received from Okaloosa County and that the Board will, hopefully, have everything else that is needed to complete the Comprehensive Plan.

NEW BUSINESS:

1. JENNIFER BELL TO REQUEST APPROVAL FOR BUILDING OF DOLLAR GENERAL STORE IN SHALIMAR – Manager Burns explained that the Planning and Zoning Board would be the Technical Review Committee on the preliminary review. Manager Burns explained that the applicant was Teramore Development LLC and that Jennifer Bell was acting as their representative.

Jennifer Bell explained that the existing pavement and building will be demolished and that the driveway connections on Eglin Parkway will remain the same and the connection on Plew Avenue will be moved. The stormwater system will be designed for a 100 Year storm. Member Behnken asked if the stormwater retention system will affect the stormwater from the car wash. Ms. Bell said that she would research if the two retention systems were combined.

Manager Burns said that the setbacks for the building were adequate.
Member Behnken brought up the two oak trees on the undeveloped lot that will be part of the development. These trees are a protected species in Shalimar. Ms. Bell stated that she would check out the tree situation as well as the miniature magnolias on the car wash side.

The loading zone and dumpster on the residential side of the building were discussed along with the HVAC on the backside of the building that could be a noise problem. These areas need to be enclosed.

It was discussed where trucks would be entering the property. The plan is for the trucks to enter on Eglin Parkway and exit on Plew Avenue. It was decided that the Developer will need to test the pavement on Plew Avenue to see how much weight it would handle.

The cross access to the car wash will be maintained but will probably be moved.

Manager Burns went over the Commercial Development checklist. The front and Plew Avenue side elevations should be done with an architecturally pleasing façade. There will also be no outside sales on the property.

Manager Burns went over the Shalimar Code. It was decided that the loading and unloading hours would be restricted.

It was decided that a special meeting would be held on February 6, 2012 at 6:00 p.m. Jennifer Bell said she would have all the necessary information from the other engineers for the Development Order delivered to the Town by Friday February 3, 2012.

ANNOUNCEMENTS:

February 1, 2012 at 6:00 p.m. – Town Commission Workshop to discuss Nuisance Ordinance
February 14, 2012 at 6:00 p.m. – Shalimar Town Commission Meeting
February 29, 2012 at 6:00 p.m. – Planning and Zoning Board Meeting

**Member Dominique made a motion to adjourn the meeting at 6:43 p.m. The motion was seconded by Member Clements and passed unanimously.**

February 29, 2012

Sheila Hansen, Deputy Clerk

Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:05 p.m. and led the Pledge to allegiance.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Absent
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Maintenance Supervisor Kent Beck, Alison, Tyler & Alex Petrbok, Angela Balent, and Johann Behnken

AUDITOR’S REPORT: Angela Balent from O’Sullivan Creel reported that the financial statements from fiscal year 2011 were in accordance with regulations. She explained several items on the audit report and suggested reviewing our IT systems, security vulnerabilities, and written data policies.

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – The Planning and Zoning Board had nobody in attendance but had recommended the Town Commission approve 5 special exceptions for alcohol sales for Shalimar businesses that are already selling beer and wine. At the time these businesses were opened, they either did not go through the formal process required to sell alcohol or were already selling alcohol when they were annexed into the Town and the Town had requested that they do so to bring them into compliance with the Town’s ordinance. A discussion was held during which questions came up about what the Town businesses that sell alcohol’s current hours were and what the hours were that they were applying to sell alcohol. Attorney Chesser felt that the special exceptions should provide more detailed information on current operations. It was discussed whether the 2APS licensed stores should be allowed to sell alcohol 24/7 and whether these stores should be restricted to no consumption on premises which would include their parking lots. 
Commission Chapman made a motion to table the subject until Manager Burns could do more research and brief the Town Commission on the State rules defining where the consumption of alcohol is allowed and also the businesses present hours. Manager Burns will coordinate with Attorney Chesser on the square footage of the businesses. Commissioner Morgan seconded the motion and it was unanimously passed.

BEAUTIFICATION-REVITALIZATION COMMITTEE – No report

TOWN RESIDENTS' TIME – No residents spoke.

TOWN ATTORNEY'S REPORT – Attorney Chesser had nothing to report.

OLD BUSINESS:
I. APPROVE MINUTES FOR THE December 13, 2011 TOWN COMMISSION MEETING –
Commissioner Chapman made a motion to accept the minutes as written. Commissioner Smith seconded the motion. The motion passed unanimously.
NEW BUSINESS: There was no new business.

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman commended Manager Burns on the 2011 budget. He said Tom did a great job of keeping the budget in line.

The first quarter of the 2012 Budget is in line with 26% of the income received.

Commissioner Chapman discussed the IT vulnerability and said he thought that there was need to codify procedures and purchase a server so if there was a problem with any of the computers there would be no loss of data. He asked Manager Burns to research purchasing a server and getting IT support.

Commissioner Chapman said he also thought the Town should look at transitioning from a defined benefit plan to a defined contribution plan for the Police Department.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan made a motion to donate $250.00 from the Police Seizure Fund to sponsor a basketball team at the Fort Walton Beach YMCA. Chief Cash coaches one of the teams and thought it would be good community outreach. Commissioner Chapman seconded the motion. Commissioner Smith said he was against the Town making any charity donations of the taxpayer’s money. A vote was taken with Commissioner Chapman and Commissioner Morgan voting for the donation and Mayor Combs and Commissioner Smith voting against. The motion died due to lack of a majority vote.

COMMISSIONER SMITH’S REPORT – Commissioner Smith reported that he, Commissioner Morgan, Town Manager Burns and Chief Cash met with representatives of Meigs Middle School and the School Board and discussed the traffic problems when students are arriving and leaving school. The school agreed to experiment with all of the buses departing on Richbourg Avenue and see if this will improve the traffic flow. They decided that the back gate of the school is operating efficiently. They discussed changing the time on the yellow flashing school zone traffic light for the one day a month that the students get out of school early. Chief Cash is trying to coordinate this.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken was absent.

MAYOR COMBS’ REPORT – Mayor Combs had nothing to report.

POLICE REPORT – Chief Cash was at the DOT meeting to find out about the work that will be done on Eglin Parkway in Shalimar. This will start soon and will cause traffic problems in Shalimar.

TOWN MANAGER UPDATE – Manager Burns passed out copies of the present and a draft of the new nuisance ordinance. He requested the Commission review the ordinance and make suggestions. It was decided to set up a special workshop to discuss the nuisance ordinance on February 6, 2012 at 6:00 p.m.

Deputy Clerk Hansen has compiled a list of delinquent Business Tax fees. She reported that most of them were being taken care of except for Shalimar Medical Clinic and Shalimar Yacht Basin. Manager Burns asked Attorney Chesser what actions to take if they do not pay. He recommended taking them to court and if they still did not pay to either confiscate tangible property to cover the costs or place a lien on their property.

ANNOUNCEMENTS:

JANUARY 17, 2011 – OCLOC DINNER SPONSORED BY LAUREL HILL
FEBRUARY 6, 2011 - SPECIAL ORDINANCE WORKSHOP – 6:00 pm
FEBRUARY 14, 2011 – TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT:  Commissioner Chapman moved to adjourn the meeting at 8:45 p.m. Commissioner Smith seconded the motion and it passed unanimously.

Sheila Hansen, Secretary

February 14, 2011

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:15 p.m and led the Pledge to allegiance.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Absent
Commissioner Ursel Behnken - Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Police Chief John Cash, Maintenance Supervisor Kent Beck, Attorney Mike Chesser, Town residents for Christmas party.

COMMITTEE REPORTS:

PLANNING AND ZONING BUSINESS – No report

BEAUTIFICATION-REVITALIZATION COMMITTEE – No report

TOWN RESIDENTS' TIME – No residents spoke.

TOWN ATTORNEY'S REPORT – Attorney Chesser had nothing to report.

OLD BUSINESS:

II. APPROVE MINUTES FOR THE November 8, 2011 TOWN COMMISSION MEETING – Commissioner Smith said that the word liabilities should be changed to logistics on the discussion on Town business owners throwing bags during the parade. **Commissioner Smith made a motion to accept the minutes with the change of that word. Commissioner Behnken seconded the motion. The motion passed unanimously.**

III. Meigs School Traffic Issue – A discussion was held during which Commissioner Morgan explained the changes he had made to the letter. He said that he thought it was more a traffic congestion problem than a safety problem. Commissioner Smith did not agree. Commissioner Morgan suggested tabling the issue till the next meeting but Commissioner Smith wanted it decided at this meeting. Commissioner Smith wanted his name and contact put in the letter rather than Commissioner Morgan’s. He had written the letter and thought it was more a Roads and Grounds issue than a Police issue. **Commissioner Smith made a motion to change the letter and put Commissioner Smith as the contact. Commissioner Behnken seconded the motion. The motion passed with Commissioner Morgan abstaining.**

NEW BUSINESS:

I. RESOLUTION DECLARING FOOD MAX POLE-SIGN AND NUISANCE AND THE FALLEN TREE AT WATERWORX A NUISANCE. The Commission all had copies of the Resolution and had
reviewed them prior to the meeting. **Commissioner Behnken made a motion to pass the resolution.** **Commissioner Smith seconded the motion and it was passed unanimously.**

**II. APPROVE HIRING AND SWEARING IN OF PERRY HESLEP AS A FULL TIME POLICE OFFICER.** Commissioner Morgan made a motion to hire Officer Heslep full time. Commissioner Behnken seconded the motion. Commissioner Smith asked about Officer Heslep being in the Army National Guard and whether he would be deployed. Officer Heslep explained that he had been wounded on a previous deployment and was no longer considered deployable. A vote was taken and it was decided unanimously to hire Officer Heslep full time.

Chief Cash introduced Officer Heslep to the residents and talked about his background and how he seemed to be fitting in well with the Police Department. He also introduced Officer Heslep’s family. He then swore Officer Heslep in.

Chief Cash also announced to the Town that Sergeant Shadwell had gotten third place in the state for traffic enforcement for the third year in a row and presented Sergeant Shadwell with a flashlight that the State had given for the accomplishment.

**COMMISSIONER CHAPMAN’S REPORT** – Absent

**COMMISSIONER MORGAN’S REPORT** – Commissioner Morgan had nothing to report.

**COMMISSIONER SMITH’S REPORT** – Commissioner Smith had nothing to report.

**COMMISSIONER BEHNKEN’S REPORT** – Commissioner Behnken had nothing to report.

**MAYOR COMBS’ REPORT** – Mayor Combs had nothing to report.

**POLICE REPORT** – Chief Cash had nothing to report.

**TOWN MANAGER UPDATE** – Manager Burns had nothing to report.

**ANNOUNCEMENTS:**

JANUARY 10, 2011 – TOWN COMMISSION MEETING – 6:00 PM

JANUARY 17, 2011 – OCLOC DINNER SPONSORED BY LAUREL HILL

**ADJOURNMENT:** **Commissioner Behnken moved to adjourn the meeting at 6:30 p.m. Commissioner Smith seconded the motion and it passed unanimously.**

________________________________________________________________________  January 10, 2011
Sheila Hansen, Secretary                       Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:00 p.m.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - Present
Member/Co-Chairman Gene Tucker - Present
Member Johann Behnken - Absent
Member Mickey Clements - Present
Member Lynn Dominique - Absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Eglin AFB Representative, Jeb Hohl of the Shalimar Cheers Club, Steve Peterson and Vito from Shalimar Yacht Basin.

OLD BUSINESS:

1. APPROVE MINUTES FROM THE AUGUST 31, 2011 SEPTEMBER 28, 2011. Member Clements made a motion to approve the August and September minutes. Member Tucker seconded the motion and it was unanimously approved.

NEW BUSINESS:

1. CONSIDER ALCOHOL SPECIAL EXCEPTION REQUEST FOR BUSINESSES CURRENTLY SELLING ALCOHOL Chairman Gable explained that there were five businesses in Shalimar that had never gotten a special exception to sell alcohol and that the Planning and Zoning Board were considering these alcohol sales exceptions to bring all Shalimar alcohol sales into compliance. The businesses asking for approval are the Shell Station, BP Station, Aegean Restaurant, Shalimar Cheers Club and the Shalimar Yacht Basin. A discussion was held in which it was decided to change the requested hours for the Shell Station to be the same as the hours for the BP Station as these were less restrictive than the Shell Station had requested. There would be no changes for any of the businesses from what they are presently doing. Member Tucker made a motion to approve recommending these special exceptions to the Town Commission. Member Clements seconded the motion and it was passed unanimously.
2. Steve Peterson of the Shalimar Yacht Basin announced that he and Jeb Hohl of the Shalimar Cheers Club were considering constructing a building at the Shalimar Yacht Basin and moving Shalimar Cheers Club in it. Manager Burns explained that they would have to go through the Special Exception for alcohol request process as this would be a new location for the Shalimar Cheers Club. Steve Peterson said that he would apply for the Special Exception before construction was started on the building.

ANNOUNCEMENTS:
December 13, 2011 at 5:00 p.m. -- Christmas Parade
December 13, 2011 at 6:00 p.m. -- Shalimar Town Commission Meeting and Christmas Party
December 28, 2011 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

Member Tucker made a motion to adjourn the meeting at 6:43 p.m. The motion was seconded by Member Clements and passed unanimously.

______________________________  January 25, 2012
Sheila Hansen, Deputy Clerk  Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. Three members of Cub Scout Pack 52 led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Absent
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Police Chief John Cash, Maintenance Supervisor Kent Beck, Attorney Mike Chesser, Bruce Berntsen, Brad Gable and members of Cub Scout Pack 52.

COMMITTEE REPORTS:

PLANNING AND ZONING BUSINESS – Brad Gable reported that the Planning and Zoning Board had no meeting in October.

BEAUTIFICATION-REVITALIZATION COMMITTEE – The Beautification Committee did not report anything.

TOWN RESIDENTS' TIME – No residents spoke.

TOWN ATTORNEY'S REPORT – Attorney Chesser had nothing to report.

OLD BUSINESS:

IV. APPROVE MINUTES FOR THE October 11, 2011 TOWN COMMISSION MEETING – Commissioner Chapman made a motion to approve the minutes of the meeting with no changes. Commissioner Morgan seconded the motion. The motion was passed unanimously.

V. THIRD READING OF ORDINANCE 2011-05 – ALCOHOLIC BEVERAGE ESTABLISHMENTS – All other provisions of this article notwithstanding, all liquor sales shall be permitted only as a special exception and only in a commercial or industrial zoning district. Any business, organization, or individual wishing to sell or otherwise dispense alcoholic beverages in the Town of Shalimar shall be allowed to do so only after obtaining a special exception, approved by the town commission. A successor business to an establishment that previously sold or dispensed alcohol shall be deemed to have satisfied this requirement so long as the new applicant endorses the previous applicant’s plan and the period of non-conforming use did not cease for a period of more than six months as specified in Sec. 82-87.

Commissioner Chapman made a motion to proceed with the third reading of The Alcoholic Beverage Establishments Ordinance. Commissioner Morgan seconded the motion. A discussion was
held during which Attorney Chesser proposed removing the words “organization, or individual” and the words “otherwise dispense” and **Commissioner Chapman made a motion to amend the Ordinance as proposed by Attorney Chesser. Commissioner Morgan seconded the amendment. The Ordinance was passed unanimously.**

NEW BUSINESS: There was no new business to discuss.

**COMMISSIONER CHAPMAN’S REPORT** – Commissioner Chapman recommended that a monthly upcoming event calendar be added to the website.

**COMMISSIONER MORGAN’S REPORT** – Commissioner Morgan reported that seven applications were received for the police officer position advertised. Six of the applicants were rejected and the other applicant removed himself from the list. A Crestview Officer showed interest in the position if it was full time. Commissioner Morgan asked the Town Commission if they would consider hiring a full time officer. A discussion was held and none of the Town Commission disapproved Commissioner Morgan interviewing for a possible full time position.

Commissioner Morgan made a motion to pay Officer Miley his accrued leave. Commissioner Chapman seconded the motion. A discussion was held and the motion passed with Commissioner Smith voting against it.

**COMMISSIONER SMITH’S REPORT** – Commissioner Smith brought up that he preferred the old weekly activities report submitted by the Police Department. He felt that the report was simpler to read and he did not understand the new mileage report. Commissioner Morgan said he would like to review the report and work on improving it. The Town Commission agreed and Commissioner Chapman recommended separate incident and mileage reports.

**COMMISSIONER BEHNKEN’S REPORT** – Commissioner Behnken was absent.

**MAYOR COMBS’ REPORT** – Mayor Combs had nothing to report.

**POLICE REPORT** – Chief Cash had nothing to report.

**TOWN MANAGER UPDATE** – Manager Burns explained that Waterworx had a tree that had fallen during a storm and it had yet to be removed. He asked permission to send a letter to Waterworx directing them to remove the tree or be fined. The Town Commission had no objection.

A discussion was held about the Christmas Parade and Commissioner Smith suggested that the Town as the Commercial Businesses to throw gifts during the parade. It was decided this was not a good idea due to logistics but that the businesses could be asked next year to donate gifts to be thrown by the Town.

**ANNOUNCEMENTS:**
- OCTOBER 26, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
- DECEMBER 13, 2011 – CHRISTMAS PARADE – 5:00 PM
- DECEMBER 13, 2011 – TOWN COMMISSION MEETING – 6:00 PM
ADJOURNMENT: Commissioner Morgan moved to adjourn the meeting at 7:30 p.m. Commissioner Smith seconded the motion and it passed unanimously.

_________________________________________  December 13, 2011
Sheila Hansen, Secretary                  Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Attorney Mike Chesser, Brad Gable and Sharon Smith.

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – Brad Gable reported that the Planning and Zoning Board had decided to do the Comprehensive Plan in house and that this would save the Town considerable money.

BEAUTIFICATION-REVITALIZATION COMMITTEE – The Beautification Committee suggested contacting the businesses on Eglin Parkway about Christmas beautification from the bridge to 12th Avenue. Commissioner Behnken will write a letter to each of the businesses and Chief Cash will deliver the letters and talk to the businesses.

TOWN RESIDENTS’ TIME – Sharon Smith brought up the continued absence of Commissioner Morgan. The Commission agreed this is becoming a problem and feel he should attend more of the Town Commission meetings.

TOWN ATTORNEY’S REPORT – Attorney Chesser said that he had spoken with a client that had commented how wonderful Shalimar looks compared to Fort Walton Beach and that they thought the Town was doing a great job.

OLD BUSINESS:
VI. APPROVE MINUTES FOR THE SEPTEMBER 13, 2011 MEETING AND SEPTEMBER 13, 2011 FIRST BUDGET HEARING AND SEPTEMBER 27, 2011 SECOND BUDGET HEARING – Commissioner Behnken made a motion to approve the minutes of the three meetings with no changes. Commissioner Chapman seconded the motion. The motion was passed unanimously.

VII. SECOND READING OF ORDINANCE 2011-05 – ALCOHOLIC BEVERAGE ESTABLISHMENTS – All other provisions of this article notwithstanding, all liquor sales shall be permitted only as a special exception in a commercial zoning district. Any business wishing to sell or otherwise dispense alcoholic beverages in the Town of Shalimar shall be allowed to do so only after obtaining a special exception, approved by the town commission. A successor business to an establishment that previously sold or dispensed alcohol shall be deemed to have satisfied this requirement so long as the
new applicant endorses the previous applicant’s plan and the period of non-conforming use did not cease for a period of more than six months as specified in Sec. 82-87.

**Commissioner Chapman made a motion to proceed with the second reading of The Alcoholic Beverage Establishments Ordinance. Commissioner Smith seconded the motion.** Manager Burns suggested that the wording of the Ordinance be changed to include industrial as well as commercial zoning districts. This would then cover the Shalimar Yacht Basin which sells beer and wine and is in an industrial zone. Commissioner Chapman said he does not support this change.

A discussion was held and **Commissioner Behnken made a motion to table the subject until the November 8, 2011 meeting. Commissioner Chapman seconded the motion and it passed unanimously.**

Commissioner Smith asked for Attorney Chesser’s opinion on what options were available on changing this Ordinance’s wording. Attorney Chesser said he thought there were three choices. 1. Leave as is 2. Change the Ordinance to read “any” zoning district or 3. Change the Ordinance to read “Commercial/Industrial” zoning districts.

Commissioner Chapman asked Manager Burns to do a background paper with the pros and cons of each option and to forward the paper to the Town Commission members at least 3 days prior to the November meeting.

**NEW BUSINESS:** There was no new business to discuss.

**COMMISSIONER SMITH’S REPORT** – Commissioner Smith brought up the traffic by Meigs Middle School. Parents drop students off at the back of the school and, due to the amount of automobile, bus and student traffic, he feels the intersection of Shalimar Drive and Irwin Fleet is dangerous for the students who are walking or riding bicycles. After a discussion, it was decided that Commissioner Smith will write a letter to the school board requesting that they stop parents from dropping their students off at the back of the school and it was suggested the Town put a stop sign on Shalimar Drive.

**COMMISSIONER CHAPMAN’S REPORT** – Commissioner Chapman reported that last year’s budget is nearly closed out. The Town collected 103% of budgeted revenue and spent 98% of budgeted expenditures. The final figures will be available at the November Town Commission meeting.

**COMMISSIONER BEHNKEN’S REPORT** – Commissioner Behnken had nothing to report.

**COMMISSIONER MORGAN’S REPORT** – Commissioner Morgan was absent.

**MAYOR COMBS’ REPORT** – Mayor Combs reported that the lot beside Cherokee park had been foreclosed on and, if the asking price is reasonable, might be an investment that the Town should consider.

**POLICE REPORT** – Chief Cash reported that he would be attending the 7th Airborne Open House and on October 28th he would be attending the yearly Baker Act meeting.

**TOWN MANAGER UPDATE** – Manager Burns reported items that were auctioned on Public Surplus Auctions had sold for a little over $1100.00. He also reported that The Eglin Grill is now open for dinner. He is also ready
to start the process of placing a lien on the Food Max property. The fines will be figured retroactively to the date when the registered letter he sent to the owner was returned by the USPS.

ANNOUNCEMENTS:
  OCTOBER 18, 2011 – OCLOC DINNER HOSTED BY FWB AT TWO TREES INN
  OCTOBER 26, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
  NOVEMBER 8, 2011 – TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT:  Commissioner Smith moved to adjourn the meeting at 7:00 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

__________________________________________  _____________________________
Sheila Hansen, Secretary                     November 8, 2011              Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:00 p.m.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - Present
Member/Co-Chairman Gene Tucker - Absent
Member Johann Behnken - Present
Member Mickey Clements - Present
Member Lynn Dominique - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Eglin AFB Representative

NEW BUSINESS:

1. APPROVE MINUTES FROM THE August 31, 2011. These minutes were unavailable and will be approved at next meeting.

OLD BUSINESS:

1. COMP PLAN AMENDMENT. The previous meeting (no quorum) was briefed by Manager Burns. The WFRPC advised that the current level of completion of the amendment should be suitable to send to the state. The P&Z board agreed to accept termination of WFRPC contract, complete the amendment in-house, and recommend approval to the Town Commission. A discussion of the future land use map ended in the Board's agreement on changes to be made by the Okaloosa County GIS branch for inclusion of the GIS map in the amendment. A discussion led to the Board's agreement that Manager Burns would draft a change to amend Policy 7.A.3.4 g. by replacing the "Conservation" category in the FLUM to the category "Public Land" with accompanying text outlining permitted uses in this new category.

Member Behnken made a motion to adjourn the meeting at 6:43 p.m. The motion was seconded by Member Clements and passed unanimously.
CALL TO ORDER: Commissioner Chapman called the First Budget Hearing to order at 5:30 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: absent
Mayor Pro-Tem Robert Chapman: present
Commissioner Tim Smith: present
Commissioner Ursel Behnken: present
Commissioner Ray Morgan: absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Maintenance Manager Kent Beck, Police Chief John Cash and Sharon Smith

HEARING ITEMS:

VIII. SECOND PUBLIC READING OF ORDINANCE 2012-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2011-2012 – Deputy Clerk Sheila Hansen read Ordinance 2012-01. Commissioner Smith moved to approve the Ordinance. Commissioner Behnken seconded the motion. The motion passed unanimously.

2. SECOND PUBLIC READING OF ORDINANCE 2012-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2011-2012. Commissioner Chapman explained that the budget was fundamentally the same as the First Reading Budget with only a few minor changes. A short discussion was held on salaries. Deputy Clerk Sheila Hansen read Ordinance 2012-02. Commissioner Behnken moved to approve the Ordinance. Commissioner Smith seconded the motion. The motion passed unanimously.

Commissioner Behnken made a motion to adjourn. Commissioner Smith seconded the motion. The motion passed unanimously.

ANNOUNCEMENTS:
September Planning and Zoning Board – September 28, 2011 at 6:00 p.m.
October Town Commission Meeting – October 11, 2011 at 6:00 p.m.
ADJOURNMENT: Commissioner Smith moved to adjourn at 5:38 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

__________________________________________________________________________

Sheila Hansen, Deputy Town Clerk

__________________________________________________________________________

Date approved
Town of Shalimar
Town Commission Meeting
September 13, 2011

CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Attorney Mike Chesser, Brad Gable, Greg Daniels, Steve Peterson, Vito Tomasello, Johann Behnken, Jim Wilton and Joe Crews

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – No Report

BEAUTIFICATION-REVITALIZATION COMMITTEE – No Report

TOWN ATTORNEY'S REPORT – No report

TOWN RESIDENTS' TIME – Steve Peterson said that Shalimar Yacht Basin was having a customer appreciation day on September 24, 2011 from 3:00 pm to 9:00 pm. Johann Behnken thanked the maintenance department for the job they did on cleaning up the corner on Gardner Drive and Eglin Parkway.

OLD BUSINESS:
I. APPROVE MINUTES FOR THE AUGUST 16, 2011 MEETING AND THE AUGUST 16, 2011 AND AUGUST 23, 2011 BUDGET WORKSHOPS – Commissioner Chapman made a motion to approve the minutes of the three meetings with no changes. Commissioner Behnken seconded the motion. The motion was passed unanimously.

II. SYB OCCUPATIONAL LICENSE FEE – Ordinance 2011-06 – Commissioner Behnken made a motion to approve Ordinance 2011-06. The motion died for lack of a second.

III. FIRST READING OF ORDINANCE 82-221 – ALCOHOLIC BEVERAGE ESTABLISHMENTS - Commissioner Chapman's proposed ORDINANCE 2011-05. Commissioner Chapman made a motion to approve Ordinance 2011-05. Commissioner Behnken seconded the motion. Commissioner Chapman explained that the Ordinance was clarifying the previous rules for the special exception for alcoholic beverages. Any exception for alcoholic beverages will remain in effect for up to 6 months after the closing of a business and, after that time, anyone wishing to sell alcohol at that location must apply for another special exception. If ownership changes and the new owner wishes to sell alcohol, and it is within the 6 month period, he must review the previously granted special exception. The vote on the Ordinance passed unanimously.
NEW BUSINESS: There was no new business to discuss.

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman reported that the fiscal year 2011 budget was on track and the preliminary close-out numbers would be available for the next Town Commission meeting. He thanked Manager Burns and Deputy Clerk Sheila Hansen for all the work on getting the fiscal year 2012 budget prepared. He explained the changes in the 2012 budget and that, currently, the police incentive bonus is lower than it will be once the change in the vehicle policy is approved.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken had nothing to report.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan was absent.

COMMISSIONER SMITH’S REPORT – Commissioner Smith had no report.

MAYOR COMBS’ REPORT – Mayor Combs explained the millage rate for 2012 and reported that there was an Okaloosa County League of Cities meeting of which there was nothing to report.

POLICE REPORT – Chief Cash reported that the police were going house to house to update the resident information. He also reported that the Shalimar Post Office no longer had mail carrier service but post office boxes and purchasing of postage is still offered.

TOWN MANAGER UPDATE – Manager Burns reported to the Town Commission that the police cars had been sold. The 2001 Crown Victoria sold for $1825.00 and the 2003 Crown Victoria sold for $2,352.00.

Manager Burns reported that he had sent letters to all the businesses in Town selling alcohol that did not have a special exception to sell alcohol requesting that they apply for a special exception. The Town will not charge them the normal $75.00 fee and there will be no changes on their rules of sales. They have all applied except the Shalimar Yacht Basin.

The Town had a certificate of deposit ready to roll over and it will renew at 1.5% APY. He asked that the Town Commission approve this roll-over. There were no objections from the Town Commission.

Manager Burns asked if the changes in the Employee and Administration Policies should be put into effect at the end of the fiscal year. The change in the leave policy which eliminates sick leave will require all accrued sick leave to be traded in at a 4 to 1 ratio for regular leave.

He also stated he had gotten the registered letter that he sent to the owner of the Food Max property back as undeliverable. He will send a letter through regular mail service as well. He is going to start the process of filing a lien on the property accruing at $500.00 per day until the sign is removed.

A discussion was held to decide the date of the second reading of the Budget Ordinances. The date will be September 27, 2011 at 5:30 p.m. Commissioners Behnken, Smith and Chapman will be available on that date so that there will be a quorum.

Commissioner Chapman brought up the policy of the Police taking home the patrol cars. It was discussed and Manager Burns reported the amount that the Police Officers would have to reimburse the Town for driving the vehicles home and back. (See attached resolution) Manager Burns asked that the Resolution be changed to not cover the Chief of Police. Mayor Combs suggested adding the words “be exempt from mileage assessment and” into the sentence about the Chief of Police being responsible for monitoring the vehicle odometer readings.
Commissioner Chapman made a motion on behalf of Commissioner Morgan to approve the Vehicle Resolution as amended and made a motion that the Police Department incentive pay be raised to $1,200.00 for the Police Chief and $1,000.00 for other Officers. Commissioner Behnken seconded the motion. The motion passed with Commissioner Smith voting against.

ANNOUNCEMENTS:

SEPTEMBER 28, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
SEPTEMBER 27, 2011 – SECOND READING OF FY 2012 BUDGET – 5:30 PM
OCTOBER 11, 2011 - TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT: Commissioner Chapman moved to adjourn the meeting at 6:53 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

________________________________________     October 11, 2011
Sheila Hansen, Secretary                  Date approved
TOWN OF SHALIMAR
TENTATIVE BUDGET HEARING MINUTES
FY 2011-2012

161.2 September 13, 2011

CALL TO ORDER: Commissioner Chapman called the First Budget Hearing to order at 5:30 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Robert Chapman: present
Commissioner Tim Smith: present
Commissioner Ursel Behnken: present
Commissioner Ray Morgan: absent

Others in attendance: Town Manager Tom Burns and Deputy Clerk Sheila Hansen, Maintenance Manager Kent Beck, and Police Chief John Cash

HEARING ITEMS:

IX. FIRST PUBLIC READING OF ORDINANCE 2011-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2010-2011 –

2. FIRST PUBLIC READING OF ORDINANCE 2011-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2010-2011.

Mayor Combs moved to accept Ordinances 2011-01 and 2011-02 as read. The motion was seconded by Commissioner Behnken and passed unanimously.

3. BUDGET DISCUSSION

- The Budget Ordinance had minor changes from the 3rd Budget Workshop. The part-time employees will receive a 2% wage increase and the police incentive bonuses will be $500.00 for the Police Chief and $400.00 for the other officers. This can change once a decision is made on the ordinance about the police taking home patrol cars.

ANNOUNCEMENTS:

Final Budget Hearing – SEPTEMBER 27, 2011 at 5:30 p.m.
ADJOURNMENT: Commissioner Smith moved to adjourn at 5:38 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

___________________________________
Sheila Hansen, Deputy Town Clerk

___________________________________
Date approved
CALL TO ORDER: Co-Chairman Gene Tucker led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - Absent
Member/Co-Chairman Gene Tucker - Present
Member Johann Behnken - Absent
Member Mickey Clements - Present
Member Lynn Dominique - Absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Bill Compton and Terri Joseph from WFRPC, John Oliveros, Richard Durgin of C & R Lawn and Tree Service

OLD BUSINESS:

I. APPROVE MINUTES FROM THE July 27, 2011 P&Z MEETING – Postponed because there was no quorum.

II. WFRPC – EAR BASED COMP PLAN AMENDMENT – Bill Compton explained that most of the Comprehensive Plan was completed. The majority of what still needs to be done is data analysis for the FLUM. He said that he would give Manager Burns the data from Niceville so that he could make a comparison within Okaloosa County. He explained that the figures from Shalimar just needed to be put in where the Niceville figures were to complete the data analysis.

He explained that the most difficult portions of the Comprehensive Plan are completed. Manager Burns asked if WFRPC had the ability to finish our Comprehensive Plan and how expensive it would be. Terri Joseph said that WFRPC had the ability to complete the plan and the cost would be approximately the same as the original quote.

Manager Burns asked about the State having control over what is in the Comp Plan. The State only requires a review every 5 or 6 years and, if there are no changes at that time, the Town just has to notify the State that there will be no changes. If there are changes the State will review the changes but cannot require the Town to implement any recommendations that the State makes.
Manager Burns asked if we send what we have completed would that be acceptable. Bill Compton said he has no problems with the plan as it is and for Manager Burns to go through the list of procedures that he gave to him.

The Town needs to submit the goals, objectives and policies to the State and the data can be created using Niceville's information and cleaning it up to fit what the Town needs.

Manager Burns said that he would supply the Board with all of the current information and that they could make a decision at the September meeting and then submit the information to the State.

Manager Burns asked if Bill Compton could take a final look at the finished product before it is submitted to the State. Bill said he could do that.

When the Comprehensive plan is finished the P & Z Board can start on the Land Development Code. The Town does need an update FLUM and Okaloosa County should be able to supply them with what they need.

NEW BUSINESS:

I. Tree Removal at 11 Plew Avenue - John Oliveras requested the Board consider removal of 2 trees on his property. Manager Burns explained that he had to go through the Variance Process. If Mr. Oliveras needed to have the variance considered before the September P & Z meeting, Manager Burns would speak to the President of the P & Z Board about calling a special meeting.

ANNOUNCEMENTS:

SEPTEMBER 13, 2011 – BUDGET HEARING – 5:30 PM
SEPTEMBER 13, 2011 – TOWN COMMISSION MEETING – 6:00 PM
SEPTEMBER 28, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM

The meeting ended at 6:30 p.m.

__________________________  ______________________
Sheila Hansen, Secretary    November 30, 2011

Date Approved
MINUTES

TOWN OF SHALIMAR
Budget Workshop 3
August 23, 2011

CALL TO ORDER: Mayor Pro-Tem Bob Chapman called the Third Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Bob Chapman – present
Commissioner Ursel Behnken – absent
Commissioner Tim Smith – present
Commissioner Ray Morgan – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen, Police Chief John Cash, and Maintenance Supervisor Kent Beck.

PURPOSE OF BUDGET WORKSHOP: To review historical fiscal data, estimate income, expenses and tentative millage rate for the upcoming fiscal year –

Commissioner Chapman reported the updated changes. He explained that the revenue estimates for FY 2012 had increased so that there would be $4,500.00 less budgeted from the reserve fund.

Commissioner Morgan proposed a more equitable package for the Police officers. He would like to eliminate the 2% proposed salary increase and he proposed bonuses of $1,200.00 for Chief Cash and $1,000.00 for each of the other officers plus the $400.00 Christmas bonus. Giving a bonus would lower the Town’s cost as there would be no retirement match paid on the bonus.

A discussion was held on the Police Officer’s salary comparison to other local municipal police salaries and they are somewhat lower. This has never been a significant problem in the past and the Town has never lost a Police Officer because of the lower salaries. Commissioner Chapman said he feels strongly on this area and that 4 police officers and 5 police cars seems like too much for the Town of Shalimar. He thinks the Town could get by with 3 police officers and the reality is that we have kept the same
number of officers with the present salaries. Possibly, when the economy improves the Town can increase the police salaries.

The officers taking their patrol cars home was discussed. Commissioner Morgan proposed that the officers take their patrol cars home but if they live more than 3 miles from Shalimar they would reimburse the Town at $.36 per mile for each mile they live past the 3 miles. Commissioner Morgan feels that this not only benefits the officers but improves the response time if there is an emergency. Mayor Comb’s said that he agreed with Commissioner Morgan’s proposal. Manager Burns suggested that a specific amount be charged for the year and prorated monthly.

Mayor Combs did a presentation on the Employee Salary Increases.

Manager Burns asked the Town Commission to make a decision on the Police taking their vehicles home. Commissioner Chapman elected to defer the question until Police Commissioner Morgan had the opportunity to formally present his proposal and the budget impacts could be analyzed.

Commissioner Chapman suggested a 4th budget workshop but, due to absences of Town Commissioners, this was decided against. Manager Burns suggested that the budget be left the way it was proposed in workshop 2 except give the police officers a 2% bonus rather than a 2% raise.

Maintenance Manager Beck suggested splitting his 2% raise with the part-time employees. A discussion was held on the Maintenance Department’s hours being set and a salary increase for the part-time maintenance employees. It was decided that a $400.00 bonus would be given to the part-time employees.

The meeting was adjourned at 8:15 p.m.

ANNOUNCEMENTS:

August 31, 2011 - 6:00 – Planning and Zoning Board meeting.

ADJOURNMENT - Commissioner Chapman adjourned the Third Budget Workshop at 8:15 p.m
CALL TO ORDER – Mayor Combs called the meeting to order at 6:03 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith – Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE:  Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Attorney Mike Chesser, William Kline, Sharon Smith, Johann Behnken, Patricia Mikel-Allen, Christy Garland, Susan Stephens, Joseph Ray and Stan Pitchford.

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – No Report

BEAUTIFICATION-REVITALIZATION COMMITTEE – No Report

TOWN ATTORNEY’S REPORT – Attorney Chesser addressed the run off from the Courthouse Annex pond. Mayor Combs said the pond was non-conforming. Attorney Chesser stated that the Florida Statutes say that property owners are responsible for run-off from their property and are responsible to correct the problem if it is causing problems for their neighbors. The Courts may require the County to make improvements to mitigate the run-off.

TOWN RESIDENTS’ TIME – There was nothing brought up by the Town residents.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JULY 12, 2011 TOWN COMMISSION MEETING AND THE JULY 13, 2011 BUDGET WORKSHOP – Commissioner Chapman made a motion to approve the minutes of the two meeting with no changes. Commissioner Behnken seconded the motion. The motion was passed unanimously.

II. SYB OCCUPATIONAL LICENSE FEE – Ordinance 2011-06 was presented to the Commission. Town Manager Burns explained the wording of the Ordinance to change from $14.00 per non-live-aboard slip to $14.00 per occupied non-live-a-board slip. Commissioner Morgan made a motion to approve the First Reading of the Ordinance. Commissioner Behnken seconded the motion. Johann Behnken asked when and who would determine the number of boats renting the slips. Manager Burns said that he would get together with Steve Peterson and count the boats. Patricia Mikel-Allen asked if the Town had access to the Shalimar Yacht Basin accounting books. Manager Burns said no but the count would be done at an unannounced time. Commissioner Smith asked if we were auditing any other businesses and,
since we are not, why is the Business Tax so high on the Shalimar Yacht Basin. Manager Burns explained that our fees were higher than the other local marinas because their fees were probably set a number of years ago and once the fee was set it could never be raised. Manager Chesser explained that the Marina expenses were similar to the residents and businesses and that the live-aboards do not pay ad valorem taxes and therefore the business license fee is a way to recoup some of this cost.

Commissioner Smith said he thought we should find a way to charge for the slips without taking a physical count. Commissioner Chapman said he opposed the Ordinance change. His reasons were that (1) he had not heard a compelling reason to change the Ordinance; (2) the physical count puts a burden on the staff; and (3) it is a permanent change but he thinks it should be done on a temporary (1 year) basis. This would grant relief without an ordinance change.

**Commissioner Chapman made a motion to amend the Ordinance so that the change would be for the next fiscal year only and after that time it would be re-evaluated on whether to continue the relief. Commissioner Morgan seconded the motion. A vote was taken and the amendment passed with Commissioner Smith voting against.**

**A vote was taken on the Ordinance as amended. The vote passed with Commissioner Smith voting against.** The Ordinance will be reworded before the final reading to show the fiscal year time frame.

**III. BARRON COURT LAND USE:** Stan Pitchford said that the Barron Court residents were ready to start implementation of the land transfer of the park area behind the homes. **Commissioner Behnken made a motion that the Town do a land transfer quit claim of the park area to the residents as long as there is no cost to the Town and to authorize Mayor Combs to sign any necessary paperwork. Commissioner Smith seconded the motion.** Commissioner Chapman asked if we needed an escrow fund. Stan Pitchford said the cost of the quit claim would be between two and three thousand dollars and the residents would pay the cost. **The motion was unanimously passed.**

**NEW BUSINESS:**

**I. DISCUSSION OF FY 2012 BUDGET** — Commissioner Morgan said he thought there were things that should be addressed with Police Department inequities in salaries, insurance and vehicle usage. Commissioner Chapman said he was willing to revisit the budget but would like a written background and reason for any changes. Mayor Combs suggested that the Commissioners give any suggested changes to Manager Burns who can then coordinate these suggestions with Commissioner Chapman and have the suggestions and any background material posted on the website. Mayor Combs brought up no longer allowing the Police Department to take their patrol cars home. He suggests that only the Police Chief and the on-call officer be allowed to take their patrol cars home. It was discussed and a decision was made to have another budget workshop on August 23, 2011 6:00 pm.
II. EGLIN GRILL AND TAVERN SPECIAL EXCEPTION FOR THE SALE OF ALCOHOL – The Planning and Zoning board recommended that a special exception be given to the Shalimar Grill and Tavern at 1176 Eglin Parkway for sale of alcoholic beverages. See attached letter. 

Commissioner Morgan made a motion to allow the Shalimar Grill to have a special exception to sell alcohol between the hours of 9:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 9:00 a.m. and 12:00 a.m. Friday and Saturday. Five days each calendar year they would be allowed to extend their hours of alcohol sales with notification to the Police Department. Commissioner Behnken seconded the motion.

Manager Burns took an oath and swore that on July 27, 2011 the Planning and Zoning Board approved the planning and zoning recommendation. The license is an SRX license which allows the sales of alcohol as long as 51% of business is food sales. Manager Burns swore that the Planning and Zoning took testimony of residents when considering this recommendation and they looked at factors other than sales of alcohol when considering this special exception and everything else is in accordance with the Land Development Code.

Commissioner Chapman feels that 5 special days is excessive and he would like to allow the extended alcohol sales be allowed only on New Year’s Eve and then only until 1:00 a.m. 

Commissioner Chapman made a motion to approve the Planning and Zoning Board’s recommendation with one exception only on New Year’s Eve. There was no second and the motion died.

Commissioner Morgan amended the motion to allow 5 days of exception to sell alcohol past the set hours with prior notification to the Shalimar Police Department. Commissioner Behnken seconded the amendment. A vote was taken and passed with Commissioner Chapman voting against.

A vote was taken on the amended motion to allow the special exception for alcohol sales and the motion passed unanimously.

III. DISCUSSION OF ORDINANCE 82-221 – ALCOHOL BEVERAGE ESTABLISHMENTS – A discussion was held on changing the Ordinance on Alcohol Beverage Establishments. It was decided to advertise the First Reading of this Ordinance (Ordinance 2011-05) to be done at the September 2011 Town Commission meeting.

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman reported that 87% of fiscal year had passed and the Town was on track for the year. The First Reading of the fiscal year 2012 budget would be done on September 13, 2011 at 5:30 p.m. 

Mayor Combs reported that we had purchased the golf cart from the resident that had been lending it to the Town. Commissioner Chapman gave kudos to Manager Burns for the purchase of the golf cart and the new sound system for the Town Commission Room without having to change the FY 2011 budget.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken had nothing to report.
COMMISSIONER MORGAN’S REPORT – Commissioner Morgan reported that they had gone to the firearms range and he thought Sergeant Shadwell is an excellent arms instructor and that Chief Cash is an excellent shot.

COMMISSIONER SMITH’S REPORT – Commissioner Smith reported that he had the information compiled for rewriting the Nuisance Ordinance.

MAYOR COMBS’ REPORT – Mayor Combs had nothing to report.

POLICE REPORT – Chief Cash reported that the police had received a call from a resident on Barron Court that someone had rattled their door handle and suggested residents be careful. We have the new police cars and the old police cars are ready to sell. The Town Police Officers all attended firearms qualification. Chief Cash explained what items were purchased with the traffic points the department received. He also reported that the final portion of the grant money that the Police Department received in 2010 was spent on the audio system. Next year’s grant will be used for more audio equipment or video equipment and anything else needed at the time the grant is available.

TOWN MANAGER UPDATE – Manager Burns reported to the Town Commission that he had still not received any return receipt on the letter to the owner of the Food Max. It was decided that Manager Burns will research filing a lien on the property for the fines that are being accrued on the property.

Manager Burns reported that he is trying to contact the owner of the property on Cherokee Road that has not been mowed. The owner’s phone number is no longer valid so he will have to send him a letter.

Commissioner Smith asked about the vacant house on Plew Avenue. Manager Burns reported that it had just recently been sold and that, hopefully, the new owner will get the house fixed up.

ANNOUNCEMENTS:
   AUGUST 23, 2011 THIRD BUDGET WORKSHOP
   AUGUST 31, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
   SEPTEMBER 13, 2011 – FIRST READING OF FY 2012 BUDGET – 5:30 PM
   SEPTEMBER 13, 2011 - TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT: Commissioner Chapman moved to adjourn the meeting at 7:37 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

_______________________________  September 13, 2011_____________
Sheila Hansen, Secretary                    Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:00 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Present
Member/Co-Chairman Gene Tucker - Present
Member Johann Behnken - Present
Member Mickey Clements - present
Member Lynn Dominique - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Patricia Mikel-Allen, Jonsla Mikel, Christy Garland, Susan Stephens, Bern Reukauf, Peggy Fowler, Mark Wilson, Cindy Schweizer, Gary Combs, Max McHaney, William and Mrs. Kline, Nancy Kline, Larry Kline, Tim Smith.

OLD BUSINESS:

III. APPROVE MINUTES FROM THE May 25, 2011 P&Z MEETING - Member Behnken moved to approve the minutes of the May 25, 2011 meeting as written. The motion was seconded by Member Clements and passed unanimously.

IV. WFRPC – EAR BASED COMP PLAN AMENDMENT – Manager Burns briefed the Board on a meeting that he attended in Defuniak springs where the Chairman of the DCA spoke and explained the new DCA requirements. There is no longer a requirement for a School Element or a Military Element. Also, the DCA can only make recommendations to the Comprehensive Plan and can no longer require municipalities to take their recommendations.

Manager Burns said he had spoken to the WFRPC and asked them to give us an invoice and an electronic copy of what they had done to date. He suggested that the Planning and Zoning Board could finish the Comprehensive Plan themselves and he also said that there was another year before the plan would be due.

NEW BUSINESS:
II. **EGLIN GRILL AND TAVERN SPECIAL EXCEPTION FOR ALCOHOL** - A quasi-judicial hearing was held with Manager Burns swearing in everyone who planned to speak.

Chairman Gable explained that William Kline was requesting a special exception to serve alcohol at the restaurant he is opening at 1176 Eglin Parkway. He then turned to floor over to Mr. Kline to make his presentation.

Mr. Kline explained that he wanted to open a family style restaurant which would serve alcohol. The restaurant would be the same type of restaurant as was previously at that location. He will apply for a SRX alcohol license which requires that the restaurant must be open to serve food at all times that alcohol is served as well as have at least 51% of gross sales to come from food sales.

Member Tucker asked if there were any structural, parking, lighting or signage changes which Mr. Kline explained he had no plans to make any changes. He will probably have to replace the roof and would get a building permit before that commences.

Mr. Kline’s plans on having 30 to 40 employees and would like to be open from 10:00 am to 11:00 pm Sunday through Thursday and from 10:00 am to 1:00 am Friday and Saturday. He has no plans to have live music and definitely would have no outside entertainment. He also has no intentions to run the bar separate from the restaurant.

Member Behnken brought up that there had previously been complaints about employees partying behind the restaurant after closing hours. He also read the Florida alcohol statute for SRX license. Mr. Kline said the rules would be followed and as for the employees partying outside after hours, he had given his phone number to the neighboring residents and they were to call him if this were to occur and he would see that it didn’t happen again.

The floor was opened to public comments. Patricia Mikel-Allen of 881 Brande Court spoke. She stated that Mr. Kline had been forthcoming with the residents and was confident that he would be a good proprietor of the restaurant. Her main concern seemed to be that, if Mr. Kline should sell the restaurant, a new owner may not follow the same rules. She did bring up that she thought the set-backs for the property were not correct but that Mr. Kline was doing all he could to have a good buffer zone between the restaurant and the residents’ property. Manager Burns said that he was unaware of any non-compliance issues. Member Behnken requested that the stormwater drain maintenance be kept up and Mr. Kline said that would not be a problem.

Susan Stephens of 879 Brande Court brought up that she was concerned about the hours and would like to see the restaurant close at 10 pm Sunday through Thursday and Midnight on Friday and Saturday due to possible noise problems. Mr. Kline said he would take care of any noise problems if they should occur.
Max McHaney spoke saying that he felt the residents had clearly let the Town know that they did not want alcohol sales in Shalimar when Cash Moore wanted to buy the building for a liquor store and lounge. Member Behnken said that everyone had been notified and if residents did not approve of the restaurant they should have attended this meeting.

A discussion was held on the statistics of police calls for 1176 Eglin Parkway and the other establishments that serve alcohol in Shalimar. In the 12 years that the 1176 Eglin Parkway property had been a restaurant, there had only been approximately 60 calls and the majority of them had been alarms going off and parking lot accidents. This was less than the number of calls during the same time period for the other alcohol establishments and the Sonic Drive-in.

Nancy Kline, one of the owners of the establishment, stated that they planned on running a Chili’s or Longhorn type restaurant and Larry Kline said that they had originally bought the building to make into an office building but that so many people had asked about a new restaurant going in there that they decided to open a family owned restaurant.

Chairman Gable closed the meeting to public comments and asked for a motion. Member Behnken made a motion to recommend to the Town Commission to give The Eglin Grill and Tavern a special exception to sell alcohol with restrictions. Member Tucker seconded the motion.

A discussion was held on the hours of alcohol sales for The Eglin Grill and Tavern. Chairman Gable recommended that the hours of alcohol sales be from 10:00 am to 10:00 pm Sunday through Thursday and from 10:00 am to midnight on Friday and Saturday. It was suggested that if there were no problems during these hours, Mr. Kline could ask to stay open longer. Manager Burns said that would require another special exception request. Mr. Kline asked if he could open earlier on Sundays for brunch. It was decided that the times for serving alcohol would be changed to 9:00 am rather than 10:00 am.

Member Behnken made a motion to vote on the limited hours of 9:00 am to 10:00 pm Sunday through Thursday and 9:00 am to midnight on Friday and Saturday. Member Tucker seconded the motion and it was unanimously passed.

A vote was taken to recommend the special exception for alcohol to the Town Commission. The vote passed unanimously.

**ANNOUNCEMENTS:**
Member Behnken made a motion to adjourn the meeting at 7:30 p.m. The motion was seconded by Member Dominique and passed unanimously.

______________________________  _______________________
August 31, 2011                      Date Approved

Sheila Hansen, Secretary
CALL TO ORDER: Mayor Pro-Tem Bob Chapman called the second Budget Workshop of the Shalimar Town Commission to order at 6:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Bob Chapman – present
Commissioner Ursel Behnken – present
Commissioner Tim Smith – present
Commissioner Ray Morgan – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck and Jim Wilton.

PURPOSE OF BUDGET WORKSHOP: To review historical fiscal data, estimate income, expenses and tentative millage rate for the upcoming fiscal year – The Town Commission reviewed the attached salary sheet and budget spreadsheet. The Commission agreed to keep the millage rate at 2.0 mills.

A discussion was held on Town employee salaries. It was suggested that all full-time employees receive a 2% increase in salary and all employees, full-time and part-time, receive a $400.00 Christmas bonus.

The purchase of an emergency generator for the Town Hall was discussed. A natural gas generator that had been refurbished was available for $8690.00. The new retail on the generator is approximately $16000.00. The refurbished generator would still have a full years warranty for parts and service and if the purchase was amortized over 15 years it would cost the Town less than $1500.00 per year. It was proposed that the Town purchase the generator and the Town Commission all agreed.

ANNOUNCEMENTS: 
July 27, 2011 - 6:00 – Planning and Zoning Board Meeting
August 9, 2011 -5:30 - Shalimar Budget Hearing
August 9, 2011 – 6:00 – Town Commission Meeting

ADJOURNMENT - Commissioner Smith moved to adjourn the First Budget Workshop at 8:05 p.m. It was seconded by Commissioner Behnken and passed unanimously.

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Sheila Hansen, Secretary        Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:03 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith - Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Jim Wilton, Steve Peterson, Sharon Smith, Edwin Watts, Johann Behnken, Brad Gable, Allan W. Rice Jr., and Taz, Galiti, and Dani Papanikalaou.

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – No Report

BEAUTIFICATION-REVITALIZATION COMMITTEE – No Report

TOWN ATTORNEY’S REPORT – No Report

TOWN RESIDENTS’ TIME – There was nothing brought up by the Town residents.

OLD BUSINESS:
IV. APPROVE MINUTES FROM THE JUNE 14, 2011 TOWN COMMISSION MEETING AND THE JUNE 14, 2011 BUDGET WORKSHOP – Commissioner Chapman made a motion to approve the minutes of the two meeting with no changes. Commissioner Smith seconded the motion. Ray Morgan said he did not remember recommending a 3.4% increase in the Police Department salaries. The motion was passed unanimously with a change of removing the 3.4% as a figure for salary increase for the Police Department.

V. SYB OCCUPATIONAL LICENSE FEE – A draft ordinance change (Ordinance 2011-06) was presented to the Commission. Town Manager Burns explained the changes in the wording of the Ordinance to change from $14.00 per non-live-aboard slip to $14.00 per occupied non-live-a-board slip. This should save Shalimar Yacht Basin approximately $1000.00 a year when they have only 50% occupancy. Commissioner Morgan made a motion that Manager Burns advertise the first reading of the Ordinance Change. Commissioner Behnken seconded the motion. Edwin Watts spoke as business advisor to Shalimar Yacht Basin. He stated that he was helping Steve Peterson to improve the Shalimar Yacht Basin and requested consideration in not raising taxes on the yacht basin. Steve Peterson asked that former Commissioner Wagner’s research be taken into consideration. The Town Commission discussed the request to lower the charges for the Occupational Tax on the Shalimar Yacht Basin. The Town Commission voted on advertising the ordinance change and it passed with Commissioner Chapman voting against.
VI. **BARRON COURT LAND USE:** The transfer of the property to the Barron Court residents was advertised in the paper. There were no residents with any comment on the transfer.

VII. **RESOLUTION 2011-05** – Personnel Policy and Administrative Policy update – Commissioner Chapman made a motion to approve the updated manuals. Commissioner Morgan seconded the motion. There was a discussion in which Commissioner Smith said he didn’t agree with the health insurance being available to any employee who works more than 25 hours a week. Manager Burns explained that, according to the Town’s insurance agent, that was state law. The resolution was voted on and passed with Commissioner Smith voting against.

NEW BUSINESS:

I. **RESOLUTION 2011-06 -EMERALD COAST DEVELOPMENT COUNCIL RESOLUTION** – Commissioner Behnken made a motion to approve the Emerald Coast Branding resolution. Commissioner Morgan seconded the motion and it passed unanimously.

II. **RESOLUTION 2011-07 LOCAL MITIGATION STRATEGY** – Manager Burns explained the Local Mitigation Strategy to the Town Commission. Commissioner Behnken made a motion to pass the Resolution as written. Commissioner Chapman seconded the motion. There was no audience discussion. The motion passed unanimously.

III. **DISCUSSION OF ORDINANCE 82-221 – ALCOHOL BEVERAGE ESTABLISHMENTS** – Commissioner Chapman made a motion to advertise the Ordinance change to Sec. 82-221. Commissioner Behnken seconded the motion. A discussion was held about the special exception rules for alcohol in which Commissioner Chapman explained his intent with the Ordinance revision. Manager Burns explained that the present rules should cover what is needed for the Eglin Grill (formerly Giuseppi’s). Commissioner Chapman would like to have something done to get all alcohol sales businesses in compliance to the special exception rules. After the discussion the motion to advertise the ordinance change was voted on and passed unanimously.

MAYOR COMBS’ REPORT – Mayor Combs had nothing to report.

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman reported that 78% of fiscal year had passed and we have received 85% of our revenue and we have spent 75% of our budgeted expenses.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken had nothing to report.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan reported that the police received 11075 award points in the Click-it or Ticket Campaign. They will get 2 more speed signs with the award points and other miscellaneous items. Chief Cash and Sergeant Shadwell will be going to the annual conference in Orlando to pick out the equipment and receive the awards.

COMMISSIONER SMITH’S REPORT – Commissioner Smith had nothing to report.

POLICE REPORT – Chief Cash reported that the Police Department received $3,785.25 from the Office of Criminal Justice Grants. The first police car should be done July 21 and then the second car will be completed as soon as possible after that.

TOWN MANAGER UPDATE – Manager Burns reported to the Town Commission that he had sent letters to the resident at 22 Shalimar Drive and the Food Max store’s owner. He had gotten the receipt back from the resident at 22 Shalimar Drive but had not received the return receipt (or the letter) back from the owner of the Food Max store.
Manager Burns said he is working on the draft of the new nuisance ordinance. He also said that Kodiak Tree Service had been contracted to trim the palm trees and this would be done when the seed pods were ready to be removed.

Commissioner Chapman made a motion that Manager Burns send out letters to the other businesses that sell alcohol in Shalimar that they need to get the special exception from the Town Commission so that they are in legal standing for alcohol sales. The Town would waive the fees for the special exception for the present establishments that sell alcohol but the establishments must go through the process. If the establishments wish to change from the way they are presently selling alcohol there will be no waiver of special exception fee. Commissioner Morgan seconded the motion and it passed unanimously.

ANNOUNCEMENTS:

    JULY 13, 2011 – SECOND BUDGET WORKSHOP
    JULY 27, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
    AUGUST 9, 2011 – TOWN COMMISSION MEETING – 6:00 PM

ADJOURNMENT: Commissioner Chapman moved to adjourn the meeting at 7:37 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

_____________________________________________  _______________________
Sheila Hansen, Secretary  August 9, 2011

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:03 p.m.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith - Present
Commissioner Ray Morgan – Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Jim Wilton, Jesse Cain, Steve Peterson, James Monte, Mickey Clements, James Moore, Stan Pitchford, Roy Petry and Mike Kent.

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – No Report

BEAUTIFICATION-REVITALIZATION COMMITTEE – The Beautification Committee reported that they had not had a meeting since May. They said they would like to replant the area in front of the Town marquis and would coordinate that with Kent. Sharon Smith would like to form groups by streets in the Town to help on the Beautification Committee and have one person from each street to report to their neighbors.

TOWN ATTORNEY'S REPORT – Attorney Chesser said he had looked at the Shalimar Yacht Basin business license tax problem and will have an ordinance modification draft in July for the Town Commission to review with the first reading in August and the second reading in September.

TOWN RESIDENTS’ TIME – It was brought up that the storage lot area at Cotton and Gates looks very unkempt. Attorney Chesser said he would speak to them and Manager Burns will also write them a letter saying they need to clean up the lot.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE MAY 10, 2011 TOWN COMMISSION MEETING AND THE MAY 17, 2011 WORKSHOP – Commissioner Chapman made a motion to approve the minutes of the two meeting with no changes. Commissioner Smith seconded the motion. There was no discussion. The motion passed unanimously.

II. ECH II HOUSING BOND: Mayor Combs explained the basics of the housing bond, Mike Kent explained how the housing bond worked, and that Escambia County had backed out of the project. Mary Esther has been asked to replace Escambia County in signing the bond. He asked that the Town Commission approve the inter-local agreement between Shalimar and Mary Esther and authorize Mayor Combs to sign all appropriate paperwork. Attorney Chesser explained how the bond would be done and that there would be no liability to the Town and there would be a special attorney to approve the contracts. Ray Morgan made a motion to give Mayor Combs
authority to sign any necessary documents contingent to Attorney Chesser approving them. Commissioner Behnken seconded the motion and it passed unanimously.

III. SYB OCCUPATIONAL LICENSE FEE – See Town Attorney’s report

IV. RIBBON CURBING FOR IRWIN FLEET – Roy Petry from Poly-Engineering said he would look at the area and get an estimate for having ribbon curbing done on Irwin Fleet as well as resurfacing Irwin Fleet, Barron Court and Dana Court. Roy Petry presented an estimate for adding ribbon curbing to Erwin Fleet and resurfacing Erwin Fleet, Barron Court, and Dana Court. Mayor Combs suggested that the Town request that the County pay for part of the cost of resurfacing the street since the majority of the traffic is courthouse traffic. Manager Burns suggested that the Town would have some leverage on the County when they ask for building permits to redo the County Annex. Commission Chapman asked how the ribbon curbing affected the project. Roy Petry explained, that due to Florida’s sandy soil, the edges of the pavement tend to break down and the ribbon curbing strengthens the roadbed and stops the crumbling of the pavement edges. He suggested that the ideal situation would be for the paving contractor to be responsible for the ribbon curbing.

Mayor Combs suggested that he would like to see a request for bids done to see if the Town could get a lower cost than what Poly-Engineering estimated but that the full charge should be budgeted.

V. BARRON COURT LAND USE: James Moore briefed the Commission on the plan to divide the common area behind the homes on Barron Court. He explained that the area was not used by the residents and caused problems with maintenance because they had to drive across his and Stan Pitchford’s lawns to get into the area. He explained that he had an agreement signed by the homeowners and the people who wanted to acquire the property and would like to start the formal documentation for the transfer. Poly-Engineering reported on the drainage problem – see next section – and Commissioner Chapman made a motion stating that whereas the land was of no value to the Town, to start the legal proceedings by advertising the disposition in the paper. Commissioner Behnken seconded the motion and it was unanimously passed.

Manager Burns will place ads in the paper prior to the next 2 Town Commission meetings to get final resident input.

VI. POLY-ENGINEERING REPORT ON SHALIMAR PLACE DRAINAGE – Roy Petry explained how the courthouse runoff into the annex pond works. He had met with County Commission Parisot and had tested the pond in the annex. He found that, by current standards, the pond does not come close to meeting the present day requirements. It would have to be 3 times its present size to meet these standards. He explained that, by precedent, the Water Management District would probably make the pond be rebuilt to today’s standards if any additions were to be done to the impervious surfaces. He hoped that maybe the Water Management District would allow some changes without completely redoing the pond.

Mr. Petry said that when Shalimar Place subdivision was built the developers did not plan for any stormwater runoff from outside of the subdivision. He said that the bottom line is that the best possibilities for mitigation are:

1. Get more relief from the County by increasing the footprint of the pond if the Water Management District will allow.

2. There is possibly some remedy of pop off behind the sub-division. A swale could be created from Mr. Monte’s residence to Plew Avenue. The Town would have to get a drainage easement from owners for the swale to direct water into the bay.
Mr. Petry suggested that a meeting with the County be arranged to see if a solution could be reached. Mayor Combs said he would make himself available to attend the meeting and would like to have it on a Friday and to set the meeting up as soon as possible.

NEW BUSINESS:


II. **RESOLUTION 2011-06 -EMERALD COAST DEVELOPMENT COUNCIL RESOLUTION** – Approve resolution to support the Vision Plan for Greater Fort Walton Beach Area creating gateways into the Emerald Coast and creating Town slogan for signage. No resolution yet received. Table until July.

III. **RESOLUTION TO AMEND 2011 BUDGET** – Commissioner Chapman did a slide show presentation showing the necessity to amend the 2010/11 budget with an increase of $55,000. This included bringing in $22,000 from sale of vehicles, $5,000 from seized assets, and exhausting the 2011 budgeted contingency fund of $20,000. This requires only taking $8,000 from reserves. See attached copy of the slide show. **Commissioner Chapman made a motion to accept the budget amendment by approving resolution 2011-04. Commissioner Morgan seconded the motion and it was passed unanimously.**

**MAYOR COMBS’ REPORT** – Mayor Combs reported that he had attended the Okaloosa County league of Cities quarterly luncheon in Valparaiso. A presentation was given showing the noise problems and solutions of the new Strike Fighter and Valparaiso requested support from the local cities in their request that the Air Force choose an alternate runway plan for the planes.

**COMMISSIONER CHAPMAN’S REPORT** – Commissioner Chapman had nothing to report.

**COMMISSIONER BEHNKEN’S REPORT** – Commissioner Behnken had nothing to report.

**COMMISSIONER MORGAN’S REPORT** – Commissioner Morgan reported that after researching the salaries of the local law enforcement agencies, that the Town of Shalimar had significantly lower salaries for our Officers than the other local agencies. He believed that a 3.4% increase in the salaries for our Officers would eliminate most of the discrepancy.

**COMMISSIONER SMITH’S REPORT** – Commissioner Smith had nothing to report.

**POLICE REPORT** – Chief Cash reported that Click it or Ticket campaign had been successful. He had done a radio announcement about the program and that there were 122 no seat belt tickets issued by the Shalimar Police Department. The department should receive grant funding at the July convention in Orlando.

The new patrol cars are in Crestview having the lights, radios and cameras installed and when that is completed, they will be taken to Niceville to have the striping done.

Chief Cash also requested that the Town Commission approve an expenditure for one more camera, which will be paid for out of the seizure fund. There was no disagreement by the Town Commission.
Chief Cash presented a letter of commendation to Sergeant Shadwell from The Fort Walton Beach Police Department for his participation in the local honor guard. They said he did a great job and would like him to participate in the future as well.

**TOWN MANAGER UPDATE** – Manager Burns reported that he would be modifying the 2011/2012 budget to reflect the cost of resurfacing and ribbon curbing on Irwin Fleet. He also would like to budget the purchase of the golf cart that is now being loaned to the Town for the Maintenance Department.

Manager Burns asked the Town Commission what they would like him to do about the improper sign at the closed Food Max. Commissioner Smith recommended that a letter be sent to the owner of the Food Max imposing a fine of $500.00 a day until the sign is removed.

The Commission also gave Manager Burns authority to enforce removal of the shipping container at 22 Shalimar Drive or impose a $100.00 per day fine until it is removed.

Commissioner Smith asked that Manager Burns write a letter to the owner of 188 Richbourg drive about the maintenance of the yard.

**ANNOUNCEMENTS:**

- **JUNE 29, 2011** – PLANNING AND ZONING BOARD MEETING – 6:00 PM
- **JULY 11, 2011** – BUDGET WORKSHOP – 5:30 PM
- **JULY 12, 2011** – TOWN COMMISSION MEETING – 6:00 PM

**ADJOURNMENT:** Commissioner Chapman moved to adjourn the meeting at 7:37 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

__________________________________  July 12, 2011
Sheila Hansen, Secretary  Date approved
CALL TO ORDER: Mayor Pro-Tem Bob Chapman called the First Budget Workshop of the Shalimar Town Commission to order at 5:35 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Bob Chapman – present
Commissioner Ursel Behnken – present
Commissioner Tim Smith – present
Commissioner Ray Morgan – absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen, Police Chief John Cash and Maintenance Supervisor Kent Beck.

PURPOSE OF BUDGET WORKSHOP: To review historical fiscal data, estimate income, expenses and tentative millage rate for the upcoming fiscal year – The Town Commission reviewed the attached salary sheet and budget spreadsheet. There was some discussion. The Commission agreed to keep the millage rate at 2.0 mills.

ANNOUNCEMENTS:  
July 12, 2011 - 6:00 - Shalimar Town Commission Meeting

ADJOURNMENT - Commissioner Smith moved to adjourn the First Budget Workshop at 6:21 p.m. It was seconded by Commissioner Behnken and passed unanimously.
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:00 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - Present
Member/Co-Chairman Gene Tucker - Absent
Member Johann Behnken - Present
Member Mickey Clements - present
Member Lynn Dominique - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Bill Compton

NEW BUSINESS:

I. APPROVE MINUTES FROM THE April 27, 2011 P&Z MEETING - Member Behnken moved to approve the minutes of the April 27, 2011 meeting as written. The motion was seconded by Member Dominique and passed unanimously.

V. BILL COMPTON WFRPC - EAR BASED COMP PLAN
Future Land Use Map Element

Bill Compton explained that the first 6 chapters were basic. There were a few corrections discussed and he said that those items would be implemented.

A discussion was held on each of the following elements of the Comprehensive Plan.

Future Land Use Element

Changes:
Sect. 7A1.2 – the buffer zone will be changed from 5 feet to 10 feet.
7-5 Addition of conservation language

Addition of 7A.4 – the Working Waterfront Area

Manager Burns asked about how the zoning would be done on the Future Land Use Element. Bill Compton said there were several ways to do this but suggested that they should literally create separate districts. There should be special districts and the rules for each. They can be named by choice such as Waterfront District.

7.A.5 – it was discussed to make the entire town mixed use but it was decided that other zoning areas were needed.

A.5.1 – After a discussion it was decided to change housing to 33% of minimum developed floor space and office and community areas to 60% maximum developed floor space with open space at 10% (minimum) of lot square footage.

The intensity will be 50 ft. high with a maximum of 4 stories and a floor area ratio of 4.0. Nonresidential units will be limited to 4 stories (50) feet height.

**Transportation Element**

Low speed vehicle facilities were added to the Transportation Element.

**Objectives for June:**

1. Corrections on the Future Land Use Map
2. Public Lands will be added to FLUM

It was decided that the Future Land Use Map would be left as it is except that Public Lands and Working Waterfront areas will be added.

It was decided that the 1st reading of the ordinance will be done on July 12, 2011 and Bill Compton will give Manager Burns the information on the meetings.

**ANNOUNCEMENTS:**

June 14, 2011 at 5:30 p.m. – Budget Workshop
June 14, 2011 – Shalimar Town Commission Meeting
June 28, 2011 at 6:00 p.m. – Second Budget Workshop
Member Behnken made a motion to adjourn the meeting at 7:40 p.m. The motion was seconded by Member Clements and passed unanimously.

____________________________  June 28, 2011
Sheila Hansen, Secretary         Date Approved
MINUTES

TOWN OF SHALIMAR
Town Policy Workshop
May 17, 2011

CALL TO ORDER: Mayor ProTem Robert Chapman called the Workshop of the Shalimar Town Commission to order at 6:10 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Robert Chapman – present
Commissioner Ursel Behnken – absent
Commissioner Tim Smith – present
Commissioner Ray Morgan – absent

Others in attendance: Town Manager Tom Burns and Deputy Town Clerk Sheila Hansen, and Police Chief John Cash

ADMINISTRATIVE REMARKS: Mayor Pro-Tem Chapman stated that here should be:

1. Clear lines of authority;
2. Employees should be designated the authority to make decisions;
3. Authority should be delegated to the lowest possible level.

I. UPDATE OF PERSONNEL POLICY MANUAL — The Commission reviewed the changes in the personnel policy and suggested additional changes that will be implemented into the policy.

Some of the changes suggested at the workshop were:

- The title of Section 2.4 will be changed from “Probationary Period” to “Policy Review”.
- Job-related training will be budgeted and an individual interested in training must come to the Town Commission to get approval.
• Annual leave will be done on a monthly accrual and leave in excess of 160 hours must be taken by September 30 or forfeited. When separating from employment, the employee can be paid for up to 160 hours leave by Town Commission approval.
• It was decided that the Town Manager would get professional advice on the overtime policy.
• Military leave time will be rewritten to follow The Uniformed Services Employment and Reemployment Rights Act of 1994. This will allow 10 paid days of time off yearly for military duty.
• It was decided to remove the “second written reprimand” clause from the policy and to change the “5 days” that an employee must be notified of suspension to “5 working days”.
• Use of town vehicles will be governed by the Administration Policy and the taking home of police vehicles will be at the decision of the Police Commissioner.
• Outside employment must be approved by supervisor.

III. UPDATE OF ADMINISTRATIVE POLICY MANUAL – The Administration Policy was discussed with the following changes to be made:

• The Planning and Zoning Board must bring all variance decisions to the Town Commission for approval.
• It was decided that the numbering system of the Administration Policy would be changed to be more easily referenced.
• The oversight of the Commission positions was left the same however; the Department they are in charge of was deleted.
• The Town Manager shall also be liaison between the Town Commissioners and the Department Heads.
• The Deputy Clerks duties will also include the Marquis and the web site.

Mayor Combs suggested that Commissioner Chapman and Town Manager Burns could review the rest of the Administration Policy and make any necessary changes.

ANNOUNCEMENTS:

May 25, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
June 14, 2011 – TOWN COMMISSION MEETING – 6:00 PM
JUNE 14, 2011 – BUDGET WORKSHOP – 5:30 PM
JUNE 28, 2011 – BUDGET WORKSHOP – 5:30 PM

ADJOURNMENT:
Mayor Combs made a motion to adjourn the workshop and Commissioner Smith seconded the motion. The motion passed unanimously and the workshop was adjourned at 7:48 p.m.

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Sheila Hansen, Secretary

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Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:03 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith - Present
Commissioner Ray Morgan - Absent
Note: Ray Morgan called to work for FEMA tornado cleanup for 60 days.

OTHERS IN ATTENDANCE: Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Johann Behnken, Sharon Smith, Jim Wilton, Greg and Rebecca Daniels, Ted Corcoran, Steve Peterson and Jesse Cain.

EMERALD COAST TOURIST DEVELOPMENT COUNCIL PRESENTATION: Presentation explaining the Greater Fort Walton Beach Visioning Process and the Emerald Coast Logo/Brand. Ted Corcoran explained the vision plan for the Greater Fort Walton Beach area. The number 1 goal is to leverage the Emerald Coast brand. The Emerald coast is the southern Okaloosa County. They are trying to create gateways into the Emerald Coast and would like each municipality to create a slogan for their signage. They are sending out a resolution in support of this promotion for consideration by the municipalities involved. The resolution will be on the June 2011 Agenda.

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – No Report

BEAUTIFICATION-REVITALIZATION COMMITTEE – The Beautification Committee submitted the attached report to the Town Commission. Sharon Smith asked about the maintenance on the palm trees and said she thought this should be part of the maintenance budget and not part of the beautification budget. Manager Burns agreed that this is budgeted in a different account but had not been budgeted for fiscal year 2011. Manager Burns said he would schedule the trimming in this fiscal year.

Steve Peterson brought up having a celebration for National Marina Day on June 11.

TOWN ATTORNEY’S REPORT – Attorney Chesser introduced Roy Hazeltine. Mr. Hazeltine works in Mr. Chesser’s office and will be filling in for Mr. Chesser when it is not possible for him to attend the Shalimar Town Commission Meetings. Mr. Chesser brought up the security of the building and the responsibility of the Town Clerks office to have secure control of the Town’s records. He also explained that he did not think the Town’s marina ordinance can be reinterpreted and that he thought the ordinance could be amended to more fairly assess and distribute the taxes on the Shalimar Yacht Basin. This amendment of the ordinance will be brought to the June Commission meeting with a goal of having the amendment done before fiscal year end. The Town will try to have the first reading in July and the second reading in August.
TOWN RESIDENTS' TIME – Jesse Cain, 2556 Barron court asked about the Polyengineering survey and how that was progressing. Manager Burns explained that Roy Petry of Polyengineering had been ill and that the report was not complete. Roy Petry did tell Manager Burns that the Barron Court parkland was not going to affect the drainage in the area.

Mr. Cain also brought up the Fritz house and that the cover over the pool had shredded and was not a place for mosquitos to congregate. Manager Burns said he would contact the owners and have the cover fixed.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE APRIL 12, 2011 TOWN COMMISSION MEETING AND THE APRIL 26 WORKSHOP – Commissioner Chapman made a motion to approve the minutes of the two meeting with no changes. Commissioner Smith seconded the motion. There was no discussion. The motion passed unanimously.

II. SYB OCCUPATIONAL LICENSE FEE – Town Manager Burns and Attorney Chesser will research the legal status on re-interpreting the ordinance to charge for use slips and make a report at the April meeting. This item was tabled until an ordinance amending the present ordinance is written. This will be discussed at the June meeting.

III. RIBBON CURBING FOR IRWIN FLEET – Roy Petry from Poly-Engineering said he would look at the area and get an estimate for having ribbon curbing done on Irwin Fleet. Manager Burns reported that Roy Petry showed him some of the tentative paperwork on the survey and that the work on the street would be folded in with the drainage project. This would include the ribbon curbing, swales and resurfacing the road.

IV. BARRON COURT LAND USE: This will be back on the June agenda and the residents will need to do a presentation to the new Commission.

V. ECH II HOUSING BOND: The housing bond project is on again and, rather than collaborating with Escambia County, we will be collaborating with Mary Esther.

NEW BUSINESS:

I. SECOND AND FINAL READING OF ORDINANCE NO. 2011-04 REZONING OF PROPERTY ANNEXED INTO TOWN OF SHALIMAR – an ordinance amending ordinance no. 74-09 of the town of Shalimar to zone certain annexed property commercial (c), providing for legal description, providing for zoning and land use map revision; providing for zoning and land use; providing for compliance with law; and providing for an effective date. Commissioner Chapman made a motion to pass the ordinance. Commissioner Smith seconded the motion. The motion was passed by unanimous vote.
II. ADDRESS PICTURES PRESENTED BY COMMISSIONER SMITH AT THE POLICY AND NUISANCE ORDINANCE WORKSHOP - A discussion was held about the pictures that Commissioner Smith brought to the Policy Workshop. He explained that he wanted to know what were code violations and what were not. Manager Burns said that he had sent a letter to the owners of the Food Max about the sign. Commissioner Smith suggested that the Rynearson use of town right-of-way be tabled until the nuisance ordinances are rewritten. Commissioner Chapman asked what ordinances were used to charge violations on the Fritz home. Manager Burns explained that the ordinances used covered stagnant water and vermin problems.

MAYOR COMBS’ REPORT – Mayor Combs went over the weekly report that Maintenance will be sending out. A discussion was held on the reporting and how to handle new projects. These should be reported to Manager Burns and they will then be added to the work list in the necessary priority.

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman reported that 60% of the fiscal year is expended and we have only spent 54% of the fiscal year 2011 budget. This is good because there was a bill carried forward from the fiscal year 2010 budget. He notified the Commission and the Departments that he would need next year budget items by the end of May 2011.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken brought up that there were some sidewalks in Town that had problems and needed repairing. She also pointed out that the miniature magnolia trees in Cherokee Park were covered with vines that could kill them and that there was no longer a plaque on the monument in the park. Manager Burns reported that the plaque had been on the table that was also donated and this had been vandalized and the donor asked for the table back and did not request that the plaque be replaced.

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan was absent.

COMMISSIONER SMITH’S REPORT – Commissioner Smith had nothing to report.

POLICE REPORT – Chief Cash reported that the Weekly Activity report is still being worked on upgrading and that he plans improving it more. He also reported on the attached Monthly Activity Report.

TOWN MANAGER UPDATE – Manager Burns reported that he had sent out three letters to residents about basketball hoops being on the right-of-way and that he had sent a letter to Food Max owners about the sign.

ANNOUNCEMENTS:

MAY 17, 2011 – POLICY WORKSHOP – 6:00 PM
MAY 25, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM
JUNE 14, 2011 – TOWN COMMISSION MEETING – 6:00 PM
JUNE 14, 2011 – BUDGET WORKSHOP – 5:30 PM
JUNE 28, 2011 – BUDGET WORKSHOP – 5:30 PM
ADJOURNMENT: Commissioner Chapman moved to adjourn the meeting at 7:37 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

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Sheila Hansen, Secretary                  June 14, 2011              Date approved
MINUTES

TOWN OF SHALIMAR
Town Policy & Nuisance Ordinance Workshop
April 26, 2011

CALL TO ORDER: Mayor Gary Combs called the Workshop of the Shalimar Town Commission to order at 6:03 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

- Mayor Gary Combs – present
- Mayor Pro-Tem Robert Chapman – present
- Commissioner Ursel Behnken – absent
- Commissioner Tim Smith – present
- Commissioner Ray Morgan – absent

Others in attendance: Town Manager Tom Burns and Deputy Town Clerk Sheila Hansen, Sharon Smith, Frances and Gene Brown, Sherry and Jeff Davis

ADMINISTRATIVE REMARKS: Mayor Combs brought up that all work related questions be directed to the shalimarflorida.org email addresses. A discussion was held about having all work related items being open and addressed to official email addresses, as everything that is sent to these addresses is public record covered by the Sunshine Laws.

I. NUISANCE ORDINANCE REWRITE – A discussion was held on the local nuisance ordinances during which Commissioner Smith asked for input on how encompassing the ordinances should be. Manager Burns said that he thought that the ordinance should cover everything that could be considered a nuisance. Commissioner Chapman wanted to know what input Commissioner Smith wanted on the ordinances. Commissioner Chapman also stated that the ordinance needed to be balanced and that not everyone chooses to live in a homeowners’ association or wants to live by homeowners’ association rules.

Mayor Combs suggested that Shalimar Code Chapter 26 be completely rewritten and Manager Burns recommended not having duplicate sections in the ordinances and the Land Development Code.
Commissioner Smith said that when a problem comes up Manager Burns should automatically enforce the codes and there should be no pick and choose about when or if an ordinance is enforced. The ordinances should be enforced on everyone as soon as a violation occurs.

Commissioner Smith suggested that the day before the Town Commission Meeting, someone should drive through the town and check for any code violations and a letter should be sent out to the violators with a time limit to remedy the problem and then, if the problem is not remedied in that period of time, a fine should be administered.

A discussion was held on whether the town should be complaint driven for code enforcement rather than having a code enforcement officer constantly checking for violations. Commissioner Chapman said he felt the complaint driven enforcement would work.

Commissioner Smith asked Manager Burns to make a list of nuisances and that he would fill in what he thinks the ordinance should say. Manager Burns suggested that Commissioner Smith email him a list of nuisances and that he would then add anything else he thinks should be in the ordinance and Commissioner Smith can then fill out the wording of the ordinance.

Manager Burns said he would have the list returned to Commissioner Smith by the end of the week and after Commissioner Smith writes the ordinance, another workshop will be held to discuss the changes.

II. UPDATE OF PERSONNEL POLICY MANUAL – Mayor Combs suggested that all job positions should be two deep rather than one in case of a problem with the initial person who handles that position. The Commission reviewed the personnel policy and suggested changes that will be implemented into the policy and an updated policy will be reviewed at another workshop.

Some of the changes suggested at the workshop were:

- Commissioner Chapman suggested changing leave time from 5 days for the first year to 10 days. In addition, there will only be a maximum of 160 hours that can be carried forward for leave time.
- Military leave time will be rewritten to follow The Uniformed Services Employment and Reemployment Rights Act of 1994.
- Sick leave will be deleted from the policy with 5 days added to annual leave.
- A discussion was held on the health insurance policy and Tom will research some other plans and these will be discussed at the budget workshops.
- Use of the time clock was explained and discussed.

III. UPDATE OF ADMINISTRATIVE POLICY MANUAL – The administrative Policy will be discussed at another workshop for which a future date will be set.
ANNOUNCEMENTS:

MAY 10, 2011 – TOWN COMMISSION MEETING – 6:00 PM
JUNE 14, 2011 – BUDGET WORKSHOP – 5:30 PM
JUNE 28, 2011 – BUDGET WORKSHOP – 5:30 PM

ADJOURNMENT:
The workshop was adjourned at 9:30 p.m.

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Sheila Hansen, Secretary

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Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - Present
Mayor Pro-Tem Robert Chapman - Present
Commissioner Ursel Behnken - Absent
Commissioner Tim Smith - Present
Commissioner Ray Morgan – Present


SWEARING IN OF NEW COMMISSION MEMBERS: Attorney Chesser read the Oath of Office to the newly elected Town Commission members and had them swear to the oath. They all signed the oath and the meeting then commenced with the new Town Commission.

PRESENTATION OF PLAQUES TO OUTGOING TOWN COMMISSION MEMBERS: Mayor Combs present an appreciation plaque to Jerry McCallister for all his years on the Town Commission. Ricardo Garcia and Glenn Wagner were not present to receive their appreciation plaques so Mayor Combs said he would take Glenn Wagner’s plaque to him and Chief Cash would deliver Ricardo Garcia’s plaque to his home.

COMMITTEE REPORTS:
PLANNING AND ZONING BUSINESS – No Report

ORDINANCE UPDATE – Commissioner Smith reported that he has completed the nuisance ordinance research and that he hoped to have a draft ready by the next meeting. He stated that it was very difficult to write the ordinance without input from other Town Commission members. Commissioner Chapman suggested that a town meeting be held to discuss the ordinance. Mayor Combs suggested that Commissioner Smith give his draft of the ordinance to Manager Burns to review.

Sharon Smith asked why the Planning and Zoning board had not been tasked with writing the ordinance. Mayor Combs explained that the Planning and Zoning Board was very involved with updating the Comprehensive Plan and the Development Code and did not have the time to work on the nuisance ordinances at this time.

Commissioner Chapman stated that according to the Sunshine Law, the Town Commission is allowed to submit reports to each other. They cannot have a conversation or interactive responses on the documents but the reports would prepare them to discuss the business at the next Town Commission meeting. He suggested that a draft of the policy manuals and the nuisance ordinance be sent to each Commissioner and a special meeting be called to discuss the items.
Commissioner Morgan suggested that completed staff work be given to Town Commission members before the meetings so they can review prior to the meeting.

**BEAUTIFICATION** – The Beautification Committee submitted the attached report to the Town Commission. They would like to see palm tree maintenance improved. The maintenance is being done every 2 years at present and they would like to see it done the suggested 3 times a year. Mayor Combs said this maintenance needed to be included in the annual budget. He suggested submitting cost estimates to the Town Commission for review during the upcoming budget sessions.

Sharon Smith wanted to know how much money was in the beautification fund. Chief Cash checked and said that there was $1076.00 left in the fund. Mayor Combs told her that she should submit any requests for money to Town Manager Burns. Commissioner Chapman suggested that she send any requests to him with hard data and they would be reviewed.

Frances Brown asked Commissioner Chapman if they could give all requests for money to him. He informed her that the proper way to go would be the budget meeting structure.

**TOWN ATTORNEY’S REPORT** – Attorney Chesser gave an report on the proper way to run a municipal meeting and that municipal meetings are different from ordinary meetings because of the special laws they must follow such as assigning a meeting recorder. He also discussed the police and town records relating that they could not be handled by anyone except the designated people who were responsible for the proper care of these items.

He gave a copy of the Florida Sunshine Laws to each member of the Town Commission. He then explained how an ordinance is a law and must be clear and specific and state what is a violation.

He also discussed the two kinds of municipal actions, Legislative action and Quasi-judicial action.

He explained how he works for the Town of Shalimar and how his contract is written for payment.

He related that the Supervisor of Elections would be sending a financial disclosure form to all elected officials and he also discussed voting when a conflict of interest exists. He explained that a Commissioner must vote if they are present at a meeting unless they have a conflict of interest and that the recorder is required to record the voting and how each Commissioner voted.

He explained how a Commission Meeting should be handled. Residents should speak one at a time and state their name. There is also a distinction between when the Commission speaks and when the Public can speak and that this must be done at the proper time.

Mayor Combs requested that all dealings with Attorney Chesser please be done through the Town Manager.

**TOWN RESIDENTS’ TIME** – Frances Brown requested interpretation of vehicle left turns on green at Eglin Parkway/Shalimar Drive intersection. Chief Cash explained that the left turn lane is not the only time it is legal to turn. As long as there is no traffic approaching, automobiles can turn on the green light. Mayor Combs suggested that the residents sign a petition asking for the left turn on arrow sign and that would give the Town more influence with the DOT.
James Moore asked about the sink holes on Barron Court. He wanted to know if there was a plan to resurface Barron Court. Mayor Combs stated that there was a road maintenance plan and that it would be considered at the budget hearing and a decision would be made whether the Town could afford to resurface the road next fiscal year.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 8, 2011 TOWN COMMISSION MEETING – Commissioner Smith made a motion to approve the minutes of the March meeting with no changes. Commissioner Chapman seconded the motion. There was no discussion. The motion passed unanimously.

II. SYB OCCUPATIONAL LICENSE FEE – Town Manager Burns and Attorney Chesser will research the legal status on re-interpreting the ordinance to charge for use slips and make a report at the April meeting. This item was tabled until more research can be done.

III. RIBBON CURBING FOR IRWIN FLEET – Roy Petry from Poly-Engineering said he would look at the area and get an estimate for having ribbon curbing done on Irwin Fleet. Maintenance Manager Beck reported that there was 1,950 feet to be curbed and that it cost $15.00 per foot for the ribbon curbing for a total of $29,100.00. Commissioner Smith said that he thought the asphalt would have to be repaired before the curbing was done. He wanted to know the what $15.00 per foot entailed. Commissioner Chapman made a motion to table the item until Manager Burns can be available. Commissioner Smith seconded the motion and it passed with a unanimous vote.

IV. BARRON COURT LAND USE: Tabled until Poly-Engineering reports on the Barron Court flooding problem.

NEW BUSINESS:

I. ASSIGN COMMISSION DUTIES: Mayor Combs assigned the Town Commission duties. Commissioner Behnken will remain Special Projects Commissioner, Ray Morgan will be Police Commissioner, Tim Smith will be Roads and Grounds Commissioner and Commissioner Chapman will be Finance and Administration Commissioner.

II. ASSIGN MAYOR PRO TEM:
“\text{A mayor pro tem shall be a member of the town commission, other than the mayor, selected by a majority of the town commission. The selection shall occur in every odd number year at the regular meeting next following the election of that year.”} \text{Shalimar Ordinance Sec. 27-3}

Mayor Combs handed the gavel to Commissioner Chapman making him in charge of the meeting and then made a motion to appoint Commissioner Chapman as Mayor pro tem. Commissioner Morgan seconded the motion and it was passed with a unanimous vote.

Commissioner Chapman then returned control of the meeting to Mayor Combs.

III. ASSIGN POLICE COMMISSIONER TO FMPTF BOARD: Commissioner Chapman made a motion to assign Commissioner Morgan as designated Commissioner to the Florida Municipal Police Trust Fund board. Commissioner Smith seconded the motion and it was passed with a unanimous vote.
IV. FIRST READING OF ORDINANCE NO. 2011-04 REZONING OF PROPERTY ANNEXED INTO TOWN OF SHALIMAR – an Ordinance amending Ordinance No. 74-09 of the Town of Shalimar to zone certain annexed property commercial (c), providing for legal description, providing for zoning and land use map revision; providing for zoning and land use; providing for compliance with law; and providing for an effective date.

Mayor Combs explained that this ordinance was a corrective ordinance because when the two properties were annexed into the town they had never been zoned Commercial.

Commissioner Chapman made a motion that this be the first reading of the Ordinance and that there will be a second reading of the ordinance at the next Commission meeting. Commissioner Smith seconded the motion and it was passed with a unanimous vote.

IV COMMISSION RESPONSIBILITIES – Mayor Combs review the responsibilities of Commission Members and stated that the list he had given them was not prioritized.

MAYOR COMBS’ REPORT – Mayor Combs said he would like to add a section to the Administration Manual that the Administration Manual and the Personnel Policy manual be updated on a schedule. He then suggested a Special Meeting to update the Personnel Policy, the Administration Policy and the draft Nuisance Ordinance. This meeting was scheduled on April 26, 2011 at 6:00. This would be a workshop with just discussion of the policies and ordinance.

Commissioner Chapman suggested that any questions be sent to the Town staff and that the name of the sender be removed and then the item be sent to the other Commissioners. Mayor Combs advised not to do this because of the possibility that the Commissioners might respond to this email and maybe be in violation of the Sunshine Law.

COMMISSIONER CHAPMAN’S REPORT – Commissioner Chapman had nothing to report.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken was absent

COMMISSIONER MORGAN’S REPORT – Commissioner Morgan said that he had done a review of the Police Retirement plan and felt that it was conservative and financially sound.

COMMISSIONER SMITH’S REPORT – Commissioner Smith had nothing to report.

POLICE REPORT – Chief Cash promoted Officer Miley to Corporal. Corporal Miley was introduced and Chief Cash explained that he had be employed by the Town for 3 years and explained what Corporal Miley’s job entailed.

Chief Cash suggested that he would like to have a monthly meeting where one of the officers would be present to speak to any residents who were interested.

He reported that there had been seven burglaries on Sunday night and a golf cart had been stolen. The theft of the golf cart was caught on video and that they were reviewing the video to see if they could identify the thieves. He asked the residents to please lock their car doors because the car burglaries had all been on unlocked cars.

He reported that the new police cars were scheduled to arrive on May 1.

Frances Brown asked Chief Cash if there was 24 hour police coverage in Shalimar. Chief Cash explained the duty schedule and that there was an always an officer on call and that Sergeant Shadwell lived in Shalimar as well.
Sharon Smith told Chief Cash that she had noticed the neighborhood patrols had gotten more regular and that she was glad to see this but like to see even more focus on the neighborhoods.

Stan Pitchford asked whether any arrests had been made in the car burglaries. Chief Cash said no and that they still had one home burglary that was open.

Chief Cash asked residents to check the Shalimar Police Twitter site for weekly updates on the Shalimar Police Department. There is a link on the website (shalimarflorida.org).

Frances Brown asked if having a neighborhood watch group would be a good idea.

**TOWN MANAGER UPDATE** – Mayor Combs went over Manager Burn’s report. A discussion was held on capping the millage rate at 2.0. The discussion was tabled until the Town Commission gets a draft copy of the Ordinance.

**ANNOUNCEMENTS:**

APRIL 15 TO 25, 2011 – SPRING CLEANUP DUMPSTERS

APRIL 19, 2011 – OKALOOSA COUNTY LEAGUE OF CITIES QUARTERLY DINNER

APRIL 27, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00 PM

MAY 10, 2011 – TOWN COMMISSION MEETING – 6:00 PM

JUNE 14, 2011 – BUDGET WORKSHOP – 5:30

JUNE 28, 2011 – BUDGET WORKSHOP – 5:30

**ADJOURNMENT:** Commissioner Chapman moved to adjourn the meeting at 8:05 p.m. Commissioner Morgan seconded the motion and it passed unanimously.

_________________________________    ___________
Sheila Hansen, Secretary             May 10, 2011

Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Co-Chairman Tucker at 6:00 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - Absent
Member/Co-Chairman Gene Tucker - present
Member Johann Behnken - Present
Member Mickey Clements - present
Member Lynn Dominique - Present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Bill Compton, resident Tim Smith, E.J. Gomes and Marion Cook

NEW BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 23, 2011 P&Z MEETING
- Member Dominique moved to approve the minutes of the February 23, 2011 meeting as written. The motion was seconded by Member Behnken and passed unanimously.

II. E.J. Gomes and Marion Cook introduced themselves. They are the Community Planners from Eglin Air Force Base.

III. PARKING EXPANSION FOR GARNIER, S CAY - A plan to add parking spots at Garnier’s Cay was discussed by the Board. Member Behnken said he had looked at the area they wanted to change. He also spoke to several of the Garnier’s Cay residents that had said they knew nothing about the parking expansion plan. Unit 201 had the swale overgrown and standing water in the driveway. He thought that putting in another parking spot in that area would impact the swale even more and there would also have to be pine trees removed. As far as removing the hedges to make more parking, he thought they should speak to the Beautification Committee because this would remove the buffer zone.

To put in the parking spot toward the water at unit 223, 4 trees would need to be removed.
Town Manager Burns proposed that he respond to the Homeowners Association with the Board’s comments and have them attend the next Planning and Zoning meeting with a scaled plan and a landscape plan.

**MEMBER BEHNKEN MADE A MOTION THAT THE PLANNING AND ZONING BOARD IS NOT AGAINST THE PARKING EXPANSION CONCEPT BUT THAT THE PLANS NEED TO BE FURTHER DEVELOPED WITH THE EARLIER SUGGESTIONS IN MIND. MEMBER DOMINIQUE SECONDED THE MOTION AND IT WAS UNANIMOUSLY PASSED.**

**IV. Eglin AFB COMPREHENSIVE PLANNERS** - E.J. Gomes suggested using Fort Walton Beaches Military Element as a guide for the Town of Shalimar.

Marion Cooks stated that Florida Statutes stated that when a town is next to a military installation that their comp plan must take the military installation into consideration. She made recommendations for the Development Code.

1. Height
2. Full cut-off light fixtures so that light is aimed only downward.
3. That the municipality should partner with Eglin Air Force base to pass out educational handouts to notify residents what interaction they should expect and the effect on the radio frequency spectrum.

Ms. Cook and Mr. Gomes handed out information on the FLUM and the Compatibility Element. Bill Compton said he would meld the information into the Comprehensive Plan.

**V. BILL COMPTON WFRPC - EAR BASED COMP PLAN**

**Future Land Use Map Element**

A discussion was held on each of the following elements of the Comprehensive Plan.

- Intergovernmental Element
- Public Schools Facility Element
- Coastal Element
- Transportation Element
There were very few changes made and Bill Compton said he was still working on the “Working Waterfront” section.

Town Manager Burns suggested that Bill Compton check on the level of service on roads in case a large condominium development is built and if they should be made to pay impact fees or for improvements.

Bill Compton said that he was doing well on the time line and should be completed by the projected date.

VI. LAND DEVELOPMENT CODE – Bill Compton suggested hiring a Land Development Code attorney when the Town started rewriting the Land Development Code.

VII. OTHER ITEMS OF DISCUSSION – Member Tucker asked what the result was when Okaloosa County was contacted about septic tanks in the Cherokee Road area. The County said there were no active septic tanks in Shalimar.

Member Tucker also asked about the rezoning of lands that are Public Lands. This will be done after the Public Land category is added to the Land Development Code.

ANNOUNCEMENTS:
April 12, 2011 – Shalimar Town Commission Meeting
April 27, 2011 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

Member Behnken made a motion to adjourn the meeting at 7:40 p.m. The motion was seconded by Member Dominique and passed unanimously.

____________________________  April 27, 2011
Sheila Hansen, Secretary  Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - Present
Mayor Pro-Tem Jerry McCallister - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith - Present
Commissioner Glenn Wagner – Absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Sharon Smith, Steve Peterson, Bob Chapman, Brad Gable, Ray Morgan, Rebecca and Jim Monte, Vivian and Robert Moser, Pam Pitchford and Jesse Cain.

COMMITTEE REPORTS:

PLANNING AND ZONING BUSINESS – No Report

ORDINANCE UPDATE – Commissioner Smith reported that the draft of the Nuisance Ordinance was not yet completed.

BEAUTIFICATION – Tom Burns made a report for the Beautification Committee. They met with a grant writer in hopes of getting a CDBG grant but the average income for the Town of Shalimar is too high to be eligible for a CDBG grant. The writer said she would keep looking for other types of grant money for the Town. They also met with Gulf Power to see about the cost of decorative lighting for Eglin Parkway.

Mayor Combs suggested that the Beautification Committee could come up with ideas for the school area and also check into the fountain and lighting in Cherokee Park.

TOWN RESIDENTS' TIME – No resident comments

TOWN ATTORNEY’S REPORT – Attorney Chesser reported that the Town of Shalimar millage referendum (Change the Town of Shalimar Charter to limit the ad valorem property tax rate to two mills unless a higher rate is approved by a majority of the electors) passed. (This is a non-binding referendum but showed that the majority of the residents approved of capping the town millage at 2.0.) Mayor Combs and Town Manager Burns will contact Ken Small from the Florida League of Cities to find out how to pass an ordinance that would cap the millage.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 8, 2011 TOWN COMMISSION MEETING – Commissioner Behnken made a motion to approve the minutes from the February 8 meeting. Commissioner Smith seconded the motion. There was no discussion. The motion passed unanimously.
II. POLY-ENGINEERING ON BARRON COURT FLOODING PROBLEM: Roy Petry reported about the flooding problem at 2558 Barron Court. He presented a handout (see attachment) to the Commission members and said that he had acquired the original grading plans for Barron Court. There are two drainage basins (A & B) which are self-contained basins and once they become full the only way for the water to escape is between lots 24 and 25 to the drainage basin behind these two houses. He explained the present drainage situation and that because there is no defined outlet Barron Court floods. He recommended that the Town do further exploration to find a way to help mitigate the flooding problem. He also suggested changes in the Courthouse Annex pond. He also said he would do research to see if it is possible to install piping to drain the area into the bay and then talking to the homeowners in the area to get easements to run the pipes. James Monte suggested putting a lift station in the Barron Court park area. Mr. Petry said that it would take a very large lift station and that would probably not be feasible.

Mr. Petry recommended continuing the preliminary project information at a cost of an additional $6500.00. *Commissioner Behnken made a motion to hire Poly-Engineering to finish the preliminary project at an additional cost of $6500.00. Commissioner Smith seconded the motion.*

Ray Morgan asked if Poly-Engineering would include a proposed scope of work for the study for the $6500.00. Mr. Petry said that it would be included.

Town Manager Burns asked if Mr. Monte’s retention pond is working. Mr. Petry said yes and that there is a very small possibility that the retention pond could be eliminated. *The motion to approve the cost of an additional $6500.00 to continue the report was unanimously passed.*

Mr. Petry said the study should be finished in May.

III. BARRON COURT LAND USE – *Progress report from Homeowners in this subdivision related to procurement of almost land locked green area within their development. During September 2010 Town Commission meeting, Commission approved a motion for no cost to Town transfer of the property contingent upon a land owner’s agreement on how the property would be partitioned.* Pam Pitchford addressed the Town Commission on the land transfer to the homeowners around the park. *Commissioner Smith made a motion to table the land transfer until after we hear from Poly-Engineering on the drainage survey. Commissioner Behnken seconded the motion.* Vivian Moser addressed the Town Commission about possibly purchasing the park to make a wild bird sanctuary and a memorial garden for residents of Barron Court. James Monte wanted to know why only a select few residents has accessibility to the park. Mayor Combs explained that the access to the park is a 15 foot easement between Mr. Moore and Mr. Pitchford's homes. Mayor Combs suggested having a petition signed showing what all of the homeowners actually want.

Attorney Chesser explained the legal situation on the land. There are two interests. The municipal interest and the subdivision interest. The municipality can decide whether the land has a government use and if that use outweighs the cost of the use. The homeowners have property rights with their land plat. Attorney Chesser explained the legality of the Town and the homeowner’s rights and that there may be a municipal purpose for drainage. *The motion to table the land transfer passed unanimously.*

IV. UPDATE OF TOWN ORDINANCE, CHAPTER 10 – ANIMALS – SECOND READING: *Commissioner Behnken made a motion to approve the animal ordinance with amendments.*
**Commissioner Smith seconded the motion.** Commissioner Behnken said that there were formatting errors in the ordinance that needed correcting and Town Manager Burns said they would be corrected. Mayor Combs brought up that at the last meeting requiring cats to be under restraint if off owners property was removed from the ordinance. He said he would like to see this put back into the ordinance. **Commissioner Behnken requested to amend her motion to accept the ordinance with formatting changes and also put cats being on restraint back into the ordinance.** Commissioner Smith seconded the amendment of the ordinance. The amended motion was then unanimously passed.

V. **SYB OCCUPATIONAL LICENSE FEE** - Owner Steve Peterson addressed the Town Commission at the January meeting and requested the Town Commission give him a lower rate for his occupation license. A comparison was done on other rates for Marinas in the area. Shalimar Yacht Basin’s Occupational License fee is $3311.00 per year. Mayor Combs read a list of Occupational License fees for other local municipalities. **Commissioner Wagner made a motion to discuss possibility of changing the Occupational License for marinas.** Commissioner Behnken seconded the motion. Commissioner Wagner would research this and make a recommendation at the March meeting. **The motion passed unanimously.**

Town Manager Burns Read an email from Commissioner Wagner giving his regrets that he could not make the meeting. He then read Commissioner Wagner’s report and recommendation. Steve Peterson brought up the large discrepancy from previous occupational charges to the present charges and wanted to know why the large difference. Mayor Combs suggested that rather than changing the present ordinance, to re-interpret the ordinance so that we charge him for only the slips that are being rented on a specific date which would be set by the Town.

Steve Peterson said he only had one live a board and they were on his inland property. **Commissioner Smith made a motion to table the discussion until the future.** Commissioner McCallister seconded the motion. Town Manager Burns and Attorney Chesser will research the legal status on re-interpretating the ordinance and make a report at the April meeting.

**NEW BUSINESS:**

I. **NEW COMMISSION STATUS** – Mayor Combs welcomed and congratulated the newly elected Town Commissioners and asked that they please try to attend all of the meetings. He also pointed out that they are elected to represent all residents and not just the people in their neighborhoods.

II. **RIBBON CURBING FOR IRWIN FLEET** – Roy Petry from Poly-Engineering said he would look at the area and get an estimate for having ribbon curbing done on Irwin Fleet and also check about removing the rock and replacing it with a retention swale.

Residents complained about the appearance of the property by the school. Town Manager Burns was directed to see that the area was cleaned up better and to contact the school about their part of that area. Mayor Combs asked Roy Petry to look at the rocks by the school and see if he can make suggestions about ways to stop the parking on that area. He also directed Town Manager Burns to get written recommendations from Commissioner Smith on parking and erosion control for that area. The Town Commission agreed to accept Commissioner Smith’s recommendation.

**MAYOR COMBS’ REPORT** – Mayor Combs has nothing to report.
COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister reported that the finance report looked good.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT – Commissioner Wagner was absent.

COMMISSIONER SMITH’S REPORT – Commissioner Smith had nothing to report.

POLICE REPORT – Chief Cash reported his recommendations on painting crosswalks on several streets and repainting some of the present ones. (see attached report). Also he suggested changing the speed limit sign on Barron court to a more modern, larger one. He also recommended the back access to Cheer’s Pub be checked on. The new police cars should arrive in April.

TOWN MANAGER UPDATE:
1. Sale of Vehicles - The Oldsmobile Alero and the 1955 Chevy police car have been sold.
2. Storage Lot - They have started moving the boat trailers to the Snug Harbor lot. Eight of the trailers have been moved and they are waiting to get keys to move the two others. There are two people on the waiting list to get their trailers into the lot and it looks like there will be room for them when the rest are moved in there. The billing letters will go out with charges for 6 months due April 1st. When the last Shalimar resident owned trailers are removed from the school lot a letter will be written to the school board asking them to have the trailers on their property removed.
3. Code Enforcement – There has been no response from Mr. Ryneason about his fence being repaired. Town Manager Burns will write him one more letter stating that the fine will commence on a specific date after he confirms that Mr. Ryneason is still residing at the address. 38 Shalimar Drive is currently unoccupied. Town Manager Burns contacted the people who are paying the homeowners taxes on the property and notified them that the house had been unsecured. They took care of this problem. Town Manager Burns has drafted a letter listing present code enforcement issues on the property. The Town Commission approved the letter directing Mr. Burns to add a “bottom line” paragraph stating what is required to be done.
4. Administration Policy Update – a draft will be completed before the April Town Commission meeting.
5. Rezoning of Annexed Property – the property owners will be notified of the rezoning into the Town property and an Ordinance will be done in April.
6. Storage Shed on Cherokee Lot – A letter was sent out to Rob Harrell on March 1st notifying him that the shed must be moved by July 18 or it will become property of the Town.
7. Budget Cycle – According to the Administration Policy, personnel shall meet with the Commissioners for input for the next year’s budget. By the end of May, the Finance Director and the Town Manager will present the budget to the Town Commission.
8. Town Manager Burns suggested addressing budgeting for a media system for the conference room.
9. Okaloosa Water and Sewer were contacted about whether there were any septic tanks still in use on Cherokee Road and they said all of the residents were connected to the county sewer lines.

ANNOUNCEMENTS:
March 29, 2011 – PLANNING AND ZONING BOARD MEETING – 6:00
APRIL 12, 2011 – TOWN COMMISSION MEETING – 6:00
APRIL 12, 2011 – SWEARING IN OF NEWLY ELECTED TOWN COMMISSIONERS AND PRESENTATION TO OUTGOING COMMISSIONERS
APRIL 15 TO 25, 2011 – SPRING CLEANUP DUMPSTERS
JUNE 14, 2011 – BUDGET WORKSHOP – 5:30
JUNE 21, 2011 – BUDGET WORKSHOP – 5:30

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 9:00 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

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Sheila Hansen, Secretary April 12, 2011

Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:00 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - present
Member Johann Behnken - absent
Member Mickey Clements - present
Member Lynn Dominique - absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Bill Compton, residents Jim Wilton, Bruce Marshall

NEW BUSINESS:

I. APPROVE MINUTES FROM THE JANUARY 26, 2011 P&Z MEETING - Member Tucker moved to approve the minutes of the January 26, 2011 meeting as written. The motion was seconded by Member Clements and passed unanimously.

II. BILL COMPTON WFRPC - EAR BASED COMP PLAN AMENDMENT – Chairman Gable explained how the Comprehensive Plan elements are created.

Future Land Use Map Element

Bill Compton brought up whether the whole Town could be zoned mixed use on the Future Land Use Map and explained what he based the changes on.

A discussion was held on the Future Land Use Map and what needed to be changed.
7.A.1.2 - Chairman Gable asked about 7.A.1.2 item C and said he would like to have this part the same as the Land Development Code. Bill Compton explained that the DCA would honor the more restrictive Land Development Code. Chairman Gable said that he would like to have the Comprehensive Plan and the Land Development Code be in sync. Bill Compton explained that the fundamental rule on this is that the Comprehensive Plan must follow the Land Development Code so being in sync is not necessary.

The Board further discussed making the whole town mixed use and Bill Compton said that if the whole town is mixed use the Land Development Code would have to be very explicit on what is allowed in zoning areas. He suggested the Board very thoroughly and carefully think about what is stated in the Land Development Code for allowable land uses. Chairman Gable felt that if the Future Land Use Map had different zoning areas the additional step of having to change the Future Land Use Map would make it more difficult to bring something unwanted into the Town.

Chairman Gable suggested making changes in the density of the existing areas. He thought the Low and Medium Density areas were okay but he would like to see the Mixed Use Density changed to 15.

Bill Compton said he would do some research on the Future Land Use Map zoning to find examples of communities that are similar to The Town of Shalimar and what their zoning densities are.

**Housing Element**

A discussion was held on the Housing Element in which non-site built homes were brought up. Chairman Gable wanted to include a requirement for use of copper pipes so that mobile home cannot be brought into the Town. Bill Compton explained how off-sight modular homes can be better than site built homes and suggested that if this was not a problem it should not be addressed.

**Infrastructure Element** –

Section 10.A.1.3 on the Level of Service for sanitary sewer will be adjusted from 95 gallons to 100 gallons. Member Tucker asked if there were any septic tanks still in use with the Town of Shalimar city limits. Manager Burns is to contact the county to find an answer to this.
Section 10.C.1.4 – Stormwater – Chairman Gable would like this section reworded to make getting grant funding for upgrading more available. Town Manager Burns stated that the Town was currently on the list for master stormwater study. It was decided that this section would be reworded.

Section 10.D.1.2 – It was decided that the Level of Service for potable water would be changed from 145 gallons to 125 gallons.

**Recreation and Open Space Element**

Section 12.A.3.2 – A discussion was held about changing the Level of Service Standard from 1 acre per 1000 population to 5 acres per 1000 population to make funding more available for grants. Town Manager Burns said that CDBG grants are done on “sustainability”.

### III. LAND DEVELOPMENT CODE

Chairman Gable suggested that the Land Development Code should have allowed uses for Public Lands and everything else should be by special exception. The principal uses would be:

1. Municipal Buildings
2. Public Buildings
3. Municipal Maintenance Operations
4. Public Educational Facilities
5. Parks
6. Conservation Areas
7. Storm Water Management
8. Temporary Parking for Municipal Functions
9. Utilities

Town Manager Burns will try to get the ordinance draft done by the March meeting and do the first reading in May.

The rezoning of the two annexed commercial properties will be taken care of by Town Manager Burns.

**ANNOUNCEMENTS:**
Member Clements moved to adjourn the meeting at 8:28 p.m. The motion was seconded by Member Tucker and passed unanimously.

Sheila Hansen, Secretary

March 30, 2011

Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:02 p.m.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - Present
Mayor Pro-Tem Jerry McCallister - Present
Commissioner Ursel Behnken - Present
Commissioner Tim Smith - Present
Commissioner Glenn Wagner - Present


COMMITTEE REPORTS:

PLANNING AND ZONING BUSINESS – Chairman Gable explained his memo on recommendations about the rezoning plan. The Future Land Use Map has to be updated to reflect all Town of Shalimar owned property as Public Lands for its land use category. The Land Development Code has to be updated to define allowable uses for Public Lands and then the Town of Shalimar properties need to be rezoned to Public Lands. Commissioner Smith asked about the time frame for this to be done. Manager Burns explained that the FLUM had to be approved by the Florida State DCA and the draft to the FLUM is forecasted for June.

ORDINANCE UPDATE – Commissioner Smith reported that he would have a draft of the nuisance ordinance at the March Town Commission meeting.

BEAUTIFICATION – Commissioner Behnken reported that the committee had a meeting on February 2, 2011. The Greater Fort Walton Beach Chamber has a beautification plan for the southern end of the county and they are interested in The Town of Shalimar joining them on a beautification plan for the 12th avenue area and the Shalimar bridge area. The committee has divided up areas to look at and is researching getting grant money for projects. The next meeting will be held on February 18, 2011 at 10:00 a.m. at the Shalimar Town Hall.

TOWN RESIDENTS' TIME – No resident comments

TOWN ATTORNEY'S REPORT – Attorney Chesser was unable to attend the meeting.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 2, 2011 BOND – Commissioner McCallister made a motion to approve the minutes from the February 2 meeting. Commissioner Wagner seconded the motion. There was no discussion. The motion passed unanimously.

II. APPROVE MINUTES FROM THE JANUARY 11, 2011 TOWN COMMISSION MEETING – Commissioner Wagner made a motion to approve the minutes from the
January 11 meeting. Commissioner Smith seconded the motion. The motion passed unanimously.

III. POLICE CAR PURCHASE – At the January meeting, it was decided to purchase 2 new police cars and sell 4 presently owned vehicles. Mayor Combs announced the 55 Chevy was advertised. Chief Cash briefed the Town Commission on the prices of the Chevrolet Caprice, the Ford Crown Victoria, and the Dodge Charger. The price of the Charger was the lowest and the availability was sooner than the other cars. **Commissioner Behnken made a motion to have Chief Cash purchase the Dodge Charger through the state contract. Commissioner Wagner seconded the motion. The motion was passed unanimously.**

IV. Barron Court Land Use – Tabled until next Town Commission Meeting.

V. UPDATE OF TOWN ORDINANCE, CHAPTER 10 - ANIMALS – Mayor Combs read the title of Ordinance No. 2011-03 – An Ordinance Modifying the Shalimar Code Pertaining to animals, Chapter 10. A discussion was held in which Commissioner Wagner asked about the Bad Animal section and whether the purpose was to make any specific breed illegal. It was explained that this was not the case and that bad animals were any animal that is dangerous (without provocation) to humans or other animals. Commissioner Wagner then asked about sections 10-82 and 10-84 which covered animals being on a leash when outside of the owner’s property and animals being a public nuisance and running at large on public or private property without permission of the property owner. He felt that these rules were unenforceable in the case of cats. **Commissioner Wagner made a motion to amend to ordinance to remove cat restraints from sections 10-82 and 10-84. Commissioner Behnken seconded the motion.** There were no public comments. Mayor Combs explained what was done to update the animal ordinance. There were wording changes and removal of the obsolete rules. The ordinance did require dogs to be on a leash if they are off their owner’s property. The ordinance also does not allow the ownership of farm animals in the town. The Deputy Clerk was directed to post the ordinance on the website as a draft as per the first reading. Commissioner McCallister asked about there being a fine associated with section 10-121d. He was informed that this is covered in the ordinance. **The motion was passed unanimously.**

VI. SYB OCCUPATIONAL LICENSE FEE - Owner Steve Peterson addressed the Town Commission at the January meeting and requested the Town Commission give him a lower rate for his occupation license. A comparison was done on other rates for Marinas in the area. Shalimar Yacht Basin’s Occupational License fee is $3311.00 per year. Mayor Combs read a list of Occupational License fees for other local municipalities. **Commissioner Wagner made a motion to discuss possibility of changing the Occupational License for marinas. Commissioner Behnken seconded the motion.** Commissioner Wagner made a recommendation at the March meeting. **The motion passed unanimously.**

V. REVIEW/APPROVAL OF STORAGE LOT RULES – Manager Burns explained his plan to put 10 boat trailers slips on the Snug Harbor lot. He said he would have anyone that wanted to store a boat trailer on the lot to sign up at the Town Hall. He would then do a drawing for the 10 slots. Anyone else would go on a waiting list, if they desire. **Commissioner Wagner made a motion to approve the storage lot rules as written. Commissioner Behnken seconded the motion.** A short discussion was held and the **motion was passed with the only dissenting vote from Commissioner Smith.** Manager Burns was authorized to continue going forward with the storage lot.

NEW BUSINESS:
I. APPROVE CANVASSING BOARD MEMBERS AND DELEGATE AUDIT TO ELECTION OFFICE. Town Manager Burns explained the duties of the canvassing board and that the Town needed to appoint members for the 3 person board which should include the Town Manager, a resident and a Town Commissioner who is not running for office. Commissioner Behnken is the only Commissioner not running for office but she stated she would be out of town that week so somebody else would have to be appointed to take her place. It was decided that either Chief Cash or Deputy Clerk Hansen would fill the position if it was agreeable with the Supervisor of elections. Brad Gable volunteered to take the resident spot. Commissioner McCallister made a motion to approve that Canvassing board and to delegate the audit to the election office. Commissioner Wagner seconded the motion and it was unanimously approved.

MAYOR COMBS’ REPORT – Mayor Combs has nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister reported that the budget looked good with the exception of the street repair fund. That was for the final bill on the 2010 street repairs for which the bill was not received until the 2011 fiscal year.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT – Commissioner Wagner had nothing to report.

COMMISSIONER SMITH’S REPORT – Commissioner Smith said he had made a general assessment of the roads in the Town of Shalimar. He said that Irwin Fleet was torn up in areas and needed restriping. Due to the courthouse annex being redone it was decided that only the restriping would be done until then.

Commissioner Smith brought up several other items that were not on the agenda and Mayor Combs suggested that he email Town Manager Burns and have him follow up on the items.

POLICE REPORT – Chief Cash asked where the speed sign should next be placed and it was suggested to place it on Cherokee Road.

TOWN MANAGER UPDATE - The Town Manager reported that maintenance would be replacing the gratings on Old Ferry Road when they were through painting the Town Hall.

Commissioner Wagner made a motion to have the March Town Commission meeting on the 15th rather than the 8th due to that being Election Day. Commissioner McCallister seconded the motion and it was passed unanimously.

ANNOUNCEMENTS:

FEBRUARY 10, 2011 - 6:00 - CANDIDATE FORUM AT THE TOWN HALL
FEBRUARY 24, 2011 - 6:00 - PLANNING AND ZONING MEETING
MARCH 8, 2011 - TOWN COMMISSION ELECTION
MARCH 15, 2011 - 6:00 - TOWN COMMISSION MEETING
ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 8:50 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

_________________________________  _______________________
Sheila Hansen, Secretary  March 15, 2011  Date approved
CALL TO ORDER:  Mayor Gary Combs called the Bond Hearing to order at 5:37 p.m. He led the Pledge of Allegiance.

ROLL CALL FOR THE RECORD:
   Mayor Gary Combs: Present
   Mayor Pro-Tem: Jerry McCallister: Present
   Commissioner Tim Smith: Absent
   Commissioner Ursel Behnken: Absent
   Commissioner Glenn Wagner: Present

OLD BUSINESS:
   I. PUBLIC HEARING TO DISCUSS LOW INCOME HOUSING INTER-LOCAL AGREEMENT — After a short discussion Commissioner Wagner made a motion stating that the Commission is secure that there is no liability to the Town of Shalimar for the low income housing bonds and to grant Mayor Combs the authority to sign all necessary paperwork for the bond issue. Commissioner McCallister seconded the motion and it was unanimously passed.

ANNOUNCEMENTS:
   February 8, 2011 – TOWN COMMISSION MEETING
   February 23, 2011 – PLANNING AND ZONING MEETING

ADJOURNMENT: Commissioner Wagner made a motion to adjourn the meeting at 5:45 p.m. Commissioner McCallister seconded the motion and it was unanimously passed.

___________________________________  ____________________________
Sheila Hansen, Secretary  February 8, 2010

Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:02 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - present
Member Johann Behnken - absent
Member Mickey Clements - present
Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Bill Compton, residents Courtney Gable, Rhonda and Tom McKinney, R. Daniels, Gloria and Frank Kane, Amy Davis, Jim Wilton, Karen James, Sharon and Tim Smith, Gary Combs

NEW BUSINESS:

I. APPROVE MINUTES FROM THE August 25, 2010 P&Z MEETING - Member Dominique moved to approve the minutes of the August 25, 2010 meeting as written. The motion was seconded by Member Clements and passed unanimously.

II. TREE REMOVAL REQUEST AT 131 GARDNER DR. – Residents requested that they be allowed to remove 2 trees. They wanted to remove the tree in front of their house because it was interfering with sewer and water lines and said that their contractor and plumbers had noticed root entanglement around the existing water meter. They wanted to remove the tree in the back yard because they thought it might undermine their new foundation with root structures and may interfere/overhang their patio. The floor was opened to comments by residents which several stated that they felt the tree was part of the beauty of the neighborhood. Member Dominique made a motion to deny removal of the trees. Member Clements seconded the motion.
The board had a short discussion in which Chairman Gable said that the tree in front is actually on the town right of way and is a canopy protection tree. Member Dominique said that there is an ordinance to protect the trees and though it is a tough decision the intent of the ordinance is to keep the canopy. Member Clements asked about the back tree causing damage. Chairman Gable felt that, being there were no concrete plans for extending the patio, it was premature to remove that tree. **The Board voted unanimously to deny the removal of the trees.**

### III. WFRPC

Bill Compton explained the Evaluation and Appraisal Report (EAR) process. He explained that Manager Burns, Chairman Gable and himself had met and discussed updating the Comprehensive plan. Manager Burns explained that there were 14 elements to the Comprehensive plan and the changes would be in those areas and the Future Land Use Map. The timeline is that by February 23 the FLUM, housing, infrastructure and transportation will be presented to the Planning and Zoning Board and the following month the Coastal Management, Inter-government Coordination and Schools will be done. The other areas are minor and the first reading should be in May with the second reading and adoption in June. It will be submitted to the State in July and hopefully there will be a short review of the report.

Manager Burns reported that the County GIS will support Shalimar mapping. He also said that the storm surge map coincides with the coastal high hazard area and that the Land Development Code needed to be done in that area.

**Future Land Use Map** – It was discussed if it would be possible to take what the Town now has and simplify it and address allowable and unallowable use.

Manager Burns said that the zoning and links were available on the JLUS site.

### IV. RESPOND TO TOWN COMMISSION ON PUBLIC LAND ZONING ISSUES

Chairman Gable explain the zoning problems which included the land the Town owns (Public Lands) and the 2 lots which have been annexed into Town which are Commercial. The steps that need to be taken are 1) Fix the Future Land Use Map to reflect the Public Lands. 2) Define what the Town can use Public Lands for and 3) Rezone the properties to Public Lands. Manager Burns suggested that there be several allowed usages listed but anything else would need a variance. He explained that using a Mixed Use zoning on the FLUM makes it easy to allow more variances and that it would allow maximum flexibility but would still retain the resident’s input.

Chairman Gable said that as soon as the Future Land Use Map is updated they can change the zoning.
Manager Burns and Chairman Gable will start the process of updating the Land Development Code.

The second issue is zoning the annexed property. It is presently zoned commercial by the County and has never been rezoned into the Town. Chairman Gable recommended that the Town zone the property Commercial on put on the zoning map. Manager Burns said they would have to notify the owners and do an Ordinance to rezone. There will have to be 2 reading of the Ordinance. **Member Dominique moved that the 2 properties be zoned Commercial and Member Clements seconded the motion. The motion passed unanimously.** Chairman Gable asked if everyone was in agreement to have him formalize the response about the zoning problems to the Commission. There was no opposition.

**ANNOUNCEMENTS:**

February 8, 2011 at 6:00 p.m. – Shalimar Town Commission Meeting

February 23, 2011 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

**Member Dominique moved to adjourn the meeting at 7:20 p.m. The motion was seconded by Member Clements and passed unanimously.**


____________________________                     February 23, 2011
Sheila Hansen, Secretary                          Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m.

ROLL CALL FOR THE RECORD
   Mayor Gary Combs - Present
   Mayor Pro-Tem Jerry McCallister - Present
   Commissioner Ursel Behnken - Absent
   Commissioner Tim Smith - Present
   Commissioner Glenn Wagner – Present


I. AUDIT OUTBRIEF - Angela Balent with O’Sullivan Creel reviewed the FY10 AUDIT. No major problems were found and the town is in a good financial position.

   A short discussion was held on renewing the contract for audit services with O’Sullivan Creel. Commissioner McCallister made a motion to renew the auditor services for another year. Commissioner Wagner seconded the motion and the motion passed unanimously.

COMMITTEE REPORTS:

PLANNING AND ZONING BUSINESS – No Report

ORDINANCE UPDATE – No report

BEAUTIFICATION - Sharon Smith reported that the committee had a meeting prior to the holiday and that they were planning another meeting soon. They had nothing to report.

TOWN RESIDENTS' TIME – No resident comments

TOWN ATTORNEY'S REPORT – No Report

OLD BUSINESS:

I. APPROVE MINUTES FROM THE DECEMBER 2, 2010 BOND HEARING AND THE DEC 2, 2010 SPECIAL TOWN COMMISSION MEETING – Commissioner McCallister made a motion to approve the minutes from the December 2 meetings. Commissioner Smith seconded the motion. The motion passed unanimously.
II. APPROVE MINUTES FROM THE DECEMBER 14, 2010 TOWN COMMISSION MEETING – Commissioner McCallister made a motion to approve the minutes from the December 2 meetings. Commissioner Smith seconded the motion. The motion passed unanimously.

III. DISPOSITION OF RICHBOURG LOT – Funds were expended to procure this property for a stated purpose. More funds (maintenance time) will be expended to maintain. Stated purpose has been disapproved, so recommend sale of this property. Commissioner Wagner made a motion to retain the lot. Commissioner McCallister seconded the motion. A discussion was held. Commissioner Smith brought up that the town zoning map needs correcting. Town Manager Burns and the Planning and Zoning Board were directed to research the zoning on the lots on Richbourg Avenue. A vote was initiated and passed unanimously.

IV. CHEROKEE OPEN TRAILER STORAGE LOT – Commission approved permanent development of a portion of this lot for open trailer storage. Commission did not consider this motion would have zoning designation impacts as these lots are zoned single family residential. The Commission disapproved use of the Richbourg lot and the Snug Harbor lot for the same purpose – Richbourg was procured for this purpose and the Snug Harbor lot has been traditionally used for this purpose. Staff and Mayor were directed to develop draft rules for this development. Rules were drafted but should not be considered until zoning issues resolved (ref Town Attorney written opinion). Commission should consider rescinding approval of Cherokee Lots for a permanent storage until proper procedures are followed. Commission could allow staff authority to allow limited temporary NTE 2 weeks storage of any items for valid reasons. If the need for Town development of a permanent open trailer storage lot is valid, recommend the Commission approve use (no funds expended) of the properly zoned and historically used Snug Harbor lot for this purpose. Draft rules could be reviewed and approved for this development. Recommend Cherokee Road lots continue to be used for their stated procurement purposes – temporary overflow event parking, temporary construction equipment/material staging and other approved temporary Town needs. No rezoning may be necessary for Cherokee lots if intended use is temporary. Commissioner Smith stated that he feels the Cherokee lot should be rezoned to use for parking, dumpster holding and staging for construction work. Commissioner McCallister made a motion that the discussion be tabled and more research on the zoning laws be done. Commissioner Wagner seconded the motion. Mayor Combs explained that the Snug Harbor lot is already zoned for storage of boat trailers and that he thought we should use the Cherokee lot as we like without boat trailer storage. Commissioner Smith challenged the attorney’s letter stated he felt that public utility usage in the ordinances is for public utility structures. He thinks the land should be rezoned and the storage lot should stay on Cherokee Road. Town Manager Burns explained that the Comprehensive Plan would have to be changed for that usage. The Planning and Zoning Board are working on redoing the Comprehensive Plan and this could be done.

Attorney Chesser explained the special exception rules. Special exceptions cannot go into residential areas unless they are public utilities. Commissioner McCallister withdrew his motion to table the discussion and Commissioner Wagner seconded the withdrawal. Commissioner Wagner suggested that the Planning and Zoning Board correct the public land zoning problems before a decision is made about the Cherokee Road lot. Commissioner Wagner made a motion to table the discussion and present the zoning problem to the Planning and Zoning Board and have them make a recommendation to rezone the public land and to address the changes in
the Comprehensive Plan. Commission Smith seconded the motion. The motion was passed unanimously.

Commissioner Wagner made a motion to rescind the motion to make the Cherokee lot a permanent trailer storage lot based on the attorney’s opinion that the zoning ordinances were violated. Commissioner McCallister seconded the motion. The vote passed with Commissioner Smith voting against.

Commissioner Wagner made a motion for boat trailer storage on the Snug Harbor lot and for Town Manager Burns to come up with a time table and fee schedule. Commissioner McCallister seconded the motion. Resident Ray Morgan stated that the neighborhood was agreeable with boat trailer storage at Snug Harbor. The motion passed unanimously.

V. REVIEW/APPROVAL OF STORAGE LOT RULES – Depending on outcome of above, Staff developed rules attached for review. This item was tabled.

NEW BUSINESS:

I. POLICE CAR PURCHASE – Recommend disposal/sale of 2 Crown Victorias/unmarked Oldsmobile/55 Chevy along with cash purchase of two new Police cruisers. Maintain Camry, Dodge Truck and most dependable Ford Crown Victoria. A discussion was made about the cost and that the town had the money from the Bond Issue and the police grant to pay for the cars. Commissioner Wagner made a motion to approve the purchase of 2 new police cars and to sell the 4 cars listed above. Commissioner Smith seconded the motion. A discussion about the sale price of the 55 Chevy was held and the Commission was in agreement that the Town Manager could list the Chevy for $10,000.00. Chief Cash is to bring price quotes for the new cars to the next meeting. The motion passed unanimously.

II. BARON COURT LAND USE – Progress report from Homeowners in this subdivision related to procurement of almost land locked green area within their development. During September 2010 STC meeting, Commission approved a motion for no cost to Town transfer of the property contingent upon a land owner’s agreement on how the property would be partitioned. This item was tabled since there was nobody from Baron Court at the meeting.

III. UPDATE OF TOWN ORDINANCE, CHAPTER 10 – ANIMALS – Following a September 2010 resident’s request to house chickens, the Commission realized that the Animals Chapter of Town Ordinances is outdated. During following meetings, Commissioner Tim Smith agreed to head a committee to recommend updates to several Town Ordinances. Staff and Commissioner Smith reviewed and are presenting a draft update to this ordinance for potential first reading at the February 2011 meeting. Draft ordinance is attached. Manager Tom Burns suggested that the ordinance update be reviewed by the Commissioners and that the first reading will be at the next Commission meeting and any suggested changes be brought up then. Sherri Hodgson asked if this was a draft were maybe parts of it missing. She thought there were some conflicts with the Florida Statutes. Town Manager Burns asked her to email him her findings. Ms. Hodgson felt that the ordinance was too restrictive on homeowner’s rights. The discussion will be brought up in the old business at the February meeting.
IV. SYB OCCUPATIONAL LICENSE FEE - Owner Steve Peterson to address Commission.

Steve Peterson briefed the Commission on the history of his occupational license charges and costs of other local marina’s occupational licenses. He requested the Commission give him a fair and appropriate Occupational License fee and requested a refund from past years.

Mr. Peterson also asked to open a “take-out” center for food and alcohol. He would have seating on his deck and wants to have music on Friday and Saturday nights. His vision is a boating destination in Shalimar. Attorney Chesser informed him that he needed to follow the appropriate channels and apply for a business license from the Town Manager.

Attorney Chesser also informed him that the Commission does not have the authority to return previous taxes such as Occupational License fees. Mr. Peterson said that he was willing to pay the charges on his live-aboard slips but would like lower charges on the regular wet slips. Mayor Combs asked about doing a comparison to other marinas for the same type slips. Mayor Combs also stated that there would not be a problem with waiving the late fines for this year.

Mr. Peterson said he was willing to pay the $1200.00 for the live-aboard slips and the $375.00 for the basic fee but that he didn’t feel he should have to pay the fee for the 105 submerges lease slips. Mayor Combs suggested that Mr. Peterson pay his Occupational License for this year and then come before the Commission to try and get the ordinance changed.

Attorney Chesser then explained the high charge for the live-aboard because they do not pay ad valorem taxes but they still get the advantage of the town services.

After a discussion, it was decided to put the license fee on the agenda as old business in February.

MAYOR COMBS’ REPORT – Mayor Combs reported that Town Manager Burns had made a significant effort in code enforcement. Manager Burns had gone after several code violations and they had been corrected. He also brought up that the police department had been directed to crack down on illegal parking.

Mayor Combs brought up that, with 6 candidates for 3 positions, it would be nice if the town could sponsor a meeting for the residents to get to know the candidates and ask any questions they may have. Attorney Chesser said he would check the laws to see if it was legal for the town to sponsor a candidate forum. Mayor Combs then had the candidates stand up and introduce themselves.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister said that the town would like to take $100,000 from the account at Regions Bank and invest in the Florida Insurance Trust Fund. Town Manager Burns explained that only $250,000 was covered by FDIC. He suggested that the money be invested in the Equity Fund with FMIVT and that it had a record of fairly good returns. Commissioner McCallister made a motion to invest $100,000 in the FMIVT if it was legal to do. Commissioner Wagner seconded the motion. The motion passed unanimously.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken was absent.

COMMISSIONER WAGNER’S REPORT – Commissioner Wagner had nothing to report.
COMMISSIONER SMITH'S REPORT – Commissioner Smith brought up that he would like to see a form letter used to notify residents of Code Enforcement violations. Town Manager Burns responded that there was a form letter in the Code of Ordinances that he was using. Mayor Combs asked Town Manager Burns to send a copy of any Code Enforcement letters to the Commissioners. Commissioner Smith also brought up the no parking signs the town had put by the school. He said they did not look very good. The Maintenance Department said they would look into the problem.

POLICE REPORT – Sergeant Shadwell reported that the broken mirror had been replaced on his car and that the tires of Captain Spohn’s car were being replaced.

TOWN MANAGER UPDATE - The Town Manager had nothing to report.

ANNOUNCEMENTS:
- JANUARY 18, 2011 – 6:00 – Cinco Bayou hosted OCLOC Quarterly Dinner, FWB Yacht Club
- JANUARY 26, 2011 - 6:00 - PLANNING AND ZONING MEETING
- FEBRUARY 8, 2011 - 6:00 - TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner Wagner moved to adjourn the meeting at 9:03 p.m. Commissioner McCallister seconded the motion and it passed unanimously.

________________________________________  _______________________
Sheila Hansen, Secretary  Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:05 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
  Mayor Gary Combs - present
  Mayor Pro-Tem Jerry McCallister - present
  Commissioner - Tim Smith - present
  Commissioner Ursel Behnken - present
  Commissioner Glenn Wagner - absent

Others in attendance: Town Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash and Shalimar Police Officers, Maintenance Supervisor Kent Beck and part-time maintenance employees, Johann Behnken, Sharon Smith and numerous residents attending the Christmas Party

TOWN RESIDENTS TIME:

OLD BUSINESS:

1. RE-ASSIGMENT OF COMMISSION DUTIES AND APPOINTMENT OF MAYOR PRO-TEM – Mayor Combs assigned Roads and Grounds Commissioner to Commissioner Smith and re-assigned Police Commissioner to Commissioner Wagner. Mayor Combs appointed Commissioner McCallister as Mayor Pro-Tem.

II. MILLAGE REFERENDUM – Mayor Combs read the referendum (see attachment) on limiting the Town millage rate to 2.0 mills and explained that an ordinance that raises the millage above 2.0 mills would require approval by the Town electorate. Commissioner McCallister made a motion to approve this referendum for the March ballot. Commissioner Behnken seconded the motion and it was passed unanimously.

NEW BUSINESS:

1. PROMOTION CEREMONY FOR THE POLICE DEPARTMENT – Chief Cash introduced Corporal Shadwell to the Town residents and promoted him to Sergeant. He presented him with his new badges and name tag. He also presented Sergeant Shadwell with a plaque from the Town of Shalimar.
honor[...], a certificate from the State of Florida for his dedication to Traffic Safety.

Chief Cash introduced Lieutenant Spohn to the Town residents and promoted him to Captain and presented him with a plaque for his outstanding service as well as giving him his new badges and name tag.

Officer Miley was introduced to the Town residents and thanked for deciding to maintain employment with the Town of Shalimar.

MAYOR COMB’S REPORT: The Mayor discussed the January agenda and explained to Commissioner Smith about checking the agenda and being prepared for Commission meetings. He also explained to Commissioner Smith that he could no longer be on the Ordinance Rewrite Committee as they both could not be on the committee due to the Florida Sunshine Laws.

COMMISSIONER SMITH’S REPORT: Commissioner Smith had nothing to report.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report.

COMMISSIONER McCALLISTER’S REPORT: Commissioner McCallister had nothing to report.

COMMISSION WAGNER’S REPORT: Absent

POLICE REPORT: Chief Cash informed the Commission that his Monthly Activity Report was attached to the agenda and that they were emailed weekly activity reports with more detail.

TOWN MANAGER UPDATE: Tom Burns announced that the auditors were meeting with Commissioner McCallister and him on Thursday December 16 at 5:30 p.m.

ANNOUNCEMENTS:

December 29, 2010 – Planning and Zoning Meeting Cancelled

January 11, 2011 – 6:00 – Town Commission Meeting

January 18, 2011 – OCLOC Dinner Hosted by Cinco Bayou at Fort Walton Beach Yacht Club
ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 6:20 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

_____________________________  January 11, 2010
Sheila Hansen, Secretary       Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
- Mayor Gary Combs - present
- Mayor Pro-Tem - vacant
- Commissioner Jerry McCallister - present
- Commissioner Ursel Behnken - present
- Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Town Attorney Mike Chesser, Officer John Spohn, Officer Steve Shadwell, Michael G. Kent, Laura B. Wright


BUSINESS:

I. APPROVE MINUTES FROM THE November 9, 2010 TOWN COMMISSION MEETING - Mayor Combs entertained a motion to approve the November 9, 2010 minutes. Commissioner McCallister moved to approve the minutes of the November 9, 2010 Town Commission Meeting with one correction related to dangerous intersection at Shalimar Drive and Eglin Parkway. The motion was seconded by Commissioner Behnken and passed unanimously.

II. APPOINTMENT OF TEMPORARY REPLACEMENT OF COMMISSIONER GARCIA - Mayor Combs explained the procedure that would be implemented to choose a new Commissioner. Each volunteer had 5 minutes to speak to the Commission and then the Commissioners were to list their preferences on a provided form, rating each volunteer from 1 to 7, one being first choice and 7 being last choice. These forms would become public record and were given to Attorney Chesser to tally the results.

Tony Simpson of 905 Sunset Bay Court was the first volunteer to speak. His qualifications include teaching police recruits at the local University. While in the military, Mr. Simpson was part of a team whose decisions resulted in solutions of complex
problems. He stated that he was interested in interacting between the Town Commission and the Shalimar Police Department. He further stated that he is considering running for the Town Commission in the March election.

**Jim Wilton** of 243 Shalimar Drive has lived in the area for 44 years and in Shalimar for 22 years. He has a Doctor of Business Administration education and he is a Certified General Real Estate Broker. His related qualifications include being a police officer in Connecticut where he retired after being injured. He was Chief Compliance Officer for a company in the Defense Industry and Chief Compliance Officer for a small family corporation. He stated he is interested in doing civilian oversight of the Shalimar Police Department. He also is considering running for the Town Commission in the March election.

**John Henderson** of 125 Gardener Drive has been a Shalimar resident since 1993. He held the position of Shalimar Police Commissioner from 1998 to 2002. His motivation for applying for the Town Commission seat is that he wants what is best for the town and also stated that if he was chosen to temporarily fill the Town Commission seat he would consider running for the Town Commission in the March election.

**Robert Chapman** of 910 Sunset Bay Court has been a Shalimar resident for 3 years. He spent 27 years as an officer in the United States Air Force. He stated he knows the importance of integrity and honesty. He also stated that he knows the importance of staying calm when dealing with adversity. He has worked in the Leadership and Accountability Department of the Air Force and was a former squadron commander. He knows management and has experience dealing with complex problems. He ran the air war in Afghanistan and Iraq as the F22 program monitor. He has experience in financial management and working with difficult people with patience and understanding. He was the Deputy of the Senate Liaison Office working with Congress and knows the importance of respecting opponents. He has been a member of the school board and has served as a member of his homeowners’ association in which he was President for a period of time. He has no personal interest in the storage lot issue but feels he is open to the case and feels the issue should go to the voters as a referendum.

**Tim Smith** of 912 Sarah Drive has lived in Shalimar for 33 years. He owns 3 local businesses with 160 to 180 employees. He owns a number of properties in Shalimar. He stated that, after attending 17 months of meetings, he did not agree with the storage lot issue. He said he was familiar with the storage lot issues. He also is working on rewriting the Town’s animal ordinance. He feels that he wants to be a member of the Town Commission because he believes he cannot complain about Town Commission decisions if he is not part of the Commission. He also stated he would be running for the Town Commission in the March Election.

**Ray Morgan** of 202 Snug Harbor has been a resident of Shalimar for 20 years. He has an Engineering and an MBA degree. He is retired from the United States Air Force. He is President of the Snug Harbor Homeowners Association. He has had a strong interest in the Town’s growth and maintaining continuity at the level the Town has reached. He
works part time with FEMA and has considerable experience in dealing with public issues and officials.

**MK Simpson** of 2 Gardener Drive has 10 years’ experience in the Air Force military police field. She has attended the Department of Veterans Affairs Law and Training Center. She set up a neighborhood crime watch in the Florida Keys. She holds a security clearance with the US Government. She felt her two drawbacks were that she is not current in Florida law standards and has no legal experience.

Mayor Combs stated that all qualifying Commission volunteers should understand that they need to attend the Town Commission meetings and if they cannot attend that they should not apply for the position.

Attorney Chesser totaled up the votes. The voting results were:

<table>
<thead>
<tr>
<th>Name</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim Smith</td>
<td>7</td>
</tr>
<tr>
<td>Jim Wilton</td>
<td>9</td>
</tr>
<tr>
<td>John Henderson</td>
<td>11</td>
</tr>
<tr>
<td>MK Simpson</td>
<td>21</td>
</tr>
<tr>
<td>Bob Chapman</td>
<td>8</td>
</tr>
<tr>
<td>Tony Simpson</td>
<td>9</td>
</tr>
<tr>
<td>Ray Morgan</td>
<td>18</td>
</tr>
</tbody>
</table>

**Commissioner McCallister made a motion to appoint Tim Smith as the temporary Town Commission member. Commissioner Behnken seconded the motion and it was unanimously passed.**

The Commission thanked all the volunteers. Commissioner McCallister and Commissioner Behnken stated that they had chosen Tim Smith because of his attendance at the Town Commission meetings.

**Attorney Chesser read the oath to Tim Smith who then swore to uphold it.**

**III. Storage lots:** Mayor Combs brought up that he felt that a referendum on the storage lots was not a good idea because it would be a non-binding referendum and he thought it would be a bad precedent and that the Town Commission should make the decision.

Mayor Combs then gave a list of alternatives. 1. Do not develop the Town’s Richbourg lot with no expenditures nor security. 2. Use all three lots allowing perimeter parking with large items only on the Snug Harbor lot. 3. Forget formal storage development of any lots and leave them as they are presently being used. Put in place an annual usage charge and a formal contract. Mayor Combs encouraged any commissioners to make a related motion.

**Commissioner Smith made a motion to eliminate the Richbourg lot and go forward with a storage lot for boats and trailers only with no provision for motorhomes and campers on the other two lots. Commissioner Behnken seconded the motion.** The Commission discussed and clarified this motion that the original motion was related only to the Richbourg lot and did not cover storage of items
on the other two lots. Following public discussion, a vote was taken. The motion to eliminate the Town’s Richbourg property for a storage lot passed with Mayor Combs being the only dissenting vote.

Commissioner Smith made a motion to go forward with the Cherokee Road lot and the Snug Harbor lot with boats and boat trailers only and use 100 feet of the Cherokee Road lot and all of the Snug Harbor lot. Commissioner Behnken seconded the motion and the Town Commission discussed this suggestion and then opened the floor to the public. After the public input, a Commission vote was taken. The motion failed with all votes dissenting except Commissioner Smith.

Commissioner McCallister made a motion to clean up the Cherokee Road and Snug Harbor lots and have owners remove stored items and use Cherokee Road lot for Town Hall Parking. Commissioner Behnken seconded the motion. Commissioner Behnken and Commissioner McCallister voting for the motion and Mayor Combs and Commissioner Smith against the motion.

Next, Commissioner McCallister made a motion to not allow any parking of resident’s personal RV type items on town property. Commissioner Behnken seconded the motion. Following Commission discussion and clarification, this motion was opened to public discussion. This motion failed with Commissioner McCallister and Mayor Combs voting for the motion and Commissioner Behnken and Commissioner Smith voting against the motion.

Commissioner Behnken made a motion to have storage for open trailers on the Cherokee Road lot and no storage on the Snug Harbor property along with a new set of related rules which would be strictly enforced. Commissioner Smith seconded the motion. This motion also needed more clarification and Commission discussion. During the Commission discussion, Mayor Combs restated his feeling that if storage was allowed on the Cherokee Road lot, it should be allowed on all three of the lots. This motion was opened for public discussion. After the public discussion, a vote was taken and the motion passed with the only dissenting vote being Mayor Combs.

Mayor Combs requested Town Manager Burns create a set of proposed rules to be available prior to December 14, 2010 Town Commission meeting.

ADJOURNMENT: Commissioner McCallister made a motion to adjourn the meeting. Commissioner Behnken seconded the motion and it was passed unanimously.

The meeting was adjourned at 8:28 p.m.

___________________________________  December 14, 2010
Sheila Hansen, Secretary                  Date approved

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CALL TO ORDER – Mayor Gary Combs called the special meeting to order at 5:30 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
   Mayor Gary Combs - present
   Mayor Pro-Tem – vacant seat
   Commissioner Jerry McCallister - present
   Commissioner Ursel Behnken - present
   Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen, Johann Behnken, Mike Kent and Laura Wright, Richard Lott, and town residents that signed in for the Special Town Commission meeting at 6:00 p.m.

OLD BUSINESS:

I. HOUSING BOND DISCUSSION – Mike Kent explained that the purpose of the Public Housing ECH Bond (Emerald Coast Housing – Wellington LLC Project) which is to take advantage of the tax exempt rate by using the Town of Shalimar’s name.

   Attorney Chesser stated that he felt that this would be an acceptable bond issue for the Town of Shalimar.

   Richard Lott read the title of the resolution – “Not to exceed $7,500,000 Town of Shalimar, Multi-jurisdictional Multi-Family Housing Revenue Bonds (Emerald Coast Housing – Wellington, LLC Project), Series 2011A and 2011B”.

   There was no public comment.

   Commissioner Behnken moved to proceed with ECH II - Wellington, LLC project on the issuance of $7,500,000 low income revenue bonds. The motion was seconded by Commissioner McCallister and passed unanimously on the contingent that the Commission receive and read the bond resolution within one week.

   ADJOURNMENT -- Commissioner McCallister moved to adjourn the meeting at 5:48 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.
December 14, 2010
Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - absent
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Maintenance Supervisor Kent Beck, Johann Behnken, Frances and Gene Brown, Joy Bates, Sharon and Tim Smith, Steven Peterson, Roy Petrey, Rebecca and Jim Monte, Jean and Ron Brooks and Desiree and Paul Kalin

TOWN RESIDENTS TIME: Sharon Smith asked about the cones on Richbourg Avenue. It was decided that the cones would be removed and the police department would monitor the area to see if people start parking there again.

Gene Brown brought up the danger of the intersection of Shalimar Drive and Eglin Parkway. Tom Burns will talk to DOT about making sure the intersection meets their specifications and maybe changing the light so that there is a left turn on green only.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE OCTOBER 5, 2010 SPECIAL TOWN COMMISSION MEETING - Mayor Combs entertained a motion to approve the October 5, 2010 minutes. Commissioner McCallister moved to approve the minutes of the October 5, 2010 Special Town Commission Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

II. STORAGE LOT – POSTPONED FOR SPECIAL MEETING

III. PUTTING REFERENDUM ON BALLOT TO LIMIT MILLAGE TO 2.0 – Mayor Combs entertained a motion to place a referendum on the March ballot to make a change to the town charter to limit the millage rate to 2.0. Commissioner McCallister moved to place the referendum on the ballot and Commissioner Behnken seconded the motion. The motion was passed unanimously.
IV. **CODE ENFORCEMENT ISSUES** – House at 20 Shalimar Drive has the roof falling in and needs to be demolished. Tom Burns stated that he had contacted the owner early this summer and they indicated plans to demolish the structure. If the owner has no intentions of rectifying the problem in the near future, he will be notified that we will have to handle the demolition and a lien will be placed against his property.

An inspection will be done of the property at 22 Shalimar Drive to see if there are any violations with the unregistered cars in the back yard and if this problem can be solved.

V. **BEAUTIFICATION** – A Beautification Committee was formed with Frances Brown and Sharon Smith appointed as co-chairmen. They will report to Commissioner Behnken and Kent Beck will advise them with his Master Gardener expertise. This committee will report to the commission at the monthly meetings.

VI. **ORDINANCES** – An Ordinance Rewrite Committee was formed with Tim Smith as Chairman. He will report to Mayor Combs and work with Town Manager Tom Burns and Deputy Clerk Sheila Hansen to rewrite the nuisance ordinances for the town.

VII. **DRAINAGE ISSUES:**

**EASEMENT AT THE JAMES MONTE RESIDENCE** – Roy Petrey of Poly-Engineering spoke explaining that there were anomalies that were found when he inspected the property. The system was designed with swales that would allow the excess water from Barron Court to drain into the retention pond behind the Monte residence. These swales are nearly non-existent now due to homeowners landscaping which has filled in the swales.

Mr. Petrey recommended that a survey be done for the price of $3500.00 to see what can be done to correct or improve the drainage problem. **Commissioner Behnken made a motion to have the engineering survey done. Commissioner McCallister seconded the motion and it was unanimously passed.**

**GRATING ON OLD FERRY ROAD** – The grates on Old Ferry Road which are a part of the stormwater system have deteriorated to the point that they need replacing. This can be done for $6500.00 which will replace the drains with new grates which will be made of a stronger and less corrosive material. **Commissioner Behnken made a motion to replace the grates and Commissioner McCallister seconded the motion. The motion was unanimously passed.**
NEW BUSINESS:

I. LMS DRAFT APPROVAL – A draft was presented for the Okaloosa County Local Mitigation Strategy Plan. This plan is to help create a disaster resistant community. A discussion was held to explain what Shalimar has requested in the plan and that the Commission must make an approval to allow the county to send the plan to the State of Florida Department of Community Affairs. Commission McCallister made a motion to approve the LMS and allow the county to send the plan to the DCA. Commissioner Behnken seconded the motion and it was passed with unanimous approval.

APPOINTMENT OF REPLACEMENT OF COMMISSIONER RICARDO GARCIA AND SET DATE TO MAKE A DECISION ON THE STORAGE LOT ISSUE – Commissioner Garcia has resigned due to fact that he is working in another state and is unable to attend the Town Commission meetings. A new commissioner was to be appointed; however, due to lack of time to advertise the open position to the residents Commissioner McCallister moved to table the appointment and have a special meeting in which a new commissioner will be selected and to also make a decision on the Storage Lot issue. This motion also included deciding that a full Commission not be required to make the decision on the storage lots. Commissioner Behnken Seconded the motion and it was unanimously passed and a date of December 2, 2010 at 6:00 pm was set for the meeting.

A letter will be sent to all residents within the next week explaining that we want volunteers for the open seat on the Commission and the date and time of the special meeting to appoint a new Commissioner and make a decision on the storage lots.

MAYOR COMB’S REPORT: The Mayor had nothing to report.

COMMISSIONER GARCIA’S: Absent

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report.

COMMISSIONER McCALLISTER’S REPORT: Commissioner McCallister reported that the audit is in the process of being done and the auditors will address the Commission during the January meeting. This month’s budget report is in the backup items for the minutes.

COMMISSION WAGNER’S REPORT: Absent

POLICE REPORT: Chief Cash informed the Commission that Officer Miley will soon be resigning due to having gotten married and planning to move out of state. He also informed the Commission that the Police Department would need a new car in the near future. Also, the local police chief’s group is trying to form an inter-local plan so that the local municipalities do not have to depend upon the County Sheriff’s Office for as much support as they do at present.

TOWN MANAGER UPDATE: Tom Burns announced that the Christmas Parade and Town Christmas Party will be held on December 14th.
ANNOUNCEMENTS:

NOVEMBER 24, 2010 – 6:00 – PLANNING AND ZONING MEETING
DECEMBER 2, 2010 – 6:00 – SPECIAL TOWN COMMISSION MEETING
DECEMBER 14, 2010 – 6:00 – TOWN COMMISSION MEETING AND CHRISTMAS PARADE AND PARTY

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 8:45 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

______________________________  __December 2, 2010______________
Sheila Hansen, Secretary        Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 5:30 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - absent
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Town Attorney Mike Chesser, Michael G. Kent, and Johann Behnken

OLD BUSINESS:

I. APPROVE MINUTES FROM THE SEPTEMBER 14, 2010 TOWN COMMISSION MEETING - Mayor Combs entertained a motion to approve the September 14, 2010 minutes. Commissioner Behnken moved to approve the minutes of the September 14, 2010 Town Commission Meeting as written. The motion was seconded by Commissioner Wagner and passed unanimously.

II. APPROVE MINUTES FROM THE SEPTEMBER 8, 2010 AND THE SEPTEMBER 22, 2010 BUDGET HEARING MEETINGS - Mayor Combs entertained a motion to approve the September 8 and 22, 2010 minutes. Commissioner Behnken moved to approve the minutes of the September 8 and 22, 2010 Budget Hearing Meetings as written. The motion was seconded by Commissioner McCallister and passed unanimously.

NEW BUSINESS:

I. RESOLUTION 2011-01 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SHALIMAR FLORIDA, RELATING TO THE ISSUANCE BY THE TOWN OF SHALIMAR, FLORIDA, NOT TO EXCEED $7,500,000 MULTI-JURISDICTIONAL MULTI-FAMILY HOUSING REVENUE BONDS (EMERALD COAST HOUSING – WELLINGTON, LLC), SERIES 2010 TO FINANCE THE UNDERTAKING OF A PLAN OF FINANCE INVOLVING THE ACQUISITION AND REHABILITATION OF A MULTI-FAMILY RESIDENTIAL RENTAL PROJECT IN ESCAMBIA COUNTY, FLORIDA PROVIDING FOR A PUBLIC HEARING, AND PROVIDING FOR AN EFFECTIVE DATE.
A discussion was held and all agreed to schedule a special meeting to finalize all issues during the week of 15 to 19 November as Mike Chesser will be out of town during the regular meeting on 9 November 2010. **Mayor Combs entertained a motion to approve Resolution 2011-01. Commissioner Behnken moved to approve Resolution 2011-01. Commission Wagner seconded the motion and it was approved unanimously.**

**Resolution 2011-02 - A RESOLUTION FINDING PROPERTY WITHIN THE TOWN OF SHALIMAR IN VIOLATION OF SECTION 26-57, FAILURE TO MAINTAIN PREMISES CLEAR OF WEEDS AND UNSIGHTLY OR UNSANTARY MATTER**

II. A discussion was held about resolution 2011-02 to have the Town Manager inform the owner of the property at 1176 Eglin Parkway that he is in violation of the town Code of Ordinances for unkempt/overgrown vegetation and landscaping as well as accumulated litter and rubbish. The Town Manager will also inform him that the town will charge him $1000.00 per month for the town to maintain the property if he does not remedy the problem and this cost will be imposed as a lien upon this property. **Mayor Combs entertained a motion to approve the resolution. Commissioner Wagner moved that the motion be approved and Commissioner McCallister seconded the motion. The motion was unanimously approved.**

III. OCTOBER 12, 2010 COMMISSION MEETING – **Commissioner McCallister made a motion to cancel the October 12, 2010 Commission Meeting due to a light agenda and two Commission members being out of town. The motion was seconded by Commissioner Wagner and was unanimously approved.**

**ANNOUNCEMENTS:**

- October 12, 2010 - Commission Meeting - Cancelled
- October 27, 2010 – Planning and Zoning Meeting

**ADJOURNMENT:** **Commissioner Wagner moved to adjourn the meeting at 6:05 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.**
CALL TO ORDER: Mayor Combs called the Final Budget Hearing to order at 5:33 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:
   Mayor Gary Combs: present
   Mayor Pro-Tem Ricardo Garcia: absent
   Commissioner Jerry McCallister: present
   Commissioner Ursel Behnken: present
   Commissioner Glenn Wagner: absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Sheila Hansen and Johann Behnken.

HEARING ITEMS:
1. BUDGET DISCUSSION - There was no discussion.

2. SECOND PUBLIC READING OF ORDINANCE 2011-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2010-2011 - Commissioner McCallister moved to approve Ordinance 2011-01 setting the millage rate for Fiscal Year 2010-2011 as read. The motion was seconded by Commissioner Behnken and passed unanimously.

3. SECOND PUBLIC READING OF ORDINANCE 2011-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2010-2011 - Commissioner Behnken moved to approve Ordinance 2011-02 establishing the Budget for Fiscal Year 2010-2011 as read. The motion was seconded by Commissioner McCallister and passed unanimously.

Commissioner McCallister reporter that he and Tom had a meeting with the auditors and that the audit would start in the beginning of October and would be reported to the Town Commission at the January meeting.

Mayor Combs Reported that Tim Smith had been notified that we would appreciate his helping to rewrite the ordinances and the Mayor suggested that he start on the animal ordinances followed by the nuisance ordinances.

ANNOUNCEMENTS:
SEPTEMBER 30, 2009 – Planning and Zoning Meeting, 6:00 p.m.
OCTOBER 12, 2009 – Town Commission Meeting, 6:00 p.m.

ADJOURNMENT – Commissioner McCallister moved to adjourn at 5:39. The motion was seconded by Commissioner Behnken and passed unanimously.

___________________________________  __________________________________
Sheila Hansen, Deputy Town Clerk  Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

- Mayor Gary Combs - present
- Mayor Pro-Tem Ricardo Garcia - absent
- Commissioner Jerry McCallister - present
- Commissioner Ursel Behnken - absent
- Commissioner Glenn Wagner - present

Others in attendance: Town Attorney Mike Chesser, Deputy Clerk Sheila Hansen, Chief John Cash, Maintenance Supervisor Kent Beck, Sherri Hodgson, Tim and Sharon Smith, Steven Petersen, Stan Pitchford, James Moore, Gloria Turner, Mark Wilson and Brian Hubbard.

PLANNING AND ZONING BUSINESS: The Planning and Zoning Board did not have anything to present.

TOWN RESIDENTS' TIME – Sherri Hobson brought up that she would like to have 2 or 3 chickens for eggs for personal use. There is no ordinance preventing this. It was decided that research would be done to find out what other cities are doing about such situations. The Commissioners felt that there should be an ordinance written that would at least limit the possession of livestock and make conditions that would have to be followed. This item will be followed up at the November meeting.

Gloria Turner of 865 Brande Court stated that the sumac was again taking over her and her neighbor’s back fence and yards and the ground cover from behind their yards is also encroaching on their property. Mayor Combs directed the maintenance department to follow up on this and find a solution to the problem.

Mark Wilson of 862 Mande Court asked about the mailbox that had been smashed in a traffic accident, wanting to know when this would be replaced. Chief Cash said it had been reported to the Postal Service and that he would follow up and try to find out when it would be replaced.

Sharon Smith wanted to know about the 10' buffer area on the Richbourg lot that had been mentioned at a previous meeting. The buffer was planned when the lot was going to be used as a storage lot. There will be no final decision made on the storage lot until a full commission is available and Mayor Combs stated that the lot is easier to police for trash and vagrants if it is in clear view.

Tim Smith brought up the uncleared lot on Dana Court that needs to be cleaned up. It was decided that this will be addressed on the next agenda.
Tim Smith also asked about having something done about the parents of elementary students parking on the right-a-way by Shalimar Elementary School to drop off and pick up their children. After a discussion, it was decided that Kent could put railroad ties along that area as well as no parking signs and cones as a temporary fix to the problem. Mayor Combs said to have the Town Manager get a quote on putting curbs on both sides of Richbourg Avenue.

The condition of the lot that was formerly Guisseppi’s Restaurant was discussed and it was decided that the town would start a legal process to get the owners to keep the area mowed and cleaned up. Mayor Combs said that if the town has to do the maintenance on the lot we should charge them $1000.00 for each time it is done.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE August 10, 2010 TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes of the JULY 22, 2010 Town Commission Meeting as written. The motion was seconded by Commissioner Wagner and passed unanimously.

II. DRAINAGE EASEMENT AT 2558 BARON COURT – It was requested to allocate funds to survey the easement by Mr. Monte’s house. Attorney Chesser stated that the covenants require drainage areas and swales must be left alone. The Commission did not feel the town should have to pay for the survey. It was decided to table the subject until the Town Manager, Mr. Monte and the engineers could meet with the Commission and explain why this should be done.

III. CAPping OF MILLAGE – The capping of the millage at 2.0 was researched and it has to be put into the Town Charter which needs to be done by a referendum vote by the residents. It was decided that the Town would research putting it on the March ballot.

NEW BUSINESS:

I. GREEN AREA ON BARRON COURT – A presentation was done by Stan Pitchford and James Moore requesting the Town to quitclaim the property in the green area behind their homes. The area is not being used and a number of the residents would like to incorporate it into their property and make it go away as a green area. The residents are willing to pay all costs of the quitclaim. Commissioner Wagner moved that the town agreed to either relinquish the property to the Shalimar Place Homeowners Association or relinquish the property to the adjoining residents to the property as long they agree on how the land will be partitioned and that they agree to carry all of the expense of the transfer. Commissioner McCallister seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT - Mayor Combs had nothing to report.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister announced that the second budget meeting is scheduled for September 22, 2010 at 5:30 p.m.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.
COMMISSIONER WAGNER’S REPORT - Commissioner Wagner asked about the boats still remaining in the storage lot. The Town Manager is to contact the owners of the boats again and tell them that they must be removed. Resident Mark Wilson asked why boats could not be stored in the lot if the trailers could be kept there. It was explained why this is not allowed and that it is a temporary solution until a final decision is made about the storage lots.

The boat storage question will be brought up again in November if a full commission is available and will be advertised so all residents will be aware that it is being discussed again.

Steve Peterson of the Shalimar Yacht Basin stated that he would give a 50% discount to residents of The Town of Shalimar who would like to store their boats at the Yacht Basin.

POLICE REPORT - Chief Cash was present, his Monthly Activity report was in the paperwork for the meeting.

TOWN MANAGER UPDATE:
- The Town Manager was absent.

ANNOUNCEMENTS:
SECOND BUDGET MEETING -- SEPTEMBER 22, 2010 – 5:30
PLANNING AND ZONING MEETING – SEPTEMBER 29, 2010 – 6:00
TOWN COMMISSION MEETING – OCTOBER 12, 2010 – 6:00

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 8:05 p.m. The motion was seconded by Commissioner Wagner and was passed unanimously.

___________________________________ October 12, 2010
Sheila Hansen, Secretary Date approved
CALL TO ORDER: Commissioner Wagner called the Tentative Budget Hearing to order at 5:32 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
- Mayor Gary Combs: absent
- Mayor Pro-Tem Ricardo Garcia: absent
- Commissioner Jerry McCallister: present
- Commissioner Ursel Behnken: present
- Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns and Deputy Clerk Sheila Hansen, Residents G. Tom McKinney and Johann Behnken.

HEARING ITEMS:

1. FIRST PUBLIC READING OF ORDINANCE 2011-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2010-2011 - Commissioner McCallister moved to accept Ordinance 2011-01 as read. The motion was seconded by Commissioner Behnken and passed unanimously.

2. FIRST PUBLIC READING OF ORDINANCE 2011-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2010-2011 - Commissioner Behnken moved to accept Ordinance 2011-02 as read. The motion was seconded by Commissioner McCallister and passed unanimously.

3. BUDGET DISCUSSION
   - The Commissioners had all questions answered at the Budget Workshop.

ANNOUNCEMENTS:
Final Budget Hearing – SEPTEMBER 22, 2010 at 5:30 p.m.

ADJOURNMENT: Commissioner McCallister moved to adjourn at 5:38 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.
Town of Shalimar
Planning and Zoning Meeting Minutes
August 25, 2010

CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Co-Chairman Tucker at 6:02 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
- Chairman Brad Gable - Absent
- Member/Co-Chairman Gene Tucker - present
- Member Johann Behnken - present
- Member Mickey Clements - present
- Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, residents Joy Bates, Clay Tarpley, Glenn and Malen Wagner, Julie Getting, Leon Hess

NEW BUSINESS:

I. APPROVE MINUTES FROM THE APRIL 28, 2010 P&Z MEETING - Member Clements moved to approve the minutes of the April 28, 2010 meeting as written. The motion was seconded by Member Behnken and passed unanimously.

II. TREE REMOVAL REQUEST AT 871 BRANDE CT. – Resident requested that she be allowed to remove a tree because she was having a problem with rodents using the tree to get onto her house. Member Behnken moved to approve the removal of the tree provided another tree will be planted. Member Clements seconded the motion. The motion was unanimously passed.

III. SETBACK VARIANCE REQUEST FOR CLAY TARPLEY AT 2573 PALM SHORES DRIVE. Clay Tarpley presented engineering drawings to the board for building a room onto his house. He said he would be removing the existing patio slab and repouring the foundation. Member Dominique moved to approve the variance and Member Behnken seconded the motion. The motion was unanimously approved as per engineering drawings.

ANNOUNCEMENTS:
- September 8, 2010 at 5:30 p.m. -- First Budget Hearing for 2011 Budget
- September 14, 2010 at 6:00 p.m. – Shalimar Town Commission Meeting
- September 22, 2010 at 5:30 p.m. -- Second Budget Hearing for 2011 Budget
- September 29, 2010 at 6:30 p.m. -- Shalimar Planning and Zoning Board Meeting
Member Behnken moved to adjourn the meeting at 7:40 p.m. The motion was seconded by Member Dominique and passed unanimously.

______________________________  ________________________
Sheila Hansen, Secretary        Date Approved

January 26, 2011
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - absent
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Town Attorney Mike Chesser, Deputy Clerk Sheila Hansen, Greg and Rebecca Daniels, Tim Smith and Jim Monte

PLANNING AND ZONING BUSINESS: The Planning and Zoning Board did not meet in July.

TOWN RESIDENTS' TIME – There were no items brought up by town residents.

TOWN ATTORNEY’S REPORT - Attorney Chesser suggested that he and Tom Burns get together occasionally and review ordinances and update ordinances that need updating. They agreed to this and decided to start on the nuisance ordinances.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE July 22, 2010 SPECIALTOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes of the JULY 22, 2010 Town Commission Meeting as written as long as the code violations were discussed in Old Business. The motion was seconded by Commissioner Wagner and passed unanimously.

II. CODE VIOLATIONS – A discussion was held about the residential code violations. Tom Burns relayed that he had sent out letters to a number of residents about violations and that some of these had been resolved. It was decided that it is a priority to update the ordinance on nuisances and vehicles that do not run.

NEW BUSINESS:

I. Drainage Easement – 2558 Barron Court (James Monte) James Monte requested that the drainage easement on the rear of his property be removed. This could possibly be a stormwater problem. Mayor Combs suggested having the stormwater engineer look at the property and see if it is feasible to remove the easement. This was carried forward to the next meeting after the research with the engineers is completed.

II. Boat and storage lot – Mayor Combs brought up setting rules for the use of the Storage lots. These would be temporary rules until the complete storage lot situation is resolved. The suggested rules are:
1. Only 1 item per resident.
2. Only Shalimar residents with valid Shalimar mailing addresses can store items in the storage lot. This would not include business owners or rental property owners.
3. The Town Staff will determine the number of items that can be stored in each lot and will set up a waiting list for people who wish to store items in the lots after the lots are full.
4. No boats, waverunners, jet skis or other aquatic vehicles shall be stored for more than 2 weeks. Storing such vehicles will be done only on a temporary basis.
5. No unregistered items will be stored in the lots.
6. The residents using the lots must register in person with the Town Staff before putting items in the lots and must renew the registration annually during the month of January.

COMMISSIONER MCCALLISTER MADE A MOTION TO APPROVE THE STORAGE LOT RULES AND COMMISSIONER WAGNER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY PASSED.

MAYOR COMBS’ REPORT - Mayor Combs reported that he attended the JLOS meeting and had nothing to report from the meeting. He also announced that the Tidbits would be coming out in the September water bill.

A discussion was also held on passing an ordinance or having a referendum to cap the millage rate at 2.0. A new ordinance would then have to be passed to raise the rate. Tom brought up the fact that the TRIM rules are more stringent than they were in the past and that passing this ordinance may not be necessary. He will send the TRIM rules to each member of the Commission and the discussion will be carried forward to the next meeting.

A discussion was held on passing a resolution declaring August 28, 2010 as Armed Forces Appreciation Day. COMMISSIONER WAGNER MADE A MOTION TO APPROVE THE RESOLUTION. COMMISSIONER MCCALLISTER SECONDED THE MOTION AND IT WAS UNANIMOUSLY PASSED.

After a short discussion it was decided to not do a proclamation supporting National Adult Day Services Week.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - Chief Cash was present, his Monthly Activity report was in the paperwork for the meeting and he informed the Commission that he was making residents aware of burglaries of unlocked vehicles and checking vehicles and leaving notes when they were found unlocked.

TOWN MANAGER UPDATE:
- The Town Manager has nothing else to update the Commission about.

ANNOUNCEMENTS:
FIRST BUDGET MEETING – SEPTEMBER 8, 2010 – 5:30
SECOND BUDGET MEETING -- SEPTEMBER 22, 2010 – 5:30
TOWN COMMISSION MEETING -- SEPTEMBER 14, 2010 – 6:00

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:18 p.m. The motion was seconded by Commissioner Wagner and was passed unanimously.

___________________________________  September 14, 2010
Sheila Hansen, Secretary  Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 5:32 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
- Mayor Gary Combs - present
- Mayor Pro-Tem Ricardo Garcia - absent
- Commissioner Jerry McCallister - present
- Commissioner Ursel Behnken - present
- Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Town Attorney Mike Chesser, Deputy Clerk Sheila Hansen

OLD BUSINESS:

I. APPROVE MINUTES FROM THE July 13, 2010 TOWN COMMISSION MEETING - Mayor Combs entertained a motion to approve the July 13, 2010 minutes. Commissioner Behnken moved to approve the minutes of the July 13, 2010 Town Commission Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

NEW BUSINESS:

I. Code Violations in the town

Mayor Combs reported that he and Town Manager, Tom Burns, drove through the town and checked all properties for code violations. Possible violations included the following items.

1. Basketball hoops on town right away - discussed sending letters to the homeowners’ association and the home owners stating that basketball hoops left on town property would be confiscated and they would have to retrieve them from the town hall.

2. The homeowners at 22 Shalimar drive will be contacted and told they must take care of the unregistered cars by the next Town Commission meeting.

3. George Wilkerson will be contacted about 14 Cherokee needing mowing.

4. The owner on Dana Court that has been accessing his property across town property on Irwin Fleet will be notified that he must come before the Commission and get approval to continue doing so.
Resolution 2010-06 - Resolution finding property within the town in violation of section 26-57, failure of owner to maintain premises clear of weeds and unsightly or unsanitary matter.

A discussion was held about resolution 2010-06 to have the Town Manager inform the owner of the property at 1198 Eglin Parkway that he is in violation of the town Code of Ordinances for unkempt/overgrown vegetation and landscaping as well as accumulated litter and rubbish. The Town Manager will also inform him that the town will charge him $500.00 per month for the town to maintain the property if he does not remedy the problem and this cost will be imposed as a lien upon this property. **Mayor Combs entertained a motion to approve the resolution. Commissioner Behnken moved that the motion be approved and Commissioner McCallister seconded the motion. The motion was unanimously approved.**

**ANNOUNCEMENTS:**

July 28, 2010 - 6:00 - No Planning and Zoning meeting to be held this month.

August 10, 2010 - 6:00 - TOWN COMMISSION MEETING

**ADJOURNMENT:** Commissioner Behken moved to adjourn the meeting at 5:55 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

___________________________________  August 10, 2010
Sheila Hansen, Secretary  Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - absent
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Town Attorney Mike Chesser, Deputy Clerk Sheila Hansen, Greg and Rebecca Daniels, Tim and Sharon Smith, John Alayhemand, Nick Nickoloff, Brian Youpatoff and Johan Behnken

PLANNING AND ZONING BUSINESS: The Planning and Zoning Board did not meet in May.

TOWN RESIDENTS' TIME – Tim Smith brought up the appearance of several areas in the Town, including the vacant Starbuck’s and Giuseppi’s Restaurant. He also mentioned several unregistered cars on residential properties and a boat on Irwin Fleet. It was decided that Tom would write letters to the owners of the properties where there is a problem asking them to take care of the appearance of their property. The Commission agreed that the town would pursue a lien on the Starbuck’s property for the cost of grounds keeping performed by the town.

The Mayor also asked Tom to speak to Kent about getting the Town Hall area completely cleaned up.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE June 8, 2010 TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes of the June 8, 2010 Town Commission Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

NEW BUSINESS:

I. Drainage Easement – 2558 Barron Court (James Monte) – Moved forward to next meeting.

II. HWY 85 Presentation – West Florida Regional Planning Council did a presentation on the final plan for SR 85 corridor management plan.
MAYOR COMBS’ REPORT - Mayor Combs reported that his vehicle as well as several others were gone through during the night of July 12/13 and asked to have the Police Department give out flyers telling residents and suggesting they keep their cars locked.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report but die bring up the ruts in the pavement on Shalimar Drive and Tom stated he would talk to the pavement contractors. The budget was brought up and a motion was made by Commissioner McCallister to adopt the budget as written. Commissioner Behnken seconded the motion and it was passed unanimously.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT - Chief Cash was not present and his Monthly Activity report was in the paperwork for the meeting.

TOWN MANAGER UPDATE:
- The antique police car is still being offered for sale.
- The police department won $10,000 from the state and it was discussed that money may be spent on an electronic traffic information collection sign.

ANNOUNCEMENTS:
- JUNE 30, 2010 - 6:00 - PLANNING AND ZONING MEETING

August 10, 2010 - 6:00 - TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner Behken moved to adjourn the meeting at 8:15 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

_____________________________  ________________
Sheila Hansen, Secretary      August 10, 2010

Date approved
CALL TO ORDER: Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 6:07 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – absent
Commissioner Ursel Behnken – present
Commissioner Jerry McCallister – present
Commissioner Glenn Wagner – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Sheila Hansen, Chief John Cash and Ken Holt.

PURPOSE OF BUDGET WORKSHOP: To review historical fiscal data. Estimate income, expenses and tentative millage rate for the upcoming fiscal year – The Town Commission reviewed the attached salary sheet and budget spreadsheet. There was some discussion with the Mayor reading Commissioner Garcia’s written opinion. The Commission agreed to keep the millage rate at 2.0 mills and approved the proposed FY 2011 salaries and budget.

The hiring of Sheila Hansen as full time Deputy Clerk was discussed. Commissioner McCallister moved to hire Sheila full time at the salary suggested in the tentative budget. Commissioner Wagner Seconded and the motion was passed unanimously.

ANNOUNCEMENTS:

July 13, 2009 - 6:00 - Shalimar Town Commission Meeting

ADJOURNMENT - Commissioner McCallister moved to adjourn the First Budget Workshop at 6:30 p.m. It was seconded by Commissioner Wagner and passed unanimously.

Upon completion of meeting it was noticed that the recorder had malfunctioned so there is no recording of the meeting.
Town of Shalimar
Town Commission Meeting Minutes
June 8, 2010

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - absent
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Town Attorney Mike Chesser, Police Chief John Cash, Deputy Clerk Tina Smith, Deputy Clerk Sheila Hansen, Greg and Rebecca Daniels and Tim and Sharon Smith

PLANNING AND ZONING BUSINESS: The Planning and Zoning Board did not meet in May.

TOWN RESIDENTS' TIME – The residents had nothing to discuss.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE APRIL 13, 2010 TOWN COMMISSION MEETING
Commissioner McCallister moved to approve the minutes of the May 11, 2010 Town Commission Meeting as written. The motion was seconded by Commissioner Wagner and passed unanimously.

NEW BUSINESS:

I. BUDGET AMENDMENT RESOLUTION 2010-05 – Commissioner Wagner made a motion to approve the Budget Amendment Resolution. The motion was seconded by Commissioner McCallister and passed unanimously.

II. T. SMITH UNEMPLOYMENT COMPENSATION – Tom Burns proposed that the Town pay Tina Smith $7000 in lieu of her filing for unemployment. He stated that she would be eligible for $6916.00 unemployment for the first 6 months after she leaves and would very possibly be able to get an extension after that so it would be advantageous for the town to pay her this amount. Commissioner McCallister made a motion that the Town pay Ms. Smith $7000 and have her sign a contract stating she would not file for unemployment. Commissioner Wagner seconded the motion and it passed unanimously.
MAYOR COMBS’ REPORT - Mayor Combs reported that the OCLOC voted 5 to 3 to rescind Resolution 2009-03 which should bring Valparaiso back into the OCLOC.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - Chief Cash stated that his report is attached.

TOWN MANAGER UPDATE:
- The antique police car will be advertised in Car Magazine for $20,000.
- A date needed to be set for the Budget Workshops. It was decided that the Budget Workshop meeting will be on July 6, 2010 at 6:00 p.m.

ANNOUNCEMENTS:
- JUNE 30, 2010 - 6:00 - PLANNING AND ZONING MEETING
- JULY 13, 2010 - 6:00 - TOWN COMMISSION MEETING

Mayor Combs asked about Sheila Hansen taking over Tina Smith’s position. This is a full time position and must be approved by the Commission. It was decided this would be discussed at the Budget Workshop.

Attorney Mike Chesser was asked about the status of a possible lawsuit on Baby J’s barge café. He stated that there is not a lawsuit and that Mr. Laird had sent a letter asking to bring Baby J’s up before the Commission again because he felt that there was a conflict of interest when Mayor Combs voted. Attorney Mike Chesser explained that there was no conflict of interest because there was no monetary value involved in the decision. He stated that Mr. Laird could bring Baby J’s up before the Commission again if he made a change in the application. Attorney Mike Chesser will write a letter to Mr. Laird explaining this.

- Mayor Combs reminded the Commission that the decision to allow the exception had to be made based on compatibility and Attorney Mike Chesser stated that what is in the record had to be clear.

ADJOURNMENT: Commissioner Wagner moved to adjourn the meeting at 6:30 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

___________________________________  __________________________
Sheila Hansen, Secretary  Date approved

July 13, 2010
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

- Mayor Gary Combs - present
- Mayor Pro-Tem Ricardo Garcia - absent
- Commissioner Jerry McCallister - present
- Commissioner Ursel Behnken - present
- Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Town Attorney Mike Chesser, Police Chief John Cash, Deputy Clerk Tina Smith, Planning and Zoning Chairman Brad Gable, Planning and Zoning Members Lynn Dominique and Johann Behnken, Business Owners Steve and Paulette Peterson, Residents Bill and Rachel Hankins, Bernie Reukauf, Jim and Rebecca Monte, Gary Scopes, Mary Hahn, Franklin Burdette, Gary Hall, Grace Prichard, Ruby Monte, John Henderson, Myke and Jen Brown, Thea Kinder, Joe Moore, Cleo Battle, Blanche Ferdon, Jim Roberson, Greg and Rebecca Daniels, Joe and Melanie Wood, Vivian Moser, Sarah and Joe Crews, MK Simpson, Jimmy and Bess Jones, Frank and Gloria Kane, Amy Davis, Henry and Carol Jablonski, Rhonda McKinney, Richard and Helen Hoffert, Karen James, Monique Larson, Tim and Sharon Smith, Wayne and Vickie Warner, Belinda and Ron Richardson, Max McHaney, Roberta Sprague, Bertha Burns, Paul Logan, Veronica Woody, Bob Chapman, Liz Barnes, Lee Steinman and non-residents/not annotated Rick Hunter, Brent and Beth Acree, Joe and Lori Waldo, Hulda Mahlem, Parker and Ana Bradley, Fred Thompson, Fred Thomas, Jim Clawiter, Polly Schambeau, Mark Pattison, Bruce Elis, Rick Hokler, Eric Buckthal, Ron Todd and Pete Pappas.

PLANNING AND ZONING BUSINESS: The Planning and Zoning Board Recommended to the Town Commission that the Special Exception for Alcohol Sales be given by them and that all other operational and development issues be discussed at a later date (referencing the new Baby J’s barge cafe to be moored at the Shalimar Yacht Basin). Mayor Combs stated that this agenda item will be moved to the end of the agenda because it is the biggest issue.

TOWN RESIDENTS’ TIME - Barron Court resident, Rebecca Monte stated that someone came to her house and asked her to sign a petition so that the town would give him the park property off of Barron Court. She did not sign the petition and stated for the record that she’d rather see this property turned into a little neighborhood park. A neighbor of Ms. Monte’s, Vivian Moser, said that she’d rather the property stay as-is or give it to the homeowner who’s requesting it. She doesn’t want the responsibility of liability or upkeep. The Commission previously recommended Mr. Moore and Mr. Pitchford to petition the Barron Court and Erwin Fleet residents before this issue would be put on the agenda so the status will remain open.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report.
OLD BUSINESS:

I. APPROVE MINUTES FROM THE APRIL 13, 2010 TOWN COMMISSION MEETING
   - Commissioner Behnken moved to approve the minutes of the April 13, 2010 Town Commission Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. STORAGE LOT UPDATE:
   - Mayor Combs suggested that the board do something with the current trailers on the lot next to Town Hall. He stated that, since 2 of the Commissioners don’t want a storage lot, they should move to have all trailers moved off of the lot that was to be used temporarily while the Richbourg lot was being developed. Sharon Smith objected to any discussion regarding storage and Attorney Chesser suggested that nothing will be gained by discussing any of this without 5 Commissioners present. Commissioner Behnken moved to table the discussion until all 4 Commissioners and the Mayor are present. Commissioner McCallister seconded the motion and it passed unanimously.
   - Mayor Combs reported that the $1000 estimate from the last meeting to clean up the Richbourg lot would not be enough. Commissioner McCallister moved to authorize Manager Burns to spend up to $2000 to clean up the Richbourg Lot (using his discretion) without removing any valuable trees. Commissioner Behnken seconded the motion and it passed unanimously.
   - Mayor Combs explained that the town made an agreement with Steve Peterson that he could continue to use the lot between Snug Harbor and Shalimar Yacht Basin for trailer storage and the town residents would receive free boat launch. This agreement isn’t working out. Steve nodded in agreement and stated that all of the trailers on that lot belong to Shalimar residents, and he’s losing boat launch revenue. Commissioner McCallister moved to put the lot back under town control, which would null the agreement with the Shalimar Yacht Basin, and give Steve 30 days to remove the trailers that are currently on the town’s lot. Commissioner Behnken seconded the motion. The motion passed unanimously.

NEW BUSINESS:

I. OCLOC RESCISSION OF RESOLUTION 2009-03 - Commissioner McCallister moved that the Okaloosa County League of Cities Executive Board should rescind Resolution 2009-03. The motion was seconded by Commissioner Behnken and passed unanimously.

II. POLYENGINEERING CONTRACT EXTENSION - Manager Burns explained that there is a small wording change in the contract extension (compared to the original contract). Attorney Chesser asked to take a look at it and believes there’s a statute that governs this sort of contract. Commissioner Behnken moved to approve the contract extension verbiage contingent upon Attorney Chesser’s checking into the statute. The motion was seconded by Commissioner McCallister and passed unanimously.
NEW BUSINESS  - There was no new Business.

MAYOR COMBS’ REPORT - Mayor Combs had nothing to report.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister explained that the budget report is attached. Manager Burns stated that if anyone has any questions, they can contact him.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT - Chief Cash stated that his report is attached.

TOWN MANAGER UPDATE:
- The Road Paving Project will start after Memorial Day. All cars will need to be moved off of the streets or the town will have to tow them. Also, everyone was asked to make sure their sprinklers are in line and not pointing at the street. The project will start in Shalimar Commons.
- Residents will soon see a 2% CPI increase on their Waste Management bills.
- The County oil spill plan went to the state EOC yesterday. They are expecting approval by the end of the week.

ANNOUNCEMENTS:
- MAY 26, 2010 - 6:00 - PLANNING AND ZONING MEETING
- JUNE 8, 2010 - 6:00 - TOWN COMMISSION MEETING

Commissioner Behnken reported that she will be out of town for the next Town Commission Meeting. Manager Burns stated that he will try to put together a special meeting when he has confirmation that all 5 of the Commission members will all be available.

Attorney Mike Chesser went over the guidelines for the rest of the Quasi Judicial Hearing. He stated that only factual information should be used to make the decision.

- Several people spoke on the side of approving the Special Exception believing that it will be a asset to the community.
- Several adjacent homeowners briefed their concerns which included: the affects to their quality of life, late night music and people talking and slamming car doors, additional traffic on the residential roads, property values, underage drinking, parking, etc.
- Planning and Zoning Chairman Brad Gable spoke about the recommendations and suggested that the Commission add restrictions to the Special Exception like they did for the Cash’s Liquor Store Special Exception (for example, restrict to beer and wine, time restrictions, parking, capacity, etc.)
- Attorney Mike Chesser introduced emails into the record.

- **Commissioner McCallister moved to disapprove the Special Exception. Commissioner Behnken seconded the motion.** There was some discussion among the board members. Commissioner Behnken stated that she could understand why they would want to be allowed to sell alcohol and asked why they couldn’t start with beer and wine as Chairman Gable had suggested. Mayor Combs stated that he didn’t feel a restaurant serving alcohol would be compatible with the
residential area that surrounds it. After the discussion, Mayor Combs called for the vote. **The motion passed unanimously.**

**ADJOURNMENT:** Commissioner Behnken moved to adjourn the meeting at 8:14 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

___________________________________  __June 8, 2010_____________
Tina Smith, Secretary  Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:03 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

   Chairman Brad Gable - present
   Member/Co-Chairman Gene Tucker - present
   Member Johann Behnken - present
   Member Mickey Clements - present
   Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, residents Tim and Sharon Smith, Thea Kinder, MK Simpson, Ray and Ronnie Morgan, Clay Rathburn, Tom Bickerstaff, Paul Logan, Bill and Rachel Hankins, Jimmy Jones, Mike Turk, Scott Wooley, and applicants Steve and Paulette Peterson, Alan Laird and Robert Gore.

NEW BUSINESS:

I. APPROVE MINUTES FROM THE JANUARY 27, 2010 P&Z MEETING - Member Clements moved to approve the minutes of the January 27, 2010 meeting as written. The motion was seconded by Member Behnken and passed unanimously.

II. SPECIAL EXCEPTION FOR SHALIMAR YACHT BASIN - Chairman Gable read the attached letter from Robert Gore requesting the Special Exception.

Steve Peterson from Shalimar Yacht Basin spoke about the project and explained to the residents present the history of Baby J’s and where the barge would go at the Yacht Basin. Mr. Peterson stated that Baby J’s would be a Restaurant/Bar/Entertainment Center. The barge is 50’ long by 28’ wide and they are planning to moor it parallel to Old Ferry Road behind the hedgerow. They also plan to move some of the current racks to create parking for the restaurant.

Alan Laird spoke up about the specifics but explained that he wasn’t expecting to brief the board about much more than the alcohol-related
questions tonight. Mr. Laird stated that he considers the barge a structure because it’s non-powered. He also reported that it will not be a big live band venue, though there may be a 1-2 piece acoustical group playing.

Parking was a concern for many residents and it was explained that the town ordinances will require a certain number of spaces and the Development will cover the requirements. One Snug Harbor resident stated that some of the parking across from their townhomes was used by Solaris customers and they had to find somewhere else to park. Manager Burns told her that they may be able to look at that property again and make it more restrictive.

Manager Burns then reminded everyone that this meeting is just for the Special Exception to allow/disallow the sale of alcohol at this location. Mr. Laird expects the sales of alcohol to be approximately 25% vs. food sales of approximately 75%. He also stated that the barge is in Joe’s Bayou if anyone is interested in looking at it.

Resident Jimmy Jones feels that a bar would not be allowed in any other residential area in the town so why should it be allowed here, right in the middle of a residential area?

After residents and the applicants gave their input, the P&Z board voiced their concerns and asked questions. Their concerns were:

- Hurricane preparedness
- Electrical/Power
- Water
- Sewer
- Garbage/dumpster(s)
- Dock Security
- Employees
- ADA Compliant
- Days/Hours of operation/music
- Clean up or deterrent for customers throwing things off boat
- Occupancy
- Parking
- Parking lot lighting
- Grease Trap
Many of these concerns were addressed at the meeting and others will be addressed as the process moves along.

**Member Behnken moved to approve the Special Exception with the stipulation that the new restaurant/bar be called a “café” and that the word “bar” be completely eliminated from the advertising and other references to the barge business.** Member Dominique seconded the motion. There was some discussion and more questions. Member Tucker would like more facts before voting. Manager Burns conveyed that it is possible to grant the Special Exception and draft up the contingencies at the same time; the 2 things can parallel each other. Mr. Laird asked that they not do them at the same time so he doesn’t have to pay money on something that might not be approved.

**Member Behnken moved to Recommend to the Town Commission that the Special Exception be given by them and that all other operational and development issues be discussed at a later date.** Member Tucker seconded the motion.

Chairman Gable reminded everyone that there was already a motion on the floor. **Member Behnken withdrew both of his motions and moved to Recommend to the Town Commission that the Special Exception be given by them and that all other operational and development issues be discussed at a later date.** Member Dominique seconded the motion and it passed unanimously.

Manager Burns asked Chairman Gable if he would write up the recommendation for the Commission Meeting on May 11. Chairman Gable reminded the applicants that they will want to have most of the questions answered for the next Planning and Zoning Meeting on May 26 and the Commission may have some of the same questions.

**ANNOUNCEMENTS:**

May 11, 2010 at 6:00 p.m. -- Shalimar Town Commission Meeting

May 26, 2010 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

**Member Behnken moved to adjourn the meeting at 8:10 p.m. The motion was seconded by Member Dominique and passed unanimously.**
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

- Mayor Gary Combs - present
- Mayor Pro-Tem Ricardo Garcia - absent
- Commissioner Jerry McCallister - present
- Commissioner Ursel Behnken - present
- Commissioner Glenn Wagner - present


PLANNING AND ZONING BUSINESS: The Planning and Zoning Board did not meet in March.

TOWN RESIDENTS' TIME:

- Resident Harry Wickliffe would like something done about the cars speeding on Richbourg Avenue.
- Shalimar Yacht Basin owner, Steve Peterson, stated that he was under the impression his issue was supposed to be on the agenda. Manager Burns explained that the Special Exception issue is on the agenda for the April 28, 2010 Planning and Zoning Meeting and he planned on briefing it during his report.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MARCH 9, 2010 TOWN COMMISSION MEETING

- Commissioner McCallister moved to approve the minutes of the March 9, 2010 Town Commission Meeting as written. The motion was seconded by Commissioner Wagner and passed unanimously.

II. BARRON COURT LAND REQUEST - The Barron Court residents have not yet submitted the documentation that was requested of them so this item will be tabled for this meeting and carry over to the next agenda.
III. STORAGE LOT UPDATE - Mayor Combs stated that he’d like to go through the rest of the agenda and leave this issue for last.

NEW BUSINESS:

I. SAFE BOATING PROCLAMATION 2010-01 - Mayor Combs read the title of Proclamation 2010-01. **Commissioner Wagner moved to proclaim May 22-28, 2010 as National Safe Boating Week. The motion was seconded by Commissioner Behnken and passed unanimously.**

MAYOR COMBS’ REPORT - Mayor Combs had nothing to report.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reported that the money for the paving was set aside and there is still enough in reserves to keep the auditors happy.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - Chief Cash stated that the monthly report is included in their packets.

TOWN MANAGER UPDATE:

- The ’55 Chevy Police Car got one bid on ebay for $10,000 but did not meet the reserve price of $15,000. Manager Burns would like to look into selling it through some other means but for now will put more effort into selling it on ebay (include a video, etc.).

- The owner of record for 20 Shalimar Drive was sent a certified letter in reference to their home/property. Mayor Combs asked if he could also send a letter about all of the cars on the neighboring property.

- The old Fritz storage lot doesn’t have an updated occupational license and Manager Burns has also received complaints about the pool at the old Fritz residence on Shalimar Drive.

- The April 28 Planning and Zoning meeting will be the first meeting for a Special Exception Request for Shalimar Yacht Basin to serve alcohol on a floating structure.

ANNOUNCEMENTS:

April 28, 2010 - 6:00 - PLANNING AND ZONING MEETING

May 10, 2010 - 6:00 - TOWN COMMISSION MEETING

Mayor Combs also reminded the board about the OCLOC Dinner which will be on April 20, 2010 hosted by the City of Niceville.

Storage Lot agenda item moved from earlier in the agenda:

- Attorney Chesser went over the rules of how the remainder of this meeting should go. He stated that there should be a motion before there is any discussion.

- **Commissioner Wagner moved to disapprove the plan to develop the vacant lot on Richbourg into a storage facility. The motion was seconded by Commissioner Behnken.**

- Mayor Combs went over the attached slide show, accepting only questions from the Commission while he spoke.
- Residents in favor of Commissioner Wagner’s motion were allowed to give their input: Mike Turk of 910 Sara Drive, Tim Smith of 912 Sara Drive, Mark Gardner (representing the Sullivan Family Trust), Ron Brooks of 903 Sara Drive, Wes Stvil (representing the Fairfield Inn), and Harry Wickliffe of 181 Richbourg Drive all spoke. Some of the issues mentioned were that the storage lot will be ugly, the process has been confusing, the adjacent property owners weren’t notified of this proposal, and EPA regulations should be checked into before moving forward.

- Residents against Commissioner Wagner’s motion were allowed to give their input: Jimmy Jones of 909 Sunset Bay Court, Frank Kane of 133 Gardner Drive, Brad Gable of 139 Gardner Drive and Chairman of the Planning and Zoning Board, Bob Chapman of 910 Sunset Bay Court, Bess Jones of 909 Sunset Bay Court, and Dr. Ellis Porch of 123 Gardner Drive. One of these residents countered each of the 6 issues brought up at the last meeting and some of the other comments against the motion included that the residents were happy with the services that the town offers. One new resident believes this service (and others) adds to the attractiveness of the town.

After residents on both sides spoke, public comments were closed and the Commissioners present each discussed the issue. Mayor Combs called for a vote. The vote failed with Commissioner Wagner and Commissioner Behnken voting Yay and Mayor Combs and Commissioner McCallister voting Nay.

Commissioner McCallister made a motion that the issue be submitted to a referendum. Commissioner Behnken seconded the motion. There was some discussion on how the voting would be handled. Commissioner McCallister amended his motion to wait on any decisions until all 5 commissioners are present. The amended motion was seconded by Commissioner Behnken and passed with Commissioner Wagner voting Nay.

There was some discussion on cleaning up the property to “make it pretty”. A buffer will be left but dead trees and trees smaller than 8” in diameter may be removed.

Commissioner Wagner moved to remove things necessary to make the lot safe. Saplings less than 6’ tall and all dead trees are to be removed but leave the 10’ in the front alone as a possible future buffer zone. Limit this cleanup effort to $1000. Commissioner Behnken seconded the motion and it passed unanimously.

ADJOURNMENT: Commissioner Wagner moved to adjourn the meeting at 7:57 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.
Town Commission Meeting
Minutes
March 9, 2010

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
- Mayor Gary Combs - present
- Mayor Pro-Tem Ricardo Garcia - absent
- Commissioner Jerry McCallister - present
- Commissioner Ursel Behnken - absent
- Commissioner Glenn Wagner - present

Others in attendance: Deputy Clerk Tina Smith, Roy Petry with Polyengineering, Chris Riley with CW Roberts, and residents Donna and Charles Johnson, Victor Martire, Tim and Sharon Smith, McKennie Smith, Wesner St. Vil, Jeff Schweizer, Jean and Ron Brooks, Gene and Frances Brown, Mike Turk, Patti Jean Demski, Sara Tras, and Gail and Cliff Ennis.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not meet in February but the recommendation from their January meeting was tabled from last month’s Commission Meeting (their recommendation is attached) - Mayor Combs recapped what happened at the February Meeting. He asked if the residents who oppose the storage lot had their oppositions in writing. Resident Sharon Smith gave each commission member a list of the residents concerns attached to a copy of a petition that included 48 signatures (30 Shalimar Plantation Residents, 13 other residents, and 5 non-residents). Each concern from the list was addressed (list attached). There was some discussion about doing a survey/petition of town residents but it was decided any type of survey could be skewed based on how it is worded. Commissioner Wagner moved that the town not do a survey at this time and take the time between now and the next Commission Meeting to study the resident’s concerns, take a look at the lot (the layout of it) and at the next Town Commission Meeting, assuming we’re all here, discuss the issue and do a vote on it then. The motion was seconded by Commissioner McCallister and passed unanimously. One of the hotel representatives invited the Commission members to come to the hotel and view the lot from a 4th floor room. The Mayor reminded everyone that Shalimar is not like any other town and many of the free services offered by Shalimar are not offered anywhere else.

TOWN RESIDENTS’ TIME - None of the residents present had any new issues.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 9, 2010 TOWN COMMISSION MEETING - Commissioner Wagner moved to approve the minutes of the
February 9, 2010 Town Commission Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. PAVING CONTRACT - Roy Petry with Polyengineering reported that a representative from CW Roberts, the low bidder, was present. Mr. Petry explained that it would be about $9,000 for the Engineering in addition to the bid price of $187,078.80. Mayor Combs asked the CW Roberts representative if the town allowed them to use the lot next door as a staging area, could we cut come money off of the final bid price. The rep replied that he felt something could be worked out. Commissioner Wagner moved to approve CW Roberts for the paving contract to include the amount as it is written on the bid sheet. Commissioner McCallister seconded the motion. Commissioner McCallister went over the budget sheet attached and explained that the town has enough money to pay for this. Mr. Petry reminded them to budget for 10% more. The motion passed unanimously. Also, they discussed who would be designated to sign the contract and make any negotiations. Commissioner McCallister moved to designate Mayor Combs to be designated to sign the contract and make any negotiations. The motion was seconded by Commissioner Wagner and passed unanimously.

NEW BUSINESS:

I. RESOLUTION 2010-04 - Mayor Combs read Resolution 2010-04 by title and explained that it is a resolution was brought up at the last Okaloosa County League of Cities meeting. Commissioner Wagner moved to approve Resolution 2010-04 as written. The motion was seconded by Commissioner McCallister and passed unanimously.

MAYOR COMBS’ REPORT - Mayor Combs reported that he has been noticing a lot of illegal political signs on Eglin Pkwy. Manager Burns stated that he would meet with Attorney Chesser about the ordinance because the sign ordinance is ambiguous when it comes to political signs.

Mayor Combs also stated that he will be TDY for the next couple of weeks and appointed Commissioner Garcia as the Mayor Pro-Tem.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCALLISTER’S REPORT - Commissioner McCallister reported that, including the money they will be spending on the paving contract, they are still above the auditors guidelines.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - Chief Cash was not present but the police report is attached.

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:

March 31, 2010 - 6:00 - PLANNING AND ZONING MEETING
April 13, 2010 - 6:00 - TOWN COMMISSION MEETING
April 20, 2010 - 6:00 - OCLOC DINNER HOSTED BY NICEVILLE
ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:35 p.m. The motion was seconded by Commissioner Wagner and passed unanimously.

After the meeting adjourned, one of the residents present asked if there was anything the town could do about a property that wasn’t being kept up. Manager Burns will write a letter to the owner on record and keep the concerned resident updated via e-mail.

__________________________________________
Tina Smith, Secretary

April 13, 2010

Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
- Mayor Gary Combs - present
- Mayor Pro-Tem Ricardo Garcia - absent
- Commissioner Jerry McCallister - present
- Commissioner Ursel Behnken - present
- Commissioner Glenn Wagner - absent

Others in attendance: Deputy Clerk Tina Smith, Chief John Cash, Planning and Zoning Member Johann Behnken, Roy Petry with Polyengineering, and residents Tim and Sharon Smith.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board recommendation is attached. The Commission was informed that the recommendation and rules were just posted to the web site for review by the residents. Mayor Combs suggested tabling this item until the next meeting when Manager Burns gets back. Mayor Combs also asked residents in attendance to put their oppositions in writing and either e-mail them to Tina or drop them off at the Town Hall. This will allow the Commission to address each issue.

TOWN RESIDENTS' TIME - The residents present had nothing new to discuss.

TOWN ATTORNEY’S REPORT
- Shalimar Yacht Basin - Attorney Chesser explained that Planning and Zoning Chairman Brad Gable was asked to be Manager Burns’ replacement as the POC for the Shalimar Yacht Basin while Manager Burns is out.
- Title Search on gravesite lot - The parcel ID number has not yet been isolated for this piece of property.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JANUARY 12, 2010 TOWN COMMISSION MEETING - Commissioner Behnken moved to approve the minutes of the January 12, 2010. The motion was seconded by Commissioner McCallister and passed unanimously.

II. PAVING CONTRACT - Roy Petry briefed the bids. Mayor Combs asked Mr. Petry how long the town has to make a decision. They have enough time to wait until Manager Burns returns. Mayor Combs asked Mr. Petry if the lowest bidder could attend the next meeting.
III. RICHBOURG STORAGE LOT UPDATE - Covered under Planning and Zoning Business

NEW BUSINESS:

I. RESOLUTION 2010-03 Supporting the National Marine Fisheries Service -
Commissioner McCallister moved to approve Resolution 2010-03 as written.
The motion was seconded by Commissioner Behnken and passed unanimously.

II. P&Z CHAIRMAN BRAD GABLE AS MANAGER BURNS TEMPORARY REPLACEMENT AS SHALIMAR YACHT BASIN POC - This was discussed under the Town Attorney’s report.

MAYOR COMBS’ REPORT - The Okaloosa County League of Cities Dinner was held and the new officers got sworn in.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister pointed out that the Budget report was in the packet.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT - The Police Department monthly report is attached.

TOWN MANAGER UPDATE - Update on Tom - Clerk Smith reported that Manager Burns had his surgery today and everything went well.

ANNOUNCEMENTS:

   FEBRUARY 24, 2010 - 6:00 - PLANNING AND ZONING MEETING
   MARCH 9, 2010 - 6:00 - TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:57 p.m.
The motion was seconded by Commissioner Behnken and passed unanimously.

___________________________________ March 9, 2010_____________
Tina Smith, Secretary Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:12 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - absent
Member Johann Behnken - absent
Member Mickey Clements - present
Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith and residents Tim and Sharon Smith.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE DECEMBER 16, 2009 P&Z MEETING
   - Member Dominique moved to approve the minutes of the December 16, 2009 Planning and Zoning Meeting as written. The motion was seconded by Member Clements and passed unanimously.

II. EAR AMENDMENT DISCUSSION - Manager Burns will meet with Chairman Brad Gable and get him the information for the Tallahassee contact.

III. STORAGE LOT DISCUSSION - Manager Burns reported that he received the estimates for the fencing (wood along one side and chain link along the other 3 sides), crushed stone base and grubbing of the lot at approximately $22,000.

   The Board discussed different options for the construction of the storage lot and possible layout. Member Dominique stated that he would like to get the lot cleared before deciding on the layout, he feels once it’s cleared, it will be easier to lay the different slots out. Resident Tim Smith asked that no money be put into the lot until it is voted on.

   Manager Burns stated that the Board’s recommendation to the Town Commission can have stipulations and rules attached. Chairman Gable stated that the Planning and Zoning Board had enough information to move forward. The Town Commission will handle the resident’s concerns. Mr. and Mrs. Smith asked that the recommendations be posted to the internet and that part of the recommendation include that the Town Commission not make a decision on the lot until all of the residents have time to look over the documentation. Member Dominique moved to recommend
to the Commission that they move forward with the storage lot project. Based on cost estimates, the cost of the project should not exceed $25,000 (Fencing with rolling gate(s) - $9,000, Crushed Rock with 3” or 4” base - $8,000, Lot Clearing and Grubbing - $3,000, and Concrete Entry - $2,000). The motion was seconded by Member Clements. Member Clements withdrew his second. Member Dominique amended his original motion adding that the information received from Chairman Gable (including the preliminary list of rules) will be posted to the web site to allow residents ample time before the final vote to digest the plan. The motion was seconded by Member Clements and passed unanimously. Member Dominique feels it is up to the Commission if they want to postpone their vote.

NEW BUSINESS - There was no new Business.

ANNOUNCEMENTS:
February 9, 2010 at 6:00 p.m. -- Shalimar Town Commission Meeting
February 24, 2010 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

ADJOURNMENT: Member Dominique moved to adjourn at 7:26 p.m. The motion was seconded by Member Clements and passed unanimously.

______________________________  April 28, 2010
Tina Smith, Secretary  Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Chief John Cash, Town Attorney Mike Chesser, Planning and Zoning Member Johann Behnken, Angela Balent and Kristin McCalister with O'Sullivan Creel, Tim and Sharon Smith, Steve and Paulette Peterson.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have any recommendations for the Town Commission.

TOWN RESIDENTS’ TIME - Town business owner Steve Peterson believes the Town should be obligated to follow the guidelines in Amendment 6 and only charge him for the 24 slips that are not on the submerged land lease. He also invited the town to make an offer to purchase the Yacht Basin again. Attorney Chesser is not comfortable with the town discussing purchase while they are also trying to work out the licensing fee. The Commission appointed Manager Burns as the Point of Contact for any Yacht Basin purchasing discussions and Attorney Chesser will research Amendment 6 to ensure whether or not it pertains to the town.

Resident Sharon Smith asked why the town has so many unmarked police vehicles. Mayor Combs explained that the officers are able to choose if they want their vehicles marked. Also, Chief Cash reported that the Police Department does a lot of traffic enforcement and unmarked vehicles work well for this.

Sharon also asked if there is any schedule for any of the roads to be repaved. Mayor Combs reported that the town just went out for bids to repave several of the roads and the bid opening date is scheduled for January 29.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE DECEMBER 8, 2009 TOWN COMMISSION MEETING

- Commissioner Garcia moved to approve the minutes of the December 8, 2009 Town Commission Meeting as written. The motion was
II. BARRON COURT LAND REQUEST - The residents for this issue are not present. This item will be removed from the agenda until the residents are ready to discuss it again.

III. VALPARAISO APAC CONTRACT - This was discussed earlier in the meeting. No new updates were reported.

IV. RICHBOURG STORAGE LOT UPDATE - Manager Burns reported that the Planning and Zoning Board asked him to go out for bids for different aspects of the lot. They should have a recommendation for the Commission at the February Meeting. The gravesite was mentioned and it was suggested that the town find out the owner of that property.

NEW BUSINESS:

I. AUDIT OUTBRIEF - Angela Balent with O’Sullivan Creel briefly reviewed the Commission. All in all, the town performed well and there were no severe weaknesses.

II. JLUS RESOLUTION - Commissioner Garcia moved to approve Resolution 2010-02 as written. The motion was seconded by Commissioner Behnken and passed unanimously with Commissioners Wagner and McCallister abstaining from the vote.

III. MONEY TRANSFER - Manager Burns transferred $100,000 to the FMIT which he discussed with Finance Commissioner Jerry McCallister before he moved it.

   Commissioner McCallister moved to permit $100,000 to be moved to the FMIT fund. The motion was seconded by Commissioner Garcia and passed unanimously.

MAYOR COMBS’ REPORT - Mayor Combs stated that the next OCLOC dinner will be on Tuesday at the new Soundside restaurant.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister is upset that the town had the same the same write up 2 years in a row with the Purchase Orders. The requirement amount was raised last year but POs still aren’t getting signed.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.
COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - The Police report is attached. Chief Cash also added that there was a bomb threat at the Foodmax today and there have been reports of solicitors on Sara Drive and Carl Brandt.

TOWN MANAGER UPDATE - Manager Burns had nothing to report. Mayor Combs asked Manager Burns why the ’55 Chevy wasn’t used in the Christmas Parade and when will it be sold. Manager Burns explained that all of the lights were removed and the office staff will find the receipts and list the car when they are found.

ANNOUNCEMENTS:

JANUARY 27, 2010 - 6:00 - PLANNING AND ZONING MEETING

FEBRUARY 9, 2010 - 6:00 - TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 7:39 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.

__________________________________________  February 9, 2010  
Tina Smith, Secretary  ___________  Date approved
Town of Shalimar
Planning and Zoning Meeting Minutes
December 16, 2009

CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:02 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
- Chairman Brad Gable - present
- Member/Co-Chairman Gene Tucker - present
- Member Johann Behnken - absent
- Member Mickey Clements - absent
- Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith and residents Jimmy Jones, Frank Kane, Bob Zerull, Mike Cadogan and Tim Smith.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE NOVEMBER 18, 2009 P&Z MEETING - Member Dominique moved to approve the minutes from the November 18, 2009 meeting as written. The motion was seconded by Member Tucker and passed unanimously.

II. EAR AMENDMENT DISCUSSION - Manager Burns related to the board that if they have any inputs for the amendments, please forward the changes to either him or Tina and they will be added.

III. STORAGE LOT DISCUSSION - There were several residents present and there was some discussion on how the lot should be set up, ingress/egress, materials that will be used for the ground and fence, and possible landscape buffer. Resident, Tim Smith, relayed his concerns with creating a storage lot. Member Tucker moved to let Manager Burns run the numbers and find out the cost for clearing, aggregate, fences, etc. to get an idea how much everything will cost. The motion was seconded by Member Dominique and passed unanimously.

NEW BUSINESS:
I. SHARON SMITH/SARA DRIVE RESIDENTS - This item was discussed under the Storage Lot discussion.

ANNOUNCEMENTS:
January 12, 2010 at 6:00 p.m. -- Shalimar Town Commission Meeting
January 27, 2010 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

ADJOURNMENT: Member Tucker moved to adjourn at 7:04 p.m. The motion was seconded by Member Dominique and passed unanimously.

_____________________________  January 27, 2010
Tina Smith, Secretary               Date Approved
CALL TO ORDER – Mayor Pro-Tem Ricardo Garcia called the meeting to order at 6:07 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - absent
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Chief John Cash, and many residents for the Christmas Party.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have any recommendations for the Town Commission.

TOWN RESIDENTS' TIME - Many residents present asked about the storage lot and were informed that the Commission would not be discussing it yet. Manager Burns informed them that the Planning and Zoning Board is still discussing it and it will be ready for the February Commission Meeting.

TOWN ATTORNEY’S REPORT - Attorney Chesser was not present.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE NOVEMBER 10, 2009 TOWN COMMISSION MEETING - Commissioner Wagner moved to approve the minutes of the November 10, 2009 meeting as
written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. BARRON COURT LAND REQUEST - The residents requesting this were not present. This agenda item will be tabled until next month.

III. VALPARAISO APAC CONTRACT - Manager Burns is still waiting on the proposal from Polyengineering. As soon as he receives it, he’ll put the ads in the paper for the paving contract.

IV. RICHBOURG STORAGE LOT UPDATE - There’s nothing new to update.

NEW BUSINESS - There was no new business.

MAYOR COMBS’ REPORT - Mayor Combs was not present.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - The Police Monthly Activity report is attached.

TOWN MANAGER UPDATE - Manager Burns asked all employees to come forward for their bonus checks.

ANNOUNCEMENTS:

   DECEMBER 16, 2009 - 6:00 - PLANNING AND ZONING MEETING

   JANUARY 12, 2009 - 6:00 - TOWN COMMISSION MEETING
ADJOURNMENT: Commissioner Wagner moved to adjourn the meeting at 6:22 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

___________________________________
Tina Smith, Secretary

January 12, 2010
Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:04 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - absent
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - present (arrived at 6:08)

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith and resident Bernard Reukauf.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE OCTOBER 18, 2009 P&Z MEETING - Member Behnken moved to approve the minutes of the October 18, 2009 P&Z Meeting as written. The motion was seconded by Member Clements and passed unanimously.

II. EAR AMENDMENT DISCUSSION - Manager Burns gave Cinco Bayou’s current Comp Plan to Chairman Gable and passed out our current Comp Plan to everyone with needed changes marked. He asked everyone to go through the Comp Plan and highlight all suggested changes.

NEW BUSINESS:

I. STORAGE LOT INITIAL DISCUSSION - Manager Burns passed out a blank plat map of the storage lot and asked the board to start thinking of different ideas for a storage lot
(entry/exit, lighting, layout, rolling gate, push button code, what type of mix (RV vs. boat trailers), etc.)

The Board decided to meet again on December 16, 2009 at 6:00 p.m.

ANNOUNCEMENTS:

December 8, 2009 at 6:00 p.m. -- Shalimar Town Commission Christmas Parade, Meeting and Party
December ?, 2009 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

ADJOURNMENT: Member Dominique moved to adjourn at 7:17 p.m. The motion was seconded by Member Clements and passed unanimously.

______________________________
Tina Smith, Secretary

December 16, 2009

Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present (arrived at 6:04)

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Chief John Cash, and Planning and Zoning Member Johann Behnken and resident Sharon Smith.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have any recommendations for the Town Commission.

TOWN RESIDENTS' TIME - No residents present had any New Business.

TOWN ATTORNEY'S REPORT:

I. RICHBOURG STORAGE LOT UPDATE - Manager Burns reported that the town closed on the new Richbourg lot and he will meet with the Planning and Zoning Board with plans for the new storage lot.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE OCTOBER 13, 2009 TOWN COMMISSION MEETING - Commissioner McCallister moved to
approve the minutes of the October 13, 2009 Town Commission Meeting. The motion was seconded by Commissioner Behnken and passed unanimously.

II. BARRON COURT LAND REQUEST - Manager Burns reported that he met with Attorney Chesser and the town has a deed for this property. Mayor Combs stated that there’s no point in discussing the matter until those owners come back. Manager Burns asked if the board would even consider giving/selling the property to the residents. Mayor Combs said that he might be but the process can not cost the town anything. Manager Burns was instructed to tell the owners if they want to pursue this, they will need to get approval in writing from all Home Owner’s Associations and all property owners whose lots abut the park land in question.

III. VALPARAISO APAC CONTRACT - Attorney Chesser reported to Manager Burns that, according to the town’s ordinances, they would not be able to piggyback on Valparaiso’s contract since we weren’t named in the original RFP. Commissioner Garcia moved to authorize Manager Burns to go out with a new RFP, based on Polyengineering’s specifications. The motion was seconded by Commissioner Behnken and it passed unanimously.

NEW BUSINESS - Manager Burns explained that Steve Shadwell’s car needs a new motor. FWB Motorcar Garage will replace it for $2,500 which is cheaper than a rebuilt. Commissioner Garcia moved that we pursue the engine replacement for $2,500 at FWB Motorcar Garage. The motion was seconded by Commissioner Behnken and passed unanimously.

MAYOR COMBS’ REPORT - Mayor Combs reported that he has received complaints about police cars parked in the median and residents aren’t able to turn onto Gardner Drive. Chief Cash will talk to the Department.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Regions Bank is now charging a $70 maintenance fee. Commissioner McCallister suggests moving the money from 101-010 to a Quality Bond fund.

Manager Burns stated that the auditors are done with the audit and will make their report to the Commission at one of the upcoming meetings. He briefed that there is no
reference in the minutes approving the purchase of the new police car or the cameras. **Commissioner McCallister moved to recommend an amendment to the minutes.** When the purchase of the cameras for $12,500 was discussed at the meeting, it was the Commission’s intent to approve it. The motion was seconded by Commissioner Garcia and passed unanimously.

**Commissioner McCallister moved to recommend an amendment to the minutes.** When the purchase of the new police car from Quality Imports for $25,000 was discussed at the meeting, it was the Commission’s intent to approve it. The motion was seconded by Commissioner Garcia and passed unanimously.

**COMMISSIONER BEHNKEN’S REPORT** - Commissioner Behnken had nothing to report.

**COMMISSIONER WAGNER’S REPORT** - Commissioner Wagner had nothing to report.

**POLICE REPORT** - The monthly police report is attached.

**TOWN MANAGER UPDATE** - Another thing the auditors looked at was the Purchase Order requirement. He would like to do away with all Purchase Orders since any purchases have to be signed by 2 Commission Members.

Resident, Sharon Smith, asked why the rock was added to the side of the road by the school. She reported that they are getting all over the road and parents are using this area to drop off and pick up their kids. Chief Cash will check with the School Resource Officer to get this issue resolved.

**ANNOUNCEMENTS:**

- OCTOBER 20, 2009 - 6:00 - OCLOC DINNER HOSTED BY LAUREL HILL
- OCTOBER 28, 2009 - 6:00 - PLANNING AND ZONING MEETING
ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 6:52 p.m. The motion was seconded by Commissioner Wagner and passed unanimously.

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December 8, 2009

Tina Smith, Secretary

Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:01 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith and Eglin representatives EJ Gomes and Marion Cook.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE AUGUST 26, 2009 P&Z MEETING - Member Behnken moved to approve the minutes from the August 26, 2009 meeting as written. The motion was seconded by Member Tucker and passed unanimously.

NEW BUSINESS:

I. EAR AMENDMENT DISCUSSION - Manager Burns went through the EAR Amendments and timeline. He went through the town’s current Comprehensive Plan and made his suggestions for changes according to the timeline provided by Holly Langston. The Major Issues changes were given to each member. The board will discuss all required changes more at the next meeting.
The Board agreed to move the next meeting because the November meeting is scheduled to be the day before Thanksgiving. It was decided that they would meet one week early, on November 18, 2009 at 6:00 p.m. The December meeting date will be decided at the November meeting.

ANNOUNCEMENTS:
November 10, 2009 at 6:00 p.m. -- Shalimar Town Commission Meeting
November 25, 2009 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

ADJOURNMENT: Co-Chairman Tucker moved to adjourn at 7:00 p.m. The motion was seconded by Member Behnken and passed unanimously.

____________________________  November 18, 2009
Tina Smith, Secretary             Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

MAYOR’S PRESENTATION TO NICHOLAS AND ALEXIS HOPKINS - Maintenance Supervisor Kent Beck and Mayor Combs thanked Nicholas and Alexis and presented them with Town shirts.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Chief John Cash, Maintenance Supervisor Kent Beck, and Residents Bernard Reukauf, Stan Pitchford, James Moore and the Hopkins Family.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not meet in September.

TOWN RESIDENTS’ TIME - The residents present had new new business.

TOWN ATTORNEY’S REPORT:

1. RICHBOURG STORAGE LOT UPDATE - Manager Burns has the final agreement but needs to find out from Attorney Chesser if it is ready to be signed by Mayor Combs.
OLD BUSINESS:

I. APPROVE MINUTES FROM THE SEPTEMBER 8, 2009 TOWN COMMISSION MEETING, SEPTEMBER 10, 2009 TENTATIVE BUDGET HEARING AND SEPTEMBER 22, 2009 FINAL BUDGET HEARING - Commissioner Behnken moved to approve the minutes from the September 8, 2009 Town Commission Meeting, the September 10, 2009 Tentative Budget Hearing and the September 22, 2009 Final Budget Hearing. The motion was seconded by Commissioner McCallister and passed unanimously.

NEW BUSINESS:

I. FMIT RESOLUTION - This resolution will allow the town to join the Florida Municipal Investment Trust if they desire to do so. The Town Commission would still have to approve any money going to the trust. This resolution is only the initial step. Commissioner McCallister moved to approve the resolution. The motion was seconded by Commissioner Garcia and passed unanimously.

II. BARRON COURT LAND REQUEST - Manager Burns explained that he received a request from some residents to either sell or divide the park property to the homeowners. Mayor Combs explained that the town would have to advertise a land sale and the residents are taking a chance that anyone could buy it. He suggested that the interested residents get approval from every property owner whose property abuts the lot, then they’ll see what Attorney Chesser suggests.

Mr. Pitchford stated that there are at least 2 dead trees on that property and Manager Burns said he’d look into it and have the trees removed, if necessary.

Manager Burns reported that Polyengineering said that Shalimar could piggyback on Valparaiso’s contract with APAC. They got a quote for $67/ton. Manager Burns reported that the town could afford $200,000 for repaving. He will check with Attorney Chesser to find out if it’s legal for them to piggyback on another city’s contract.

MAYOR COMBS’ REPORT - Destin’s Mayor Barker will be running for a Senate seat and asked Mayor Combs for a recommendation. Also, the Okaloosa County League of Cities did not meet in September but will have a dinner hosted by Laurel Hill on October 20.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.
COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reported that everyone should have their budget review summary in their packets. Also, he agrees with Manager Burns about repaving the roads but they will need to amend their current budget.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT:
- The police report is attached
- The department has talked to the FBI to help with the safe investigation.
- WalMart donated some money for Halloween candy

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:
- OCTOBER 20, 2009 - 6:00 - OCLOC DINNER HOSTED BY LAUREL HILL
- OCTOBER 28, 2009 - 6:00 - PLANNING AND ZONING MEETING

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 6:54 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

___________________________________
November 10, 2009
Tina Smith, Secretary

___________________________________
November 10, 2009
Date approved
CALL TO ORDER: Mayor Combs called the Final Budget Hearing to order at 5:31 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Glenn Wagner: absent

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith.

HEARING ITEMS:

1. BUDGET DISCUSSION - There was no discussion.

2. SECOND PUBLIC READING OF ORDINANCE 2010-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2009-2010 - Commissioner McCallister moved to approve Ordinance 2010-01 Setting the millage rate for Fiscal Year 2009-2010 as read. The motion was seconded by Commissioner Garcia and passed unanimously.

3. SECOND PUBLIC READING OF ORDINANCE 2010-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2009-2010 - Commissioner McCallister moved to approve Ordinance 2010-02 Establishing the Budget for Fiscal Year 2009-2010 as amended. The motion was seconded by Commissioner Behnken and passed unanimously.
ANNOUNCEMENTS:

SEPTEMBER 30, 2009 – Planning and Zoning Meeting, 6:00 p.m.

OCTOBER 13, 2009 – Town Commission Meeting, 6:00 p.m.

ADJOURNMENT – Commissioner Garcia moved to adjourn at 5:35. The motion was seconded by Commissioner Behnken and passed unanimously.

___________________________________  __________________________________
Tina Smith, Deputy Town Clerk         Date approved
CALL TO ORDER: Mayor Gary Combs called the Tentative Budget Hearing to order at 5:32 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Jerry McCallister: absent
Commissioner Ursel Behnken: present
Commissioner Glenn Wagner: absent

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith.

HEARING ITEMS:

1. FIRST PUBLIC READING OF ORDINANCE 2010-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2009-2010 - Commissioner Garcia moved to accept Ordinance 2010-01 as read. The motion was seconded by Commissioner Behnken and passed unanimously.

2. FIRST PUBLIC READING OF ORDINANCE 2010-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2009-2010 - Commissioner Behnken moved to accept Ordinance 2010-02 with changes. The motion was seconded by Commissioner Garcia and passed unanimously.

3. BUDGET DISCUSSION

- The Commissioners had all questions answered at the Budget Workshop.

ANNOUNCEMENTS:

Final Budget Hearing – SEPTEMBER 22, 2009 at 5:30 p.m.
ADJOURNMENT: Commissioner Garcia moved to adjourn at 5:36 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

___________________________________  _______________________
Tina Smith, Deputy Town Clerk  Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser, Chief John Cash, Planning and Zoning Member Johann Behnken, and Residents Bernie Reukauf and Vivian Moser.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board had no recommendations for the Town Commission.

TOWN RESIDENTS' TIME - The residents present had no new business.

TOWN ATTORNEY’S REPORT:

I. RICHBOURG STORAGE LOT UPDATE - RESOLUTION 2009-01- Attorney Mike Chesser reported that the deal with the School Board has gone through. We received a contract that was filled with impertinent information so Attorney Chesser will work on it and forward it to Manager Burns when it is ready to be signed. He also explained that the attached resolution will also be presented to the School Board to extinguish the covenants related to the empty lots. **Commissioner McCallister moved to accept Resolution 2009-01 as written. Commissioner Garcia seconded the motion and it passed unanimously.**
OLD BUSINESS:

I. APPROVE MINUTES FROM THE AUGUST 11, 2009 TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes from the August 11, 2009 Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

NEW BUSINESS:

I. SPECIAL EXCEPTION ORDINANCE DISCUSSION - Manager Burns reported that he discussed the ordinance change with the Planning and Zoning and they didn’t feel a change was necessary. There were a few changes discussed. Manager Burns also stated that a bigger advertisement may be required because the Ordinance will be updating the Land Development Code.

MAYOR COMBS’ REPORT - Mayor Combs explained that Mr. Cash Moore may be reapplying for a liquor store with a restaurant. Mr. Reukauf stated that he would not be happy with a liquor store even with a restaurant attached.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia stated that the Police Report is attached to everyone’s meeting packets.

COMMISSIONER McCALLISTER’S REPORT - Commissioner McCallister reported that the 2 Budget Hearings will be this month; one on September 10 and one on September 22, both at 5:30 p.m.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT - Chief Cash reiteraterated that the police report was attached. He also spoke to people who own the lot next to the Shell gas station and they said they would move the derelict cars. Mayor Combs also stated that if the Police Department would like to keep the blue Oldsmobile, it needs to be fixed, otherwise sell it.
TOWN MANAGER UPDATE - Manager Burns had nothing new to report.

ANNOUNCEMENTS:

    SEPTEMBER 10, 2009 - 5:30 - TENTATIVE BUDGET HEARING
    SEPTEMBER 22, 2009 - 5:30 - FINAL BUDGET HEARING
    SEPTEMBER 30, 2009 - 6:00 - PLANNING AND ZONING BOARD

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 7:12 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.

___________________________________                      October 13, 2009
Tina Smith, Secretary                                      Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Co-Chairman Tucker at 6:03 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

   Chairman Brad Gable - absent
   Member/Co-Chairman Gene Tucker - present
   Member Johann Behnken - present
   Member Mickey Clements - present
   Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Tina Smith

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JULY 13, 2009 SPECIAL P&Z MEETING - Member Behnken moved to approve the minutes of the July 13, 2009 Special Planning and Zoning Meeting as written. The motion was seconded by Member Clements and passed unanimously.

NEW BUSINESS:

I. EAR DISCUSSION - Manager Burns introduced Holly Langston from the West Florida Regional Planning Council and explained that she has agreed to help the board with the EAR Amendment Process. Ms. Langston went through the attached schedule. The board agreed to the schedule.

Manager Burns briefed the board that Mr. Moore has approached the town again and may plan to reapply for a Special Exception. Mayor Combs would like to rework the
ordinance because, as it is right now, it would require any alcohol selling establishment (restaurant, gas station, etc.) to apply for a special exception. There was some discussion but the board agreed that they didn’t feel it necessary to change the ordinance.

ANNOUNCEMENTS:
September 8, 2009 at 6:00 p.m. -- Shalimar Town Commission Meeting
September 10, 2009 at 5:30 p.m. -- Tentative Budget Hearing
September 22, 2009 at 5:30 p.m. -- Shalimar Final Budget Hearing
September 30, 2009 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

ADJOURNMENT: Member Dominique moved to adjourn at 7:54 p.m. The motion was seconded by Member Behnken and passed unanimously.

Tina Smith, Secretary

October 28, 2009
Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser, Chief John Cash, Planning and Zoning Chairman Brad Gable, Planning and Zoning Member Johann Behnken, and Residents Frank Stephens, Bernard Reukauf, Vivian Moser, and Trisha Mikel.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Board Meeting in July.

TOWN RESIDENTS' TIME - Frank Stephens believes that the Sonic Restaurant may have removed some of the zoning barrier when they remodeled their restaurant a drive-through area. Several suggestions to quell the noise (including signs reminding Sonic customers that they are adjacent to a residential area and erecting a brick wall) were made. Manager Burns stated that he would have to review the original Development plan to ensure that Sonic’s original buffer is still in place. If it is, Sonic would not be required to do anything additional.

TOWN ATTORNEY'S REPORT:

I. RICHBOURG STORAGE LOT UPDATE - Bill Smith informed Manager Burns that, after the survey, the School Board may want more compensation because the property they are trading us for is larger than what they are
receiving. Mr. Smith was informed that it was their idea to trade the property because their lot will be one contiguous lot after the trade. Mayor Combs reported that if Manager Burns doesn't hear back from the School Board soon, the town will move forward with the storage lot on the original property.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JULY 14, 2009 TOWN COMMISSION MEETING, JULY 14, 2009 BOARD OF ADJUSTMENT MEETING AND THE JULY 28, 2009 BUDGET WORKSHOP - Commissioner McCallister moved to approve the minutes from the July 14, 2009 Town Commission Meeting, the July 14, 2009 Board of Adjustment Meeting, and the July 28, 2009 Budget Workshop as amended. The motion was seconded by Commissioner Garcia and passed unanimously.

NEW BUSINESS:

I. SPECIAL EXCEPTION ORDINANCE DISCUSSION - The Commission discussed the Special Exception Ordinance. Mayor Combs asked Manager Burns to rewrite the ordinance and bring it back to the commission for comments. All residents and commission members were informed to e-mail their suggestions to Manager Burns.

Commissioner Wagner reported that he knows someone who is interested in the 1955 Chevrolet. Manager Burns stated that he will sell it on ebay if that’s what the commission wants. Commissioner McCallister moved to direct Manager Burns to list the 1955 Chevrolet Police Car on ebay with a reserve price of $15,000. The motion was seconded by Commissioner Behnken and passed unanimously. Attorney Chesser will make sure it’s legal to sell the car with the police stickers.

MAYOR COMBS’ REPORT - Mayor Combs reported that he is planning on sending another letter to the Department of Transportation about adding a golf cart crossing.

COMMISSIONER GARCIA’S REPORT - The police report is attached.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reminded Manager Burns that the Budget report needed to be attached. He also reported to the Commission that they set the next 2 Budget hearings for September 10 and September 22 at 5:30 p.m. for both meetings.
COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner asked about the junk near the Waffle House Parking Lot. Chief Cash stated that he will talk to the owners about it.

POLICE REPORT - Other than the attached report, Chief Cash had nothing to report.

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:

AUGUST 26, 2009 - 6:00 - PLANNING AND ZONING MEETING

SEPTEMBER 8, 2009 - 6:00 - NEXT TOWN COMMISSION MEETING

SEPTEMBER 10, 2009 - 5:30 - TENTATIVE BUDGET HEARING

SEPTEMBER 22, 2009 - 5:30 - FINAL BUDGET HEARING

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:08 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.

______________________________  _______________________
Tina Smith, Secretary                 September 8, 2009

Date approved
CALL TO ORDER: Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 5:31 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Ursel Behnken – present
Commissioner Jerry McCallister – present
Commissioner Glenn Wagner – absent

Others in attendance: Town Manager Tom Burns and Deputy Town Clerk Tina Smith.

PURPOSE OF BUDGET WORKSHOP: To review historical fiscal data. Estimate income, expenses and tentative millage rate for the upcoming fiscal year – The Town Commission reviewed the attached salary sheet and budget spreadsheet. There was some discussion. The Commission agreed to keep the millage rate at 2.0 mills.

ANNOUNCEMENTS:

August 11, 2009 - 6:00 - Shalimar Town Commission Meeting

ADJOURNMENT - Commissioner McCallister moved to adjourn the First Budget Workshop at 6:21 p.m. It was seconded by Commissioner Garcia and passed unanimously.
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:07 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present


PLANNING AND ZONING BUSINESS - This item will be discussed at the Board of Adjustment Meeting following this meeting.

TOWN RESIDENTS' TIME – The residents present had no new business.

TOWN ATTORNEY'S REPORT:

I. RICHBOURG STORAGE LOT UPDATE – The legal work is done and we now have a deed to our lot. The school board is getting a survey done of their property. Attorney Chesser reported that the Town would be
required to advertise before any trade happens. He will e-mail the proper procedure before the next meeting.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JUNE 9, 2009 TOWN COMMISSION MEETING – Commissioner Garcia moved to approve the minutes of the June 9, 2009 Town Commission Meeting as written. The motion was seconded by Commissioner Wagner and passed unanimously.

NEW BUSINESS – Mayor Combs reported that Manager Burns recently acquired several decorative anchors at a very good price for the park.

MAYOR COMBS’ REPORT – Mayor Combs would like the Police Department to gradually have all Toyota Camrys. Also, the PD is continuing to process their grant and buy the items mentioned in the grant documentation.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister stated that the Commission needed to meet soon for a Budget Workshop. They all decided that July 28, 2009 at 5:30 p.m. would be good. Manager Burns will e-mail everyone the budget information before the meeting.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT – Commissioner Wagner asked if the town was still planning on adding a recycling drop-off location on the lot next to the Town Hall because the recycling truck doesn’t go down his street. Manager Burns will look into it.

POLICE REPORT – Chief Cash is on vacation but the Police Report is attached.

TOWN MANAGER UPDATE – Manager Burns had nothing to report.
ANNOUNCEMENTS:

JULY 21, 2009 - 6:00 - OCLOC DINNER AT TWO TREES RESTAURANT

JULY 29, 2009 - 6:00 - PLANNING AND ZONING MEETING

AUGUST 11, 2009 - 6:00 - NEXT TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 6:16 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.

_________________________   August 11,

2009                                
Tina Smith, Secretary              Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:27 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

- Mayor Gary Combs - present
- Mayor Pro-Tem Ricardo Garcia - present
- Commissioner Jerry McCallister - present
- Commissioner Ursel Behnken - present
- Commissioner Glenn Wagner - present


PLANNING AND ZONING BUSINESS

- The Planning and Zoning Board made a recommendation to the Town Commission regarding the Special Use Exception – Attorney Chesser swore everyone in who planned on presenting their case.

- Planning and Zoning Chairman Brad Gable briefed the Commission on the Board’s recommendation from last night’s Special Meeting and read their list of restrictions.

- Mr. Cash Moore stated that he agreed with 95% of the restrictions. He asked that he be allowed to: 1) Put up 2 window signs, 2) Change the hours to 9-12 on Mon-Sat and 1-9 on Sunday, and 3) Let the Fire Department determine the level of occupancy.
Several residents spoke and brought up issues similar to those brought up at the Planning and Zoning Meeting. Also, many do not believe a Liquor Store would be compatible with the neighborhood.

**Commissioner McCallister moved to deny the recommendation because he doesn’t feel it’s a compatible use. The motion was seconded by Commissioner Wagner.** The Commission weighed and discussed many of the residents’ statements. Mayor Combs called for a vote. **The motion carried unanimously.**

- **Schedule Board of Adjustment meeting to approve final Special Exception Use plan** – There was no need for another meeting to be planned as this recommendation was denied.

**ANNOUNCEMENTS:**

- JULY 21, 2009 - 6:00 - OCLOC DINNER AT TWO TREES RESTAURANT
- JULY 29, 2009 - 6:00 - PLANNING AND ZONING MEETING
- AUGUST 11, 2009 - 6:00 - NEXT TOWN COMMISSION MEETING

**ADJOURNMENT - Commissioner Garcia moved to adjourn the meeting at 8:45 p.m. The motion was seconded by Commissioner Wagner and passed unanimously.**

__________________________
August 11, 2009
Tina Smith, Secretary

Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:12 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
- Chairman Brad Gable - present
- Member/Co-Chairman Gene Tucker - present
- Member Johann Behnken - present
- Member Mickey Clements - present
- Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, Lieutenant John Spohn, Private Steve Shadwell, Patrolman Carl Miley, Cash Moore, Cashen Moore, Patti Baker, and residents Trisha Mikel, Christy Garland, Bernard Reukauf, Edna McCallister, Jerry McCallister, Barry Dovin, Andrew Dovin, Monique Larson, Angela Nowell, Frank Stephens, Ronnie Nowell, Don Jackson, Karen Jackson, Jim Harris, Amanda Harris, Joe Livingston, Joe and Rhonda Ray, Sarah Crews, Joe Crews, Sylvia Cox, Murray Cox, Michael Green, Jan Devoe, Hugh Hilliard, Greg and Leida Bilby, Michelle and Clay Carmical, Larry and Vicki Bryars, David Miller, Candis Carillo, Jim and Susan Czekanski, Steve and Kim McCarthy, Glenn Wagner, Gary Combs, Gordon Talbot.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE APRIL 29, 2009 P&Z MEETING AND THE JUNE 24, 2009 P&Z WORKSHOP - Member Tucker moved to approve the minutes of the April 29, 2009 P&Z Meeting and the June 24, 2009 P&Z Workshop. The motion was seconded by Member Behnken and passed unanimously.

NEW BUSINESS:
I. SPECIAL EXCEPTION (USE) OF GIUSEPPI'S RESTAURANT PROPERTY - Chairman Gable explained his plans for the meeting. He introduced Town Attorney Mike Chesser who explained what a Special Use Exception is and how it is handled, any decision must be made based on facts. He then asked Manager Burns to read the application letter for the record. Manager Burns read both of Mr. Cash Moore’s letters and was asked about the original application. Manager Burns explained that he met with Mr. Moore and didn’t feel that a written development application was necessary because it was only a change of use with no modifications to the existing structure. Manager Burns then spoke with Attorney Chesser who asked for a written application from Mr. Cash. Manager Burns then contacted Mr. Cash and asked him to submit an application in writing.

Chairman Gable then asked Attorney Chesser if any members of homeowners associations that are also on this board should be disqualified from voting. Attorney Chesser stated that, unless the member has a potential for financial gain, he is required to vote.

Several residents came forward to voice their concerns. Chairman Gable called for a recess at 8:07 p.m.

The meeting reconvened at 8:15. After the break, Chairman Gable relayed his list of suggested restrictions and asked for input from the board. The board came up with the following:
- No live or adult entertainment
- No pornographic material of any kind (games, videos, magazines, human, etc.)
- The maximum occupancy rate for the lounge is 20 people
- The hours of operation are 10:00 a.m. - 10:00 p.m. Monday - Saturday and 1:00 p.m. - 9:00 p.m. Sunday. No extended hours will be allowed without special permission from the Town Commission for each occurrence of a change.
- No window signs
- No temporary signage without a Town of Shalimar permit
- Reserve rear parking lot for employee parking only. Start with signage to deter patrons but P&Z board reserves the right to employ additional requirements as necessary
- No extended parking in parking lot
- Deliveries hours are restricted to 9:00 a.m. - 5:00 p.m.
- There will be no drive-through window access
- No other use of the facility will be allowed other than a package store with an attached lounge
- All exterior changes will be approved by the Town Commission
- The owner will consider the installation of additional Stormwater retention

**Member Dominique moved to recommend to the Town Commission to approve the Special Exception based on the restrictions just discussed and anything else that this board may come up with. The motion was seconded by Member Behnken.**

**Member Clements moved to delay the decision until the July 29, 2009 Planning and Zoning Meeting in order to address the compatibility issue and other residents’ concerns. The motion was seconded by Member Behnken. The motion did not pass with 3 voting nay.**

**Chairman Gable called for a vote on the original motion and it passed 4-1 with Member Clements voting nay.**

Attorney Mike Chesser suggested that the current building plans (showing the outline of the lounge) be entered into the record. Also, he asked the board to consider adding a few other restrictions to ensure that the property is as compatible as possible. He brought up that Mr. Moore may sell this business and these restrictions will pass to the next owner so they should be specific. His suggestions were that:
- Signs are to be text only, no graphics
- All trucks with signage can remain long enough to make deliveries but are never to be parked
- Mr. Moore will be required to bring in a landscaping design for improvements to rear buffer zone to be reviewed and approved by the Town of Shalimar

**Member Behnken amended the original motion to recommend to the Town Commission to approve the Special Exception and include the original restrictions and the restrictions brought up by the**
Town Commission Meeting
Minutes
January 12, 2010

Town Attorney. The motion was seconded by Vice-Chairman Tucker and passed unanimously.

ANNOUNCEMENTS:
July 14, 2009 at 6:00 p.m. -- Shalimar Town Commission Meeting
July 29, 2009 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

Chairman Gable read the announcements.

ADJOURNMENT: Vice-Chairman Tucker moved to adjourn at 9:54 p.m. The motion was seconded by Member Behnken and passed unanimously.

______________________________
Tina Smith, Secretary

August 26, 2009
Date Approved

Page 257 of
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:01 p.m. He then led the “Pledge of Allegiance“.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - present  
Member/Co-Chairman Gene Tucker - present  
Member Johann Behnken - absent  
Member Mickey Clements - absent  
Member Lynn Dominique - absent

Chairman Gable noted that there was not a quorum present so this meeting will be a workshop and a special meeting will be scheduled.

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, Cash Moore and residents Trisha Mikel, Jerry McCallister, Bernard and Terry Reukauf.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE APRIL 29, 2009 P&Z MEETING - this item will be tabled until the special meeting.

NEW BUSINESS:

I. SPECIAL EXCEPTION (USE) OF GIUSEPPI’S RESTAURANT PROPERTY - Manager Burns reported that Mr. Cash Moore requested a Special Use Exception through the town hall and paid his fees for the advertising. The advertisement for the Special Meeting will be paid for by the town.

Mr. Moore explained that he hasn't yet purchased the property. His plans include a liquor store and use of the existing lounge area (which now seats
approximately 16-18 people). The lounge issue was not brought up previously and will need to be researched before the next meeting.

Residents present were concerned with their property values declining, more crime, children walking past a liquor store after school, etc. If residents find any proof that property values decline, Manager Burns has asked residents to bring this information to the meeting.

The board asked Mr. Moore to submit a letter before the next meeting explaining the concept of his business operation (hours of operation for lounge, hours of operation for the store, etc.)

A Special Planning and Zoning Meeting is tentatively scheduled for Monday, June 13, 2009. Manager Burns will e-mail everyone after he confirms the date with the remaining 3 board members.

**ANNOUNCEMENTS:**

July 14, 2009 at 6:00 p.m. -- Shalimar Town Commission Meeting
July 29, 2009 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

**ADJOURNMENT:** There was no further business so Chairman Gable adjourned the workshop at 7:10 p.m.

____________________________  _____________________
Tina Smith, Secretary        July 13, 2009
Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - absent
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, resident Vivian Moser.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board didn’t have a meeting in May.

TOWN RESIDENTS’ TIME - The resident present had no new business.

TOWN ATTORNEY’S REPORT:

I. RICHBOURG STORAGE LOT UPDATE - Manager Burns reported that this item is on the school board’s agenda. Also, he asked the commission if the town wants to purchase title insurance. There was some discussion about how the fee for title insurance would be calculated on a land trade. Manager Burns will confer with Attorney Chesser on this issue.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE MAY 12, 2009 TOWN COMMISSION MEETING - Commissioner Garcia moved to approve the minutes of the May 12, 2009 meeting as written. The motion was seconded by Commissioner Wagner and passed unanimously.

NEW BUSINESS - There was no new business to discuss.

MAYOR COMBS’ REPORT - Mayor Combs reported that he attended the June OCLOC lunch meeting and he suggested to the Executive Board that they rescind the Resolution but his motion with the league didn’t receive a 2nd. The entire board agreed that they’d like to have Valparaiso attend the meetings again.

COMMISSIONER GARCIA’S REPORT - Steve Shadwell has been promoted to the rank of Corporal.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister was not present.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT:
- The Police Department wrote 191 tickets last month
- The grant money won’t be received until around September but the items have to be purchased this fiscal year
- The new car will be delivered on June 18

TOWN MANAGER UPDATE:
- The Department of Transportation was contacted about the paving contract. They aren’t going to let the contract until August 2012.
- There is a rumor that the county will be asking the town to pay for a crossing guard though we have received no formal correspondence.
- Manager Burns is working with The City of Fort Walton Beach on their additional permit fees. They have a $20 fee to store the documents and input the data which Manager Burns has asked that they waive and we’ll store the information in our vault. Mr. Bolduc with Fort Walton Beach doesn’t feel it would be fair that his residents pay less than Shalimar for their permit so that fee can not be waived. Mayor Combs suggested Manager Burns talk to the City of Valparaiso.

- The preliminary property tax value is approximately 5% less than it was last year.

ANNOUNCEMENTS:

JUNE 24, 2009 - PLANNING AND ZONING MEETING

JULY 14, 2009 - NEXT TOWN COMMISSION MEETING

JULY 21, 2009 - OCLOC DINNER AT TWO TREES RESTAURANT

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 6:22 p.m. The motion was seconded by Commissioner Wagner and passed unanimously.

___________________________________

July 14, 2009

Tina Smith, Secretary

Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 5:58 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser, Planning and Zoning member Johann Behnken, and residents Vivian Moser and Arthur Johanson.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board recommended to the Commission that Shalimar enter into an agreement with the City of Fort Walton Beach as long as the fee structure does not exceed the current Okaloosa County fees - Manager Burns is reviewing Fort Walton Beach’s fee structure and will report back to the Commission with his findings.

TOWN RESIDENTS' TIME - The present residents had no new business.

TOWN ATTORNEY’S REPORT:

I. RICHBOURG STORAGE LOT UPDATE - Attorney Chesser reported that he mailed a letter to Jeff McInnis. Once we hear back from Mr. McInnis, the next step will be to get a survey.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE APRIL 20, 2009 SPECIAL TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes from the April 20, 2009 Special Town Commission Meeting with changes. Commissioner Garcia seconded the motion and it passed unanimously.

II. ANNEXATION OF 1285 EGLIN PKWY. - SECOND READING OF ORDINANCE 2009-04 - Mayor Combs read Ordinance 2009-04 by title. Commissioner Garcia moved to approve the second reading of Ordinance 2009-04. Commissioner Behnken seconded the motion and it passed unanimously.

NEW BUSINESS - There was no new business.

MAYOR COMBS’ REPORT - Mayor Combs had nothing to report.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia reported that there are some residents on the other side of town who are concerned about the fox. The town is trying to trap it but all attempts have failed so far.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reported that the budget is in good shape.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT:
- Chief John Cash has been doing research on a new police vehicle. He will figure out all of the fees and report it to the Commission.
- Chief Cash would like to offer Carl Miley a full-time position. Manager Burns reviewed the budget and is in agreement. Patrolman Miley is already aware that he will not have a take-home car. Commissioner Garcia moved to offer Patrolman Carl Miley a full-time position as of 1 June 2009. The motion was seconded by Commissioner Behnken and passed unanimously.
Attorney Chesser stated that he is available to attend the annual Attorney’s Conference if the Commission would like him to. Manager Burns reported that there’s money available to send him. The Commission agreed that Attorney Chesser attend the conference and the town will pay his expenses.

**TOWN MANAGER UPDATE** - Manager Burns reported that the Police Department recently received a grant for a little more than $26,000 for police equipment (weapons, digital in-car cameras and computers, radios, etc.)

**ANNOUNCEMENTS:**

- MAY 27, 2009 - PLANNING AND ZONING MEETING
- JUNE 9, 2009 - NEXT TOWN COMMISSION MEETING

**ADJOURNMENT:** Commissioner McCallister moved to adjourn the meeting at 6:39 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.

___________________________________
June 9, 2009

Tina Smith, Secretary

Date approved
CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:00 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Tina Smith.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JANUARY 28, 2009 P&Z MEETING - Member Behnken moved to approve the minutes from the January 28, 2009 Planning and Zoning Meeting as written. The motion was seconded by Member Tucker and passed unanimously.

NEW BUSINESS:

I. WFRPC HOURLY SERVICE AUTHORIZATION - Manager Burns briefed the board that there is $5,000 budgeted and the first 4 things could be done with that money through the West Florida Regional Planning Council (WFRPC). The WFRPC is willing to work for an hourly rate to get the process started. Member Tucker moved to authorize Manager Tom Burns to enter into an agreement with the WFRPC not to exceed $5,000 before the next budget cycle. Member Clements seconded the motion and it passed unanimously.
II. **FIRE HOUSE PLAN APPROVAL** - Manager Burns relayed that he wanted to inform the board about the plans to expand the firehouse on Eglin Pkwy. to add sleeping quarters. The board will not need to approve these plans.

III. **FWB BUILDING INSPECTIONS** - Manager Burns reported that the City of Fort Walton Beach would like to start performing Shalimar’s building inspections. Manager Burns would like this to start before the county starts their courthouse annex renovation. He is comparing the fees of Fort Walton Beach and Okaloosa County but feels that they will be comparable. Everyone on the Planning and Zoning Board were in favor of recommending to the Commission that the Town enter into an agreement with the City of Fort Walton Beach as long as the fee structure does not exceed the current county fees.

**ANNOUNCEMENTS:**

May 12, 2009 at 6:00 p.m. -- Shalimar Town Commission Meeting

May 27, 2009 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

**ADJOURNMENT:** Member Behnken moved to adjourn the meeting at 6:37 p.m. Member Clements seconded the motion and it passed unanimously.

_____________________________________________  July 13, 2009
Tina Smith, Secretary  Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 5:31 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith.

OLD BUSINESS:

I. APPROVE MINUTES OF THE APRIL 14, 2009 TOWN COMMISSION MEETING - Commissioner Garcia moved to approve the minutes of the April 14, 2009 Town Commission Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

NEW BUSINESS:

I. ANNEXATION OF 1285 EGLIN PKWY. - FIRST READING OF ORDINANCE 2009-04 - Mayor Combs read Ordinance 2009-04. Commissioner McCallister moved to approve the first reading of Ordinance 2009-04 as written. The motion was seconded by Commissioner Garcia and passed unanimously.

ANNOUNCEMENTS:

April 21, 2009 - OCLOC Dinner
ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 5:39 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.

Tina Smith, Secretary

Date approved
CALL TO ORDER – Mayor Pro-Tem Ricardo Garcia called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - absent
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser, resident Vivian Moser, and Representatives from Waste Pro, Emerald Waste Service, and Waste Management.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in March.

TOWN RESIDENTS' TIME - The residents present had no new business.

TOWN ATTORNEY'S REPORT:

I. RICHBOURG STORAGE LOT UPDATE - Attorney Chesser reported that the property trade is done but the paperwork is still being processed. Manager Burns will order a survey as soon as he receives the new deed.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MARCH 10, 2009 TOWN COMMISSION MEETING - Commissioner McCallister moved to
approve the minutes from the March 10, 2009 meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

NEW BUSINESS:

I. WASTE PROVIDER PROPOSAL DISCUSSION - The Commission examined the 3 attached proposals. Manager Burns explained that all of the bids are based on the services we currently receive. The residential service bids were:

- Emerald Waste Service - $22.36 per month
- Waste Pro - $21.00 per month
- Waste Management - $15.82 per month

Commissioner McCallister stated that it would be hard to justify a $5 per month price increase to each resident when Waste Management has few complaints. **Commissioner McCallister moved that the Town retain Waste Management.** Commissioner Behnken seconded the motion and it passed unanimously. Manager Burns stated that the commission would need to decide on the terms so he can draft up the contract. **Commissioner Behnken moved that the Town enter a 1-year contract with 3 1-year extensions for a total of 4 years. The motion was seconded by Commissioner McCallister and passed unanimously.**

II. 1285 EGLIN PKWY. ANNEXATION REQUEST - Manager Burns explained that the owner of the old Food Max store has requested his property to be annexed into the town. The Commission decided to have a special meeting on April 20 at 5:30 p.m. for the first reading of an annexation ordinance and the second reading will be at the regularly scheduled May meeting.

MAYOR COMBS’ REPORT - Mayor Combs was not present.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister acknowledged that the current budget numbers are attached. If anyone has any questions they may contact Manager Burns.
COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT:
- Chief Cash reported that the department’s summary is attached
- Steve Shadwell will be covering the Chief’s shifts while he is on vacation and will be back on full-time status April 24
- There has been some discussion about hiring Carl Miley full-time
- Chief Cash will send everyone the new schedule with extended hours

TOWN MANAGER UPDATE:
- Manager Burns has looked at the Police Retirement Plan Actuarial Review and stated that Carl Miley could be added to it with no significant burden.
- It has been discussed at the monthly meetings that the cities start consolidating services. The City of Fort Walton Beach has offered to take over the town’s inspections for the same fees that the county is receiving.
- The West Florida Regional Planning Council will help the Planning and Zoning Board with the Comp. Plan updates for an hourly rate.

There was some discussion about cars parking in the street and on the right-of-way in Shalimar Commons. Chief Cash reported that most of the vehicles that are currently disobeying the law have received several warnings and tickets. Attorney Chesser believes that the town can legally tow these vehicles if they are on town property. When Chief Cash returns from vacation, these vehicles will receive a warning before their vehicles will be towed.

ANNOUNCEMENTS:
- APRIL 21, 2009 - OCLOC DINNER
- APRIL 29, 2009 - PLANNING AND ZONING MEETING
- MAY 12, 2009 - NEXT TOWN COMMISSION MEETING
Also, the NWFLC Summer Dinner Meeting will be on May 8, 2009 and there will be a special meeting on April 20, 2009 at 5:30 p.m.

**ADJOURNMENT:** Commissioner McCallister moved to adjourn the meeting at 7:00 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.

__________________________  _____________
Tina Smith, Secretary  April 20, 2009

Date approved
Town of Shalimar
Town Commission Meeting Minutes
March 10, 2009

CALL TO ORDER – Mayor Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser (left at 6:35 p.m.), Planning and Zoning Board Member Johann Behnken and Resident Arthur Johanson.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in February.

TOWN RESIDENTS' TIME - The residents present had no new business.

TOWN ATTORNEY’S REPORT:

I. RICHBOURG STORAGE LOT UPDATE - Attorney Chesser stated that he plans to meet with Jeff McInnis next week to exchange the deeds. He also told the Commission that they can start setting the public hearing dates.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 10, 2009 TOWN COMMISSION MEETING - Commissioner Garcia moved to approve
the minutes from the February 10, 2009 Town Commission Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. SECOND READING OF ORDINANCE 2009-03 - Commissioner McCallister moved to approve the second reading of Ordinance 2009-03 with the changes discussed. The motion was seconded by Commissioner Garcia and passed unanimously.

III. WM RFP DISCUSSION
- Final Decision to be made at the April 14, 2009 meeting - The Commissioner discussed their inputs for the new waste contract. Mayor Combs reported that he will be out of the county for the next meeting. It was decided that there will be a special meeting on April 20, 2009 (after Mayor Combs returns) if necessary.

NEW BUSINESS:

I. JSF PROCLAMATION 2009-01 - Mayor Combs stated that the county drafted up a proclamation that all of the cities/towns have been asked to sign together at a county-organized signing. He made a few minor changes to the original proclamation and will not be signing it at the signing but he agrees with the attached proclamation. The Commission agreed to the proclamation, therefore Mayor Combs proclaimed that we welcome and support the bed down of the F-35 Joint Strike Fighter and are committed to continue working with the Air Force to resolve any and all current and future issues. Commission Wagner abstained from all discussion and decisions.

MAYOR COMBS’ REPORT - Mayor Combs briefed the commission about the March Okaloosa County League of Cities (OCLOC) lunch meeting. There was a long discussion about Valparaiso’s lawsuit and a motion was passed that the OCLOC sign a resolution asking Valparaiso to try to negotiate fully before going through with the lawsuit or any injunctions.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister stated that everyone has a copy of the current budget. The end of this month is the 6-month mark in our fiscal year.
COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - The Police Department is over budget because of the new radios. The department will make it up by saving money on fuel.

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:

MARCH 25, 2009 - PLANNING AND ZONING MEETING

APRIL 14, 2009 - NEXT TOWN COMMISSION MEETING

APRIL 21, 2009 - OCLOC DINNER - Deputy Clerk Smith stated that we haven’t yet received the invitations to the next OCLOC dinner but they should be sent next week.

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:13 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.

___________________________________  April 10, 2009
Tina Smith, Secretary                      Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser (left at 7:01 p.m.), and Boy Scout Thomas Fitzgerald.

Swear in Mayor Combs, Commissioner Ricardo Garcia, and Commissioner Ursel Behnken - Commissioner Behnken was not present at the meeting. Attorney Chesser administered the oath for Mayor Combs and Commissioner Garcia.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board made a recommendation to the Town Commission that they authorize Manager Burns to ask Jack Dorman to attend a meeting and advise them on the Comprehensive Plan Amendments. Mayor Combs suggested that the Planning and Zoning Board have their meeting with Mr. Dorman and discuss an agreement. If the Planning and Zoning Board is uncomfortable making a decision, they can come back to the Town Commission after they have the figures and what Mr. Dorman will do for the money.

TOWN RESIDENTS' TIME - There were no residents present.

TOWN ATTORNEY'S REPORT:
I. RICHBOURG STORAGE LOT UPDATE - The hearing is scheduled for Friday afternoon. Attorney Chesser reported that, after the hearing, he will not have a deed but a final judgment conveying title. The appellate process will take approximately 30 days from the hearing date.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JANUARY 13, 2009 TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes from the January 13, 2009 Town Commission Meeting. The motion was seconded by Commissioner Garcia and passed unanimously.

NEW BUSINESS:

I. ORDINANCE 2009-03 - The Commission discussed a few changes to the ordinance and Attorney Chesser offered his suggestions. Commissioner McCallister moved to approve the first reading of Ordinance 2009-03 with the changes discussed. The motion was seconded by Commissioner Garcia and passed unanimously.

II. WM CONTRACT DISCUSSION

- Final Decision to be made at the April 14, 2009 meeting - Manager Burns stated that he will e-mail everyone the current Waste Management contract. Any changes that the members would like to see to the current contract should be brought to the next Commission Meeting on March 10. Once Manager Burns has the new specifications, he will go out for RFPs and the Commission should be making a final decision at the April 14, 2009 Meeting.

There was some discussion as to whether or not the new contract needed to be an ordinance. This brought up the current appendices which include old and outdated franchise agreements. Attorney Chesser will look into how the town can legally go about removing these agreements from the Code Book.

MAYOR COMBS’ REPORT - Mayor Combs had nothing to report. He did not attend the last Okaloosa County League of Cities dinner. Manager Burns stated that it was a good dinner with an informative speaker.
COMMISSIONER GARCIA’S REPORT - Commissioner Garcia recently attended the latest Joint Land Use Study (JLUS) meeting.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister went over the attached budget documents with the Commission. He stated that everyone could examine the documents on their own time and e-mail Manager Burns if they have any questions.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT - Chief Cash was not present.

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:

    FEBRUARY 25, 2009 - PLANNING AND ZONING MEETING
    MARCH 10, 2009 - NEXT TOWN COMMISSION MEETING

Before adjourning, Mr. Fitzgerald had a few questions about the town jurisdiction, services, etc.

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:11 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.
March 10,

Tina Smith, Secretary

Date approved
CALL TO ORDER:  The Planning and Zoning Board Meeting was called to order by Co-Chairman Tucker at 6:02 p.m.  He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

  Chairman Brad Gable - absent
  Member/Co-Chairman Gene Tucker - present
  Member Johann Behnken - present
  Member Mickey Clements - present
  Member Lynn Dominique - present

OTHERS IN ATTENDANCE:  Town Manager Tom Burns and Deputy Clerk Tina Smith.

OLD BUSINESS:

I.  APPROVE MINUTES FROM THE AUGUST 4, 2008 P&Z MEETING - Member Behnken moved to approve the minutes of the August 4, 2008 Planning and Zoning Minutes as written.  The motion was seconded by Member Clements and passed unanimously.

II. COMPREHENSIVE PLAN AMENDMENTS - Manager Burns briefed the board that he would like to get assistance from Jack Dorman on several of the amendments.  The town should also be able to get help from the county for the updated Future Land Use Maps.  Manager Burns will call Mr. Dorman to inquire about him returning to a meeting to advise the Planning and Zoning Board.  If more assistance is required, they will ask Mr. Dorman for a proposal.  Member Behnken moved to recommend to the Town Commission that they authorize Manager Burns to request Mr. Dorman to come back and advise the board and that whatever is budgeted may be applied to that effort.  The motion was seconded by Member Clements and passed unanimously.
Manager Burns will e-mail everyone links to examples of school board and other amendment elements. The next meeting will be on February 25, 2009, unless Jack Dorman is not available.

Manager Burns explained that Attorney Chesser has a court date set of February 13 regarding the storage lot trade. We should have a clear deed in hand by mid-March. The Planning and Zoning Board will be the main agency for the planning of the storage lot which will probably start at either the March or April Planning and Zoning Meeting. Manager Burns warned the board that there are some residents who are unhappy that a storage lot is going in on Richbourg but he expects it to be filled shortly after it is open for business.

Member Behnken asked if Manager Burns had an update on the gravel pit property at the end of Snug Harbor (Maxon’s lot). Manager Burns explained that, as of now, there is no change. He sent a letter to Okaloosa County but was told by Growth Management that, unless sand is eroding away, there was nothing they can do.

Member Behnken also inquired about the lot between Shalimar Yacht Basin and Snug Harbor. Manager Burns stated that the town acquired that property and made an agreement with the Shalimar Yacht Basin that they can continue using the property for trailer storage if they allow Shalimar residents free usage of their boat ramp.

**ANNOUNCEMENTS:**

February 10, 2009 at 6:00 p.m. -- Shalimar Town Commission Meeting

February 25, 2009 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

**ADJOURNMENT:** Member Dominique moved to adjourn the meeting at 6:50 p.m. Member Behnken seconded the motion and it passed unanimously.

_____________________________  April 29, 2009___________________
Tina Smith, Secretary  Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 5:58 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser, Chief John Cash, Police Lieutenant John Spohn, Planning and Zoning Member Johann Behnken, Angela Balent and Kristen McCalister from O'Sullivan Creel and Resident Art Johanson.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have a meeting in December.

TOWN RESIDENTS' TIME - The residents present had no new business.

TOWN ATTORNEY'S REPORT:

I. RICHBOURG STORAGE LOT UPDATE - Attorney Chesser reported that all residents who were sent letters have been defaulted. The court has set a date of February 13 where Attorney Chesser will make a motion for an unencumbered deed. The town should have a deed in hand within 30 days of the court date.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE OCTOBER 14, 2008 TOWN COMMISSION MEETING AND THE DECEMBER 9, 2008 TOWN COMMISSION MEETING - Commissioner Garcia moved to approve the minutes of the October 14, 2008 and the December 9, 2008 meetings as written. The motion was seconded by Commissioner Garcia and passed unanimously.

II. AUDIT OUTBRIEF -

NEW BUSINESS - There was no New Business

MAYOR COMBS’ REPORT - The Okaloosa County League of Cities met yesterday and received an Okaloosa County Growth Management on the 7th Special Forces move and how the surrounding cities can help facilitate it. Also, the Quarterly Dinner Meeting is next Tuesday at 6:00 in Crestview.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - The auditors suggested that Manager Burns distribute a monthly budget summary instead of just reporting about it so that the commission can see it on paper. Commissioner McCallister went through the report (the monthly Fiscal Year to date snapshot handout).

- Account #315-000 - the Communications Tax amount is more than what was budgeted
- Account #519-491 - the $1000 elections expense will be moved to account #519-490 since we will not have an election this year
- Account #539-460 - the Repair and Maintenance is higher than what was budgeted because there was a $1400 unbudgeted tractor repair done
- Account #539-640 - This account is higher that what was budgeted because money was paid out this fiscal year that was budgeted for last year ($2000 on Marquee and $10000 for Maintenance Building)
- Account #541-431 - Amounts should be 217 and 2335
- Manager Burns stated that the current interest rate is pretty low and he feels he could get a CD with a little higher rate. The Commission authorized him to get a $50,000 CD for the best rate he can find.

Commissioner Garcia moved to approve all of the above changes. The motion was seconded by Commissioner Behnken and passed unanimously.
The auditors also suggested that the Purchase Order (PO) minimum amount either be raised in the ordinance or the signing of POs should be more closely adhered to. Manager Burns had a copy of the current ordinance with his suggested changes written in. Mayor Combs asked him to draft the amended ordinance and e-mail it out to everyone so there can be a first reading at the next meeting.

**COMMISSIONER BEHNKEN’S REPORT** - Commissioner Behnken had nothing to report.

**COMMISSIONER WAGNER’S REPORT** - Commissioner Wagner had nothing to report.

**POLICE REPORT** - Chief Cash reported that he included the percentages (he compared 2007 numbers with 2008 numbers) and his 2009 goals list. Also, there was a dog bite incident over by Cherokee Park. The victim had surgery this morning. The 2 dogs were taken for a 10-day quarantine and the owners were cited by PAWS for $120 per dog. The “Dangerous Dog” designation procedure has already been started. This procedure costs the pet owner $500 but Manager Burns feels the town may end up paying this fee for the safety of other residents.

Officer Shadwell will be back from Iraq on March 11.

**TOWN MANAGER UPDATE** - Manager Burns asked Regions Bank about direct deposit for the payroll checks. They quoted him at $2.50 per check, approximately $35 per month. Commissioner Wagner stated that he uses electronic banking through Regions Bank for free. Manager Burns will look into the different options.

The Town Hall parking lot hasn’t been sealed/resurfaced in over 10 years. Someone recently gave the town an estimate of $650 which is less than what it cost us to do it ourselves. The man said that they would fill the cracks, resurface the lot, and repaint all of the stripes. The Commission suggested that Manager Burns look into this more and it could get done after everything has been cleared from the parking lot.

**ANNOUNCEMENTS:**

JANUARY 20, 2009 - OCLOC DINNER HOSTED BY THE CITY OF CRESTVIEW
JANUARY 28, 2009 - PLANNING AND ZONING MEETING - Manager Burns reported that he would like to get the Planning and Zoning Board working on the Comprehensive Plan changes.

FEBRUARY 10, 2009 - NEXT TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 6:52 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

2009
Tina Smith, Secretary

February 10,

Date approved
CALL TO ORDER – Mayor Pro-Tem Garcia called the meeting to order at 6:22 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - absent
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - absent

Mayor Pro-Tem Garcia announced that there would be no voting this evening because there was no quorum.

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser, Chief John Cash, Police Lieutenant John Spohn, Patrolman Carl Miley, Maintenance Supervisor Kent Beck, Maintenance man Jeff Adams and many residents were in attendance for the party.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have a meeting in November.

TOWN RESIDENTS’ TIME - No one present had any new business.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:
I.  **APPROVE MINUTES FROM THE OCTOBER 14, 2008 TOWN COMMISSION MEETING** - This item will be tabled until the next meeting.

II. **MAINTENANCE BUILDING UPDATE** - Manager Burns announced that the Maintenance Building is done and everyone is welcome to take a tour of it.

III. **RICHBOURG STORAGE LOT UPDATE** - There was no update on the storage lot.

**NEW BUSINESS** - There was no New Business.

**MAYOR COMBS’ REPORT** - Mayor Combs was not present.

**COMMISSIONER GARCIA’S REPORT** - Commissioner Garcia had nothing to report.

**COMMISSIONER MCCALLISTER’S REPORT** - Manager Burns reported that everything at the audit outbrief went fine. The auditors will brief at one of the upcoming meetings.

**COMMISSIONER BEHNKEN’S REPORT** - Commissioner Behnken was not present.

**COMMISSIONER WAGNER’S REPORT** - Commissioner Wagner was not present.

**POLICE REPORT** - Chief Cash had nothing new to report.

**TOWN MANAGER UPDATE** - Manager Burns had nothing new to report.

**ANNOUNCEMENTS:**

January 13, 2009 - NEXT TOWN COMMISSION MEETING

Mayor Pro-Tem Garcia and Commissioner McCallister passed out the bonus checks to all of the employees.
ADJOURNMENT: The meeting adjourned at 6:25, as there was no further business.

___________________________________  January 13, 2009
Tina Smith, Secretary                     Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney D. Michael Chesser, Chief John Cash, Planning and Zoning Member Johann Behnken, and residents Robert and Vivian Meser and Art Johanson.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have a meeting in September.

TOWN RESIDENTS' TIME - Mr. Johanson feels that the double striping on Cherokee Road and Gardner Drive entice people to drive faster.

TOWN ATTORNEY'S REPORT - Cheryl Brown, a resident who owns one larger lot and would like to subdivide it into 2 smaller lots, has asked that she not be required to replat the property. The Planning and Zoning Board asked her to submit a draft replat before they approve the subdivision. Attorney Chesser informed Manager Burns that he has done a little research on replatting and feels that the Cheryl Brown property would not need to be replatted because, by Florida Statute definition, it's not a subdivision. Mayor Combs doesn't want to override the authority of the Planning and Zoning Chairman and Board but would like to avoid having another Commission Meeting if there is something the Commission can do right now. **Commissioner Behnken moved to approve the division of the 2 lots, without requiring a replat,**
contingent upon the information submitted to the town by Attorney Chesser and the Planning and Zoning Board decision. The motion was seconded by Commissioner McCallister and passed unanimously.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE SEPTEMBER 9, 2008 TOWN COMMISSION MEETING, THE SEPTEMBER 10, 2008 TENTATIVE BUDGET HEARING AND THE SEPTEMBER 17, 2008 FINAL BUDGET HEARING - Commissioner McCallister moved to approve the minutes of the September 9, 2008 Town Commission Meeting, the September 10, 2008 Tentative Budget Hearing and the September 17, 2008 Final Budget Hearing. The motion was seconded by Commissioner Behnken and passed unanimously.

II. MAINTENANCE BUILDING UPDATE - Manager Burns reported that the building is basically done but has no electricity yet. There have been some problems getting the building inspected. Mayor Combs suggested sending an e-mail to County Commissioner Janazzo.

III. RICHBOURG STORAGE LOT UPDATE - The one person who is holding out on signing the Quit Claim deed doesn’t want any trees cut down. Attorney Chesser is still working on the discussions.

NEW BUSINESS:

I. CHRISTMAS PARADE - The Christmas Parade will be right before the December Commission Meeting on December 9. All details will be the same as last year.

II. NOVEMBER MEETING DATE (CURRENT DATE FALLS ON VETERAN’S DAY) - Mayor Combs will be out of town for the November Meeting, as will Commissioner Behnken and Commissioner Garcia. It was decided that the November Meeting will be canceled and if anything comes up, the Commission can call a special meeting.

III. KENT’S LEAVE - Manager Burns explained that Mr. Beck was already pretty low on leave but had to go on Emergency Family leave. He is now in the hole 26.96 hours of annual leave and 24 hours of sick leave. Manager Burns also explained that Mr. Beck plans to work the next few months without taking leave, to allow his leave to catch back up. Commissioner McCallister moved that Mr. Beck be allowed to be in the hole on his annual and sick leave and be allowed to catch it
back up. Commissioner Behnken seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT:

I. MAYOR PRO-TEM APPOINTMENT - Mayor Combs reported that he will be out of town for the next 3 months and has decided on appointing Commissioner Garcia as the Mayor Pro-Tem in his absence.

COMMISSIONER GARCIA’S REPORT - Officer Shadwell should be back to work by April 1.

COMMISSIONER MCCALLISTER’S REPORT:

I. BUDGET AND AUDIT UPDATE - Commissioner McCallister reported that they’ve held all of the required budget meetings. Manager Burns stated that the auditors don’t know which meeting they’ll come to for the outbrief.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - Chief Cash stated that if anyone one the Commission would like to see

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:

OCTOBER 21, 2008 - NEXT OCLOC DINNER MEETING HOSTED BY CINCO BAYOU

OCTOBER 29, 2008 - PLANNING AND ZONING MEETING

NOVEMBER ??, 2008 - NEXT TOWN COMMISSION MEETING
ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 6:51 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

2009

Tina Smith, Secretary

___________________________________

January 13, 2009

Date approved
CALL TO ORDER: Commissioner McCallister called the Final Budget Hearing to order at 5:31 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: absent

Mayor Pro-Tem Ricardo Garcia: present

Commissioner Jerry McCallister: present

Commissioner Ursel Behnken: present

Commissioner Glenn Wagner: present (arrived at 6:34)

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith.

HEARING ITEMS:

1. BUDGET DISCUSSION - There was no discussion.

2. SECOND PUBLIC READING OF ORDINANCE 2009-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2008-2009 - Commissioner Behnken moved to approve Ordinance 2009-01 Setting the millage rate for Fiscal Year 2008-2008 as read. The motion was seconded by Commissioner Garcia and passed unanimously.

3. SECOND PUBLIC READING OF ORDINANCE 2009-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2008-2009 - Commissioner Garcia moved to approve Ordinance 2009-02 Establishing the Budget for Fiscal Year 2008-2009 as read. The motion was seconded by Commissioner Behnken and passed unanimously.
ANNOUNCEMENTS:

SEPTEMBER 24, 2008 – Planning and Zoning Meeting, 6:00 p.m.

OCTOBER 14, 2008 – Town Commission Meeting, 6:00 p.m.

Manager Burns reported that he purchased the $200,000 CD that the commission authorized. He would like to get another one from First National Bank and Trust but they are unable to give us the “no penalty for early withdrawal” option. The Commission agreed to authorize Manager Burns to get another $100,000 CD at 3.25% from First National Bank and Trust.

ADJOURNMENT – Commissioner Garcia moved to adjourn at 5:39. The motion was seconded by Commissioner Behnken and passed unanimously.

________________________________________________________________________
Tina Smith, Deputy Town Clerk                                           Date approved
CALL TO ORDER: Commissioner Jerry McCallister called the Tentative Budget Hearing to order at 5:32 p.m. in Town Hall Chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present, left at 6:17 p.m.
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith and residents Arthur Johanson and Ed and Barbara Toretta.

HEARING ITEMS:

1. FIRST PUBLIC READING OF ORDINANCE 2009-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2008-2009 - Commissioner Garcia moved to accept Ordinance 2009-01 as read. The motion was seconded by Commissioner Behnken and passed unanimously.

2. FIRST PUBLIC READING OF ORDINANCE 2009-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2008-2009 - Commissioner Behnken moved to accept Ordinance 2009-02 as read. The motion was seconded by Commissioner McCallister and passed unanimously.

3. BUDGET DISCUSSION
- The Commission went through the budget changes made at the workshops.
- It was decided that everyone who received compensation in lieu of medical insurance would receive a raise in that compensation. Manager Burns iterated that he based the new figure on 25% of the insurance rate for a 30-40 year old. The commission agreed to this new calculation and that this new calculation will need to be defined in the Personnel Policy.

- A new police car is not in the budget for this year but Mayor Combs stated that he would agree to buying a new car this year is the 1955 Chevy police car is sold. Commissioner McCallister doesn’t believe it is the right time to try and sell it but everyone agreed that a price can be researched the car can be put on ebay with a reserve.

- The commission would like Manager Burns to look into offering direct deposit for employees’ paychecks.

ANNOUNCEMENTS:

Final Budget Hearing – SEPTEMBER 17, 2008 at 5:30 p.m.

ADJOURNMENT: Commissioner Garcia moved to adjourn at 6:20 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.

___________________________________  __________________________________
Tina Smith, Deputy Town Clerk  Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present

Mayor Pro-Tem Ricardo Garcia - present

Commissioner Jerry McCallister - present

Commissioner Ursel Behnken - present

Commissioner Glenn Wagner - present


PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have a meeting in August.

TOWN RESIDENTS' TIME - Many residents present live on lots that abut Meigs Executive Park and have asked that the trees on the commercial property that are overhanging onto their lots be trimmed back. Mayor Combs asked Manager Burns to get an estimate for the pruning job. **Commissioner Behnken moved to authorize Manager Burns to hire an arborist to prune all of the overhanging limbs. The pruning job should not exceed $1000. The motion was seconded by Commissioner Wagner and passed with Commissioner McCallister abstaining.** Manager Burns stated that destruction of property will be his criteria. If the arborist doesn’t believe the tree can be pruned without killing it, the issue will be brought to the Planning and Zoning Board to get approval before the tree is removed.
One Shalimar Commons resident reported that there is Sumac growing rampant right outside her fence. Manager Burns stated that this is an issue that he will handle separately.

Many residents along Sara Drive and Carl Brandt Drive received an anonymous letter that the town is trying to acquire the county right-of-way property to add a boat ramp. Mayor Combs explained that the town has inquired to the county about this property but has no plans, at this time, to build a boat ramp. The town has a new agreement with the Shalimar Yacht Basin to allow residents to use their boat ramp for free.

TOWN ATTORNEY’S REPORT - The town attorney had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE AUGUST 12, 2008 TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes from the August 12, 2008 Town Commission Meeting as written. The motion was seconded by Commissioner Garcia and passed unanimously.

II. MAINTENANCE BUILDING UPDATE - Manager Burns reported that the ramps were poured today. The interior has been painted once but needs another coat. Maintenance Supervisor Kent Beck is now working on the punch list. Mayor Combs suggested that he and Commissioner Garcia walk through the building and help with the list before the engineers come through.

III. RICHBOURG STORAGE LOT UPDATE - Attorney Chesser stated that the lawsuit has been filed and tomorrow is the default date.

NEW BUSINESS:

I. FLORIDA SUNSHINE LAW RESOLUTION 2008-04 - Commissioner Garcia moved to approve Resolution 2008-04 as written. The motion was seconded by Commissioner Behnken and passed unanimously.

MAYOR COMBS’ REPORT:
I. **TIDBITS - ARTICLES DUE TO TINA BY TUESDAY, SEPTEMBER 23** - Commissioner Behnken asked if she would need to do a “Yard of the Quarter” article. Clerk Smith informed her that Supervisor Beck can do the article, like last quarter.

**COMMISSIONER GARCIA’S REPORT:**

I. **SAM ROBERTS RELEASE** - Commissioner Garcia briefed the commission on the history of Detective Roberts and read the attached letter. Manager Burns added that Detective Roberts position was held for over 3 months while he was going through Physical Therapy. Detective Roberts is uncertain when he might be able to return to work. Mayor Combs believes that Detective Roberts should be laid off but stated that he can reapply when he’s ready to work again and, if there’s an opening, he will get preference. Commissioner McCallister was concerned that Detective Roberts may be unable to continue receiving Workmen’s Compensation payments if the town lays him off. Manager Burns checked into this and stated that, since the injury occurred while Detective Roberts was a full-time employee, he will continue to receive payment from Workmen’s Compensation. **Commissioner Garcia moved that he agrees with the content of the letter and authorized Manager Burns to submit the letter to Detective Roberts. The motion was seconded by Commissioner Behnken and passed unanimously.**

Manager Burns reported that the Police car was fixed but something small went wrong when it was road tested.

**COMMISSIONER MCCALLISTER’S REPORT:**

I. **BUDGET AND AUDIT UPDATE** - Commissioner McCallister reminded everyone that there will be a budget meeting tomorrow at 5:30 p.m. and next Wednesday, September 17, at 5:30 p.m. He and Manager Burns met with the auditor tonight and will meet again after the audit draft is complete.

**COMMISSIONER BEHNKEN’S REPORT** - Commissioner Behnken had nothing to report.

**COMMISSIONER WAGNER’S REPORT** - Commissioner Wagner had nothing to report.
POLICE REPORT - Chief Cash stated that the Police Report is attached and checked to make sure everyone is still receiving the WAR reports via e-mail.

TOWN MANAGER UPDATE - Manager Burns reported that the new marquee signs have been ordered and should be delivered and installed in approximately 6-8 weeks.

ANNOUNCEMENTS:

- SEPTEMBER 10, 2008 - FIRST BUDGET HEARING
- SEPTEMBER 17, 2008 - SECOND BUDGET HEARING
- SEPTEMBER 24, 2008 - PLANNING AND ZONING MEETING
- OCTOBER 14, 2008 - NEXT TOWN COMMISSION MEETING
- OCTOBER 21, 2008 - NEXT OCLOC DINNER MEETING HOSTED BY CINCO BAYOU

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 7:09 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

___________________________________  October 14, 2008
Tina Smith, Secretary                      Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Allison Sebastian, Police Chief John Cash, Police Lieutenant John Spohn, Planning and Zoning Member Johann Behnken, and resident Ken Holt.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board had no new recommendations for the Town Commission to approve.

TOWN RESIDENTS' TIME - The resident present had no new business.

Mayor Combs proclaimed September 17-23, 2008 as Constitution Week.

TOWN ATTORNEY'S REPORT - Attorney Sebastian reported that the Quiet Title Action process could take 2-5 months. The residents who signed the Quit Claim deeds will still be served because the legal description on the paperwork was incorrect.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JULY 8, 2008 BUDGET WORKSHOP II, EAR MEETING AND TOWN COMMISSION MEETING - Commissioner Garcia moved to approve the minutes from the July 8, 2008 Budget Workshop II, EAR Meeting, and Town Commission Meeting. The motion was seconded by Commissioner Behnken and passed unanimously.

II. MAINTENANCE BUILDING UPDATE - Manager Burns reported that we are waiting on the electric inspections. Also, he consulted with the Town Engineers last week about the bolt placement and the cracks in the concrete. The phone company representative came out yesterday. Maintenance Supervisor, Kent Beck, is on Emergency leave but will be back this week.

III. RICHBOURG STORAGE LOT UPDATE - This item was discussed during the Town Attorney’s Report.

NEW BUSINESS - Manager Burns stated that some damage of the electronic marquee sign may have been from our sprinklers. The sign company offered to give the town new sign for free if the town will pay for a second sign and installation of both all for $12,000. Commissioner Garcia moved to authorize Manager Burns to work out a deal under $12,000. The motion was seconded by Commissioner McCallister and passed unanimously.

MAYOR COMBS’ REPORT - Due to recent vandalism in Cherokee Park, Manager Burns reported that they decided to remove the memorial table. He briefed a few plans for security lighting, etc. Mayor Combs recommended that Manager Burns come up with a security plan and execute it then brief the Commission on what has been done.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia reported that last week, there were several instances of kids breaking into unlocked vehicles and stealing items retrieved from inside.

COMMISSIONER MCCALLISTER’S REPORT:

I. SET DATES FOR BUDGET MEETINGS (9/10 AND 9/17?) - Both dates are good for everyone. The meetings will be held at 5:30 p.m.

O’Sullivan Creel’s contract needs to be renewed and they have quoted a fee of $11,600. Commissioner McCallister moved to authorize
Manager Burns to renew O’Sullivan Creel’s contract. The motion was seconded by Commissioner Garcia and passed unanimously.

The town has a $220,000 CD that will mature on September 12. Manager Burns would like to split the money and reinvest it into 2 FDIC insured local banks. He would also like to consolidate 3 of the other CDs. The commission looked over the paperwork and agreed with his idea.

COMMISSIONER BEHNKEN’S REPORT - Johann Behnken has been approached by several residents that there should be some sort of warning to drivers who are turning right onto Eglin Pkwy. from Shalimar Drive. Mayor Combs asked why the speed limit is 40 MPH here and 30 MPH in Fort Walton Beach. There was some discussion over different resolutions about the left turn at the light. The Commission asked Chief Cash and Manager Burns to look into both issues.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT:
- Everyone should be receiving the WAR reports
- There has been a rash of counterfeit $5 and $10 bills

Chief Cash was asked about the issue with Art Johanson and his neighbor’s tree. Mayor Combs believes that it is a civil matter.

TOWN MANAGER UPDATE - Manager Burns already made his report but reminded everyone that school starts on Monday.

ANNOUNCEMENTS - Mayor Combs clarified that the 2 upcoming budget hearings will be held at 5:30 p.m.

   AUGUST 27, 2008 - PLANNING AND ZONING MEETING

   SEPTEMBER 9, 2008 - NEXT TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:08 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.
Town of Shalimar
Planning and Zoning Special Meeting Minutes
August 4, 2008

CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:03 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Deputy Clerk Tina Smith.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JULY 30, 2008 P&Z MEETING - Member Behnken moved to approve the minutes of the July 30, 2008 P&Z Meeting as written. The motion was seconded by Member Tucker and passed unanimously.

II. LOT DIVISION REQUEST - Manager Burns briefed the board about his meeting with Attorney Chesser regarding the lot division. The board agreed that there would be no reason to deny the division but would like the property owner to submit a preliminary plat to them for approval. The preliminary plat will then be forwarded to the commission for approval.

ANNOUNCEMENTS:
August 12, 2008 at 6:00 p.m. -- Shalimar Town Commission Meeting
August 27, 2008 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting
ADJOURNMENT: Member Tucker moved to adjourn the meeting at 6:19 p.m. Member Clements seconded the motion and it passed unanimously.

Tina Smith, Secretary

January 28, 2009

Date Approved
Town of Shalimar
Planning and Zoning Meeting Minutes
July 30, 2008

CALL TO ORDER: The Planning and Zoning Board Meeting was called to order by Chairman Gable at 6:01 p.m. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - present
Member Johann Behnken - present
Member Mickey Clements - present
Member Lynn Dominique - absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith and residents Reedus and Linda Haraway.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JUNE 25, 2008 PLANNING AND ZONING MEETING - Member Behnken moved to approve the minutes of the June 25, 2008 Planning and Zoning Meeting. The meeting was seconded by Member Tucker and passed unanimously.

NEW BUSINESS:

I. LOT DIVISION REQUEST - This item was moved to the end of the agenda.

II. 14 PLEW TREE REMOVAL REQUEST - The homeowner of 14 Plew Avenue briefed the Board that her insurance company is threatening to cancel her policy because they want this tree removed. The tree is approximately 18 inches from the structure and the homeowner fears that the tree will fall and destroy the foundation. Manager Burns stated that a certified
arborist with Valleycrest inspected the tree and stated that it is healthy and quite old so Manager Burns could not permit its removal. **Member Behnken moved to allow the resident on Plew to cut down the tree because he believes it could push up the house or endanger the house and since there are other trees in the yard.** Member Tucker seconded the motion. There was some discussion about possible underground utilities, etc. **The vote was 3-1 with Chairman Gable voting nay.**

**LOT DIVISION REQUEST** - Town Manager Burns reported that the homeowner at 25 Shalimar Drive would like to split her lot. The board reviewed the Code book and found that all of the minimum requirements could be met - there’s no reason to disallow the owner to split. The Board would like to have a meeting with the town attorney to answer their questions before they make a decision. They agreed that they’d meet again for a special meeting next week on either Monday or Wednesday before the Commission Meeting.

**ANNOUNCEMENTS:**

August 12, 2008 at 6:00 p.m. -- Shalimar Town Commission Meeting
August 27, 2008 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

**ADJOURNMENT:** **Member Behnken moved to adjourn the meeting at 6:53 p.m.** Member Clements seconded the motion and it passed unanimously.

____________________________  _________________________
Tina Smith, Secretary          Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:39 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Police Chief John Cash, Police Lieutenant John Spohn, Planning and Zoning Member Johann Behnken, residents John Herby and Ron Brooks, Jack Dorman, Jeremy Goek, and Anthony Crawford.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Business was discussed at the Public Hearing.

TOWN RESIDENTS’ TIME - The residents present had no new business.

TOWN ATTORNEY’S REPORT - Attorney Chesser reported that the civil action on the school property swap will be filed by the end of the week.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JUNE 10, 2008 COMMISSION MEETING - Commissioner McCallister moved to approve the minutes from the June 10, 2008 Town Commission Meeting as
written. The motion was seconded by Commissioner Garcia and passed unanimously.

II. MAINTENANCE BUILDING UPDATE - The contractor who is in charge of the building had a family emergency and doesn’t know when he will return to the job. Mayor Combs expressed his concern about having an open, unfinished building during hurricane season. The Commission agreed and would like it to be sealed up soon. Manager Burns was directed to call the contractor to express their concerns and ask for a timeline. He will e-mail everyone the update and timeline.

III. RICHBOURG STORAGE LOT UPDATE - This was discussed briefly in the Town Attorney’s Report (above). There are several derelict cars on the town’s lot as well as part of the school’s lot. One of the car owners (a Dana Court resident) has been warned that her car will be towed if she doesn’t move it. Chief Cash tried to contact her one last time as a courtesy but no one answered her door. Manager Burns stated that, if the car isn’t moved by tomorrow, it will be towed. The Commission also directed Chief Cash to talk to someone at the school and let them know that the Shalimar Police Department will enforce illegal parking on their part of the lot.

IV. LOT BETWEEN SNUG HARBOUR AND SYB UPDATE - Mayor Combs stated that he and Manager Burns are trying to set up a meeting with Shalimar Yacht Basin owner, Steve Peterson. They would like to discuss the different options for the property the town just purchased. Mr. Peterson currently has an agreement with the previous owner to lease that property and store boat trailers on it. Mayor Combs stated that he would like to meet with Steve before next Friday.

Mayor Combs also stated that Mr. Arney’s property still has debris and large pieces of concrete on it. The maintenance department was asked to assess the situation but there’s not a lot the town can help with right now because the tractor’s up in Crestview getting fixed.

NEW BUSINESS:

I. EMERALD COAST FIREFIGHTERS ASSOCIATION REQUEST - The Emerald Coast Firefighters Association is in the midst of a fundraiser and has come to the commission to ask for an extension of the current soliciting hours. Right now they are only allowed to solicit Monday through Friday from 10 a.m. until 4 p.m. The commission agreed to add Saturday
and allow them to solicit from 10 a.m. until 7 p.m. This will be done on a case-by-case basis in the future.

MAYOR COMBS’ REPORT - Mayor Combs reported that he contacted the Department of Transportation again regarding a golf cart crossing across Eglin Parkway/Hwy. 85. They are still against it but told him to resubmit the paperwork again.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken complimented Kent Beck on a wonderful, well-written Yard of the Quarter Tidbits article.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - The Police Report is in the packets.

TOWN MANAGER UPDATE - Manager Burns stated that one of the $150,000 CDs will be maturing tomorrow and he was offered a CD from Colonial Bank for 18 months at 4.05%. Commissioner Behnken stated that she thought Beach Community Bank had a CD for 4.5%. Manager Burns stated that, unfortunately, some offers don’t apply to us but that he would call around before locking into anything. **Commissioner Wagner authorized Manager Tom Burns to put the money from the mature CD into the 18-month CD at 4.05% (unless he can find a better rate). The motion was seconded by Commissioner Garcia and passed unanimously.**

Attorney Chesser briefed that he received a letter and contract from the State Attorney’s office. The State Attorney’s office would prosecute anytime a Shalimar law is broken (not a state law). Mayor Combs was told that all of the other local cities have signed the contract. He will ask around to make sure this is the case before he agrees to the contract.

Manager Burns asked for support in pursuing the acquisition of a small piece of right-of-way property on Carl Brandt. The Commission all agreed.
ANNOUNCEMENTS:

JULY 30, 2008 - PLANNING AND ZONING MEETING

AUGUST 12, 2008 - NEXT TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 7:40 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.

______________________________           _________________________
Tina Smith, Secretary                August 12, 2008

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser (arrived at 6:03), Police Chief John Cash, Police Lieutenant John Spohn, Planning and Zoning Member Johann Behnken, residents John Herby and Ron Brooks, Jack Dorman, Jeremy Goek, and Anthony Crawford.

EVALUATION AND APPRAISAL REPORT (EAR) ADOPTION - RESOLUTION 2008-03 - Jack Dorman explained the history of the process; that the Planning and Zoning Board has met several times in the last year to get to this point. He then briefed the Department of Community Affairs suggested changes. Commissioner McCallister moved to approve Resolution 2008-03 as written. The motion was seconded by Commissioner Garcia and passed unanimously.

ANNOUNCEMENTS:

JULY 8, 2008 - 6:00 PM - TOWN COMMISSION MEETING
JULY 30, 2008 - 6:00 PM - SHALIMAR PLANNING AND ZONING MEETING
ADJOURNMENT - Commissioner Wagner moved to adjourn the meeting at 6:37 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.

Tina Smith, Secretary

August 12, 2008

Date approved
CALL TO ORDER: Mayor Gary Combs called the second Budget Workshop of the Shalimar Town Commission to order at 5:46 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

- Mayor Gary Combs – present
- Mayor Pro-Tem Ricardo Garcia – present
- Commissioner Ursel Behnken – present
- Commissioner Jerry McCallister – present
- Commissioner Glenn Wagner – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Jack Dorman, Anthony Crawford, and Jeremy Goek.

SECOND READING OF ORDINANCE 2008-05 - FY08 BUDGET AMENDMENT - Commissioner Behnken moved to approve the second reading of Ordinance 2008-05 as written. The motion was seconded by Commissioner Garcia and passed unanimously.

APPROVE MINUTES FROM THE JUNE 24, 2008 BUDGET WORKSHOP I - Commissioner Behnken moved to approve the minutes of the June 24, 2008 Budget Workshop as written. The motion was seconded by Commissioner Garcia and passed unanimously.

PURPOSE OF BUDGET WORKSHOP 2: To review historical fiscal data. Estimate income, expenses and tentative millage rate for the upcoming fiscal year - Commissioner McCallister reported that he and Manager Burns reviewed the fuel budget and decided to leave it at $18,000. The Commission then discussed and agreed on setting the tentative millage rate at 2.0 mils.
ANNOUNCEMENTS:

July 8, 2008 - 6:00 p.m. - EAR Public Hearing
July 8, 2008 - 6:10 p.m. - Town Commission Meeting
July 30, 2008 - 6:00 p.m. - Planning and Zoning Meeting

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 5:52 p.m. Commissioner Garcia seconded the motion and it passed unanimously.

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Tina Smith, Secretary
August 12, 2008

Date approved
CALL TO ORDER: The Special Public Hearing was called to order by Chairman Gable at 5:58 p.m. He announced that there are 2 members absent but there is a quorum present. He then led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - absent
Member Johann Behnken - present
Member Mickey Clements - absent
Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Deputy Clerk Tina Smith and Jack Dorman.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MARCH 10, 2008 SPECIAL P&Z MEETING - Member Dominique moved to approve the minutes from the March 10, 2008 Special Planning and Zoning Meeting. The motion was seconded by Member Behnken and passed unanimously.

II. EAR CHANGE APPROVAL - Mr. Jack Dorman went over the revised EAR. Member Gable asked for Public Comments and no input was given. Member Dominique moved to recommend to the Shalimar Town Commission the adoption of the Evaluation and Appraisal Report with the changes. The motion was seconded by Member Behnken and passed unanimously.

ANNOUNCEMENTS:
July 8, 2008 at 6:00 p.m. -- Shalimar Town Commission Meeting
July 30, 2008 at 6:00 p.m. -- Shalimar Planning and Zoning Board Meeting

ADJOURNMENT: Member Dominique moved to adjourn the meeting at 6:17 p.m. Member Behnken seconded the motion and it passed unanimously.

____________________________  _________________________
Tina Smith, Secretary                Date Approved
CALL TO ORDER: Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 5:31 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Ursel Behnken – present
Commissioner Jerry McCallister – present
Commissioner Glenn Wagner – present

Others in attendance: Town Manager Tom Burns and Deputy Town Clerk Tina Smith.

FIRST READING OF ORDINANCE 2008-05 - FY08 BUDGET AMENDMENT - Ordinance Number 2008-05 was discussed at the last Commission Meeting. Money has been added to the budget to purchase a piece of property. Commissioner McCallister moved to approve the first reading of Ordinance 2008-05 as written. The motion was seconded by Commissioner Garcia and passed unanimously.

PURPOSE OF BUDGET WORKSHOP 1: To review historical fiscal data, estimate income, expenses and tentative millage rate for the upcoming fiscal year - The Commission reviewed the salary increases, line item income, and line item expenses. The Commission also discussed keeping the millage rate at 2.0 mils. The next budget workshop will be before the next Commission Meeting at 5:45 on July 8, 2008.

ANNOUNCEMENTS:

June 25, 2008 - 6:00 - Planning and Zoning EAR Meeting
July 8, 2008 - 5:45 - Budget Workshop II
July 8, 2008 - 6:00 - Shalimar Town Commission Meeting

ADJOURNMENT:
Commissioner McCallister moved to adjourn the First Budget Workshop at 5:59 p.m. It was seconded by Commissioner Garcia and passed unanimously.

____________________________  __________________________
Tina Smith, Secretary               Date Approved
CALL TO ORDER – Mayor Combs called the meeting to order at 5:59 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser (arrived at 6:15), Police Chief John Cash, Police Lieutenant John Spohn, Planning and Zoning Member Johann Behnken and residents Kenneth Holt and Arthur Johanson.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have a meeting in May.

TOWN RESIDENTS' TIME - Residents present had no new business.

TOWN ATTORNEY'S REPORT - Town Attorney, Mike Chesser, had not yet arrived. Mayor Combs stated that this agenda item would be tabled until later in the meeting. When Attorney Chesser arrived, he had nothing new to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MAY 13, 2008 COMMISSION MEETING - Commissioner Garcia moved to approve the minutes of the May 13, 2008 Town Commission Meeting as written. The
motion was seconded by Commissioner Wagner and passed unanimously.

II. MAINTENANCE BUILDING UPDATE - Manager Burns reported that the steel was put up today and the building shell should be up by Sunday. The inside should only take approximately 2-3 weeks.

III. RUSSELL ARNEY PROPERTY - 14 CHEROKEE ROAD - Mr. Arney was not present at the meeting but dropped off a letter. He removed the sheds but it was after the deadline of June 2. At this point, there are only 2 piles of debris that Mr. Arney has promised will be removed once the builders get their equipment to the lot - should be before the end of the month. Commissioner McCallister moved to eliminate the fine that was suggested at the last meeting. The motion was seconded by Commissioner Garcia and passed unanimously.

IV. RICHBOURG STORAGE LOT UPDATE - Mayor Combs reported that there are 3 owners left who have not signed the Quit Claim deed. One of those owners owns 3 of the properties so Mayor Combs is trying to get in touch with them. The Police Department has made several attempts to get their contact information from their renters but no one is ever home at the rental properties. Attorney Chesser was directed to move forward with the Quiet Title Action and if Mayor Combs contacts any of the owners, he will inform Attorney Chesser’s office.

V. LOT BETWEEN SNUG HARBOUR AND SYB UPDATE - Mayor Combs asked Manager Burns to move forward with ordering a survey. Attorney Chesser stated that the survey should have been ordered today. He asked if the town wanted to move forward with the survey without a signed contract. They agreed that they’d like to have a signed contract but stay on the list for the surveyor.

VI. ORDINANCE 2008-04 - GOLF CART USE - SECOND READING - The Commission discussed several changes to the ordinance. Commissioner Garcia moved to approve the second reading of Ordinance 2008-04 as amended. The motion was seconded by Commissioner Wagner and passed unanimously.

NEW BUSINESS:

I. RESOLUTION 2008-02 - AMENDING BUDGET - Attorney Chesser stated that an ordinance can not be amended with a resolution. Manager Burns reported that he will advertise the 2 readings of the budget amendment ordinance to be read at the 2 upcoming budget workshops.
MAYOR COMBS’ REPORT:

I. TIDBITS ARTICLES DUE BY JUNE 20

Mayor Combs reported that he met with Manager Burns and Chief Cash earlier today to discuss manning, the budget for next year, ways to conserve gas, etc. One thing mentioned was that the part-time officer, Carl Miley, will no longer be able to take his car home. Detective Roberts is supposed to have his shoulder surgery some time next week.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT:

Commissioner McCallister reported that a resident complained to him about people parking in the streets next to tree islands in front of their houses. Manager Burns explained to him that this is illegal and if he gets approached again, he should direct the complainant to the Police Department.

I. SCHEDULE BUDGET WORKSHOPS - The Budget workshops will be held on June 24, 2008 at 5:30 and July 8, 2008 at 5:45. Manager Burns will e-mail the budget out to everyone tomorrow.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - The monthly police report is attached. Chief Cash was asked to e-mail his weekly WAR reports to all commissioners.

TOWN MANAGER UPDATE - Manager Burns stated that Impact Graphics has been working on the marquee sign. It should be working soon.

ANNOUNCEMENTS:

JUNE 25, 2008 - PLANNING AND ZONING MEETING

JULY 8, 2008 - NEXT TOWN COMMISSION MEETING
The Planning and Zoning Board will discuss the EAR at their next meeting.

**ADJOURNMENT:** Commissioner McCallister moved to adjourn the meeting at 6:55 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

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July 8, 2008

Tina Smith, Secretary

Date approved
CALL TO ORDER – Mayor Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present (left at 6:45)
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Police Chief John Cash, Police Lieutenant John Spohn, and residents Veronica Woody, Scott Wooley, Kenneth Holt and Arthur Johanson.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have a meeting at the end of March.

TOWN RESIDENTS' TIME - Resident Art Johanson announced that he just purchased a money saving geothermal heating and cooling unit and, if anyone is interested, the name of the dealer in the local area is Toni Randall out of Niceville.

TOWN ATTORNEY'S REPORT - Attorney Chesser had nothing to report but there are several items on the agenda that the Commission may need legal advice on.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE APRIL 8, 2008 COMMISSION MEETING - Commissioner Garcia moved to approve the minutes
of the April 8, 2008 meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

II. MAINTENANCE BUILDING UPDATE - Manager Burns reported that the slab will be poured on Thursday (weather permitting). The permit was picked up from Okaloosa County this morning. Also, the Fire Department refunded a portion of their impact fee and the $4,000 tap in fee from Okaloosa County should be refunded in full because, according to our interlocal agreement with them, we shouldn’t have been charged. Manager Burns then stated that he believes the amount of money originally approved for this project should still be enough to cover everything.

III. RUSSELL ARNEY PROPERTY - 14 CHEROKEE ROAD - Mayor Combs conveyed that he doesn’t believe construction has begun on the lot at 14 Cherokee Road. Manager Burns previously called the contractor and was told that the property owner has a loan application in at a bank and is awaiting the appraisal. After reviewing pictures of the lot (taken at approximately 5:00 p.m.), the commission agreed that the construction has not been started and that much of the debris is a health and safety hazard. Commissioner Garcia moved to authorize Manager Burns to draft up another letter to Mr. Arney. The motion was seconded by Commissioner Behnken and passed unanimously.

IV. SHALIMAR COMMONS EASEMENT PURCHASE REQUEST - Attorney Chesser stated that the town could convey their interest in the property to the Shalimar Commons Homeowner’s Association. Commissioner McCallister, who is also the president of the Shalimar Commons Homeowner's Association, was informed that if the Homeowner’s Association asked the town to convey their interest, the association would then be responsible for maintaining the easement. Mr. McCallister stated that he would like to table this discussion and talk to the association before proceeding.

V. RICHBOURG STORAGE LOT UPDATE - Mayor Combs asked Attorney Chesser if the town could process a quiet title action against the property owners who haven’t yet submitted their quit claim deeds. Commissioner Garcia moved to authorize Manager Burns to send a letter to those remaining property owners to inform them of the impending civil action and to authorize Attorney Chesser to file a quiet title action against all property owners who haven’t submitted their signed quit claim deeds within 2 weeks. The motion was seconded by Commissioner Garcia and passed unanimously.
VI. SNUG HARBOUR/SYB LOT DISCUSSION - Mayor Combs stated that the owner of the lot between Shalimar Yacht Basin and Snug Harbour has come down to $250,000 for the lot. Mayor Combs would like to buy this property at this time. **Commissioner McCallister moved to pursue the purchase of the lot between Snug Harbour and Shalimar Yacht Basin for $250,000 plus all closing costs minus property taxes.** The motion was seconded by Commissioner Garcia and passed unanimously.

NEW BUSINESS:

I. WASTE MANAGEMENT/GARBAGE CONTRACT DISCUSSION - Manager Burns reported that there is a 5% increase in residential and commercial waste fees for 2008. The only other option is to go without a contract because several other contractors failed to beat the contract extension prices. **Commissioner Garcia moved to approve the contract extension.** Commissioner McCallister seconded the motion and it passed unanimously.

II. ORDINANCE 2008-04 - GOLF CART USE - FIRST READING - Mayor Combs read Ordinance 2008-04 and asked the board to send all changes to Manager Burns for the second reading at the June 10 meeting. **Commissioner Garcia moved to approve Ordinance 2008-04 as read (changes will be approved at the second reading).** The motion was seconded by Commissioner McCallister and passed unanimously.

MAYOR COMBS’ REPORT - Mayor Combs had nothing to report.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken left the meeting early.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.
POLICE REPORT - The police had nothing to report but Mayor Combs reported that he really liked reading the police WARs.

TOWN MANAGER UPDATE - Manager Burns reported that Mr. Ferdon and his neighbors have been maintaining the grass on the north side of Clifford Drive but the task of carrying the hose over is getting difficult for them. Mr. Ferdon has asked the town if he can use the town’s right-of-way to run some irrigation from his pump. Commissioner Garcia moved to authorize Manager Burns to draft up an agreement with Mr. Ferdon whereas Mr. Ferdon will be responsible for the road and right-of-way during the pipe installation. He also moved to allow Mr. Ferdon to use the town right-of-way to run the irrigation pipe from his pump to the north side of Clifford. The motion was seconded by Commissioner McCallister and passed unanimously.

ANNOUNCEMENTS:

MAY 28, 2008 - PLANNING AND ZIONG MEETING
JUNE 10, 2008 - NEXT TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:37 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

______________________________  June 10, 2008
Tina Smith, Secretary              Date approved
CALL TO ORDER – Mayor Pro-Tem Ricardo Garcia called the meeting to order at 5:58 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - absent
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

 Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Police Chief John Cash, Pete Pappas, Jon Sheperd, Residents Veronica Woody and Joseph Ray, and Planning and Zoning member Johann Behnken.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board did not have a meeting at the end of March.

TOWN RESIDENTS' TIME - Resident Joseph Ray explained that he and his neighbors are interested in purchasing the property that abuts their property (between their lots and Meigs Executive Park). Manager Burns stated that the original plans waived the need for a buffer zone because of this easement. Attorney Chesser outlined several options for the homeowner to obtain this property but feels an agreement between the town and homeowners would be best. In the agreement, the town should outline all possible future usages. Manager Burns will look at the drainage plan and this issue will be tabled until the May Commission Meeting.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report. Manager Burns asked if the town could file a quiet title action for the property on Richbourg. The town still has not received all quit claim deeds from the homeowners. Attorney Chesser responded that it would cost the town more money but it can be done. Mayor
Combs has all of the phone numbers for the homeowners who haven’t returned their quit claim deeds but the status of the phone calls is unsure as Mayor Combs is out of town.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MARCH 11, 2008 TOWN COMMISSION MEETING - Commissioner Behnken moved to approve the minutes from the March 11, 2008 Town Commission Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. MAINTENANCE BUILDING UPDATE - Manager Burns reported that the forms for pouring the slab are in place and the steel is being delivered tomorrow. The plumbing rough-in should happen soon but the permit is on hold because Okaloosa County is charging the town a $4000 tap-in/new construction fee.

III. RUSSELL ARNEY PROPERTY - 14 CHEROKEE ROAD - Manager Burns reported that Mr. Arney came in and stated that he is still planning on building his home on the lot. Manager Burns asked Attorney Chesser what the town should do if Mr. Arney doesn’t remove the items from the lot or start building his home. Attorney Chesser stated that he would have to review the ordinances but that Manager Burns should send another certified letter before any action is taken.

NEW BUSINESS:

I. BAL HARBOUR RESIDENT REQUEST - County resident, Jon Sheppard approached the Commission with a request to redo his subdivision’s island entrance area. The area in question is on a town road. Commissioner McCallister moved to grant approval for the town to enter into a right-of-way agreement and the homeowners may change their island entrance area as depicted in the picture. Also, if any of this area lies within an easement, the homeowners will have to pay to repair it if it ever needs to be torn up. The motion was seconded by Commissioner Behnken and passed unanimously. The Commission asked Manager Burns to draft up an agreement and Attorney Chesser asked that it be forwarded to him for review before it is reviewed and signed by the parties.

MAYOR COMBS’ REPORT - Mayor Combs was not present.
COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report but he will give a 6-month budget look back report at the next meeting.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken just returned from vacation and will have a Tidbits article for the June “Yard of the Quarter” section.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT:
- The department has been busy with only 3 officers
- Chief Cash will have knee surgery on April 23
- Detective Roberts had surgery on his wrist and is prepared to do shoulder surgery soon. He is no longer on light duty; he is taking leave without pay and being paid by Worker’s Compensation
- The department has been spending a lot of time on Richbourg, trying to slow the school buses down.

TOWN MANAGER UPDATE:
- Manager Burns asked Attorney Chesser if there is anything that can be done about the old gravel pit lot next to Snug Harbor townhomes. The current property owner has made several changes to the property and sea wall and the town has contacted Okaloosa County and the West Florida Water Management District but, according to them, no permits were required. Attorney Chesser stated that the Snug Harbor residents and other adjacent homeowners may have a civil case. Manager Burns was asked to write a letter to Mr. Maxon, the current owner of the property.

Manager Burns also asked if Okaloosa County can create a new enclave and if the town could force some sort of agreement with them. Attorney Chesser believes that there already is an agreement.

ANNOUNCEMENTS:

APRIL 24, 2008 - OCLOC QUARTERLY DINNER MEETING
ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:04 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

___________________________________  May 13, 2008
Tina Smith, Secretary                             Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

   Mayor Gary Combs - present
   Mayor Pro-Tem Ricardo Garcia - present
   Commissioner Jerry McCallister - absent
   Commissioner Ursel Behnken - present
   Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Police Chief John Cash, Residents Art Johanson, Harry Wickliffe, Tim and Sharon Smith, and Planning and Zoning member Johann Behnken.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board held a special hearing last night and approved the maintenance building setback variance. Also, the draft EAR was approved for transmission to the Department of Community Affairs (DCA) - Mayor Combs asked the staff to e-mail the EAR to everyone.

TOWN RESIDENTS' TIME - The residents would like to speak about issues already on the agenda.

TOWN ATTORNEY'S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 12, 2008 TOWN COMMISSION MEETING - Commissioner Garcia moved to approve
the minutes from the February 12, 2008 Town Commission Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

II. MAINTENANCE BUILDING UPDATE - The shed is scheduled to be moved by Friday. Also, a contractor has been asked to come in and prepare the site (grubbing, tree removal, etc.).

NEW BUSINESS:

I. TIDBITS - A March Tidbits newsletter will go out at the end of the month. Everyone was asked to have their articles to Tina by March 24.

II. SHALIMAR PLANTATION OWNER’S ASSOCIATION - 2 representatives from the Shalimar Plantation Homeowner’s Association asked about the specifics of the Richbourg storage lot. Mayor Combs gave a brief history and reasons for the lot as a service to residents of the town. The representatives expressed their concern about the lot as they feel it will eventually be an eyesore. Mayor Combs stated that the town is still in the planning phase - not yet to the “artist’s rendition” phase. He also stated that the town is not planning the storage lot as a way to generate revenue - it is simply another service offered to residents. Upcoming storage lot meetings will be advertised in the town newsletter or on the marquee.

Mr. Smith asked about the “lake” in front of the subdivision - how for down the priority list is this project. Manager Burns believes there may be an easy fix for the drainage and will look into it and how much it will cost.

III. RUSSELL ARNEY PROPERTY - 14 CHEROKEE ROAD - Manager Burns reported that it has almost been a year since the Building Permit was issued to the owner of 14 Cherokee Road. Attorney Chesser stated that, according to Shalimar Ordinances, the town has the right to remove the items if the town sends the owner notice along with a date to have it cleaned up. Mayor Combs asked Manager Burns to write the owner a letter and specify the date as one year from the date of the original Building Permit.

IV. FLOC GREEN RESOLUTION - 2008-01 - Commissioner Garcia moved to approve the Green Resolution - 2008-01 as written. The motion was seconded by Commissioner Behnken and passed unanimously.
MAYOR COMBS’ REPORT - Mayor Combs briefed that they are still open to purchasing the Shalimar Yacht Basin. He had lunch with one of the owners and Manager Burns is trying to get the accounting figures. Mayor Combs will keep the Commission updated.

The Okaloosa County League of Cities will probably have a special meeting on April 7 to receive a JLUS briefing from Okaloosa County.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia reported that Officer Shadwell worked comp time last month in order to receive a pay check this month. Manager Burns recommended that he pay Officer Shadwell for the first pay period of the month, but allow him to carry the remaining hours over to when he returns. The commission agreed to this.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister was not present.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken will be leaving to go on vacation in 2 days and doesn’t think she’ll have time to drive around for the Yard of the Quarter before the Tidbits article deadline.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT:
- Officer Spohn was recently promoted
- Detective Roberts will have surgery soon and the surgery will require 4 weeks of recovery

TOWN MANAGER UPDATE:
- The Commission approved Manager Burns to buy another doggi-pot station
- The port-a-potty will be moved to the town hall property from Cherokee Park during the maintenance building construction
- The spring cleanup dumpsters are scheduled to be in place from April 11-21. They will be placed on the lot next to town hall and on the corner of Shalimar Drive and Erwin Fleet

ANNOUNCEMENTS:

MARCH 26, 2008 - PLANNING AND ZONING MEETING

APRIL 8, 2008 - TOWN COMMISSION MEETING

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 7:24 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable - present
Member/Co-Chairman Gene Tucker - present
Member Johann Behnken - present
Member Mickey Clements - absent
Member Lynn Dominique - absent (arrived at 6:18 p.m.)

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, residents James and Shannon Watson, and Jack Dorman.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 27, 2008 P&Z MEETING - Co-Chairman Tucker moved to approve the minutes from the February 27, 2008 Meeting as written. The motion was seconded by Member Behnken and passed unanimously.

II. EAR DISCUSSION - This discussion was moved to the end of the agenda.

NEW BUSINESS:

I. TOWN HALL MAINTENANCE BUILDING SETBACK VARIANCE - The residents present had a few questions about the new maintenance building but were comfortable because their current shed will block the view. Co-Chairman Tucker moved to approve the setback variance as depicted on
the engineered diagram. The motion was seconded by Member Behnken and passed unanimously.

EAR DISCUSSION - Mr. Dorman briefed the board on the changes he made. Member Tucker moved to request Town Manager Tom Burns to execute a letter asking for comments to send along with the draft Evaluation and Appraisal Report to the Department of Community Affairs and other state entities. Member Behnken seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
March 11, 2008 at 6:00 p.m. -- Shalimar Town Commission Meeting

ADJOURNMENT: Member Behnken moved to adjourn the meeting at 6:30 p.m. Member Tucker seconded the motion and it passed unanimously.

____________________________
Tina Smith, Secretary

____________________________
Date Approved
CALL TO ORDER: The meeting was called to order by Co-Chairman Tucker at 6:01 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable – absent
Member/Co-Chairman Gene Tucker – present
Member Johann Behnken – present
Member Mickey Clements - present
Member Lynn Dominique - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, and Jack Dorman.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE OCTOBER 17, 2007 P&Z MEETING - Member Behnken moved to approve the minutes from the October 17, 2007 P&Z meeting as written. The motion was seconded by Member Clements and passed unanimously.

II. EAR DISCUSSION - The board reviewed the draft version of the updated EAR and suggested changes, where necessary. It was agreed that everyone would be available on Monday, March 10, 2008 at 6:00 for an advertised Public Hearing. At the Public Hearing, the board will discuss the changes to the EAR with any residents that may be in attendance and recommend that the draft EAR be mailed to the DCA for their proposed changes.

NEW BUSINESS - Manager Burns stated that the new maintenance building will need a setback variance. The Board looked at the drawings but tabled the variance until the
next meeting on March 10 after the resident letters sent and the advertisement has been run.

**ANNOUNCEMENTS:**
March 11, 2008 at 6:00 p.m. -- Shalimar Town Commission Meeting
March 26, 2008 at 6:00 p.m. -- Shalimar Planning and Zoning Meeting

Co-Chairman Tucker reminded everyone that the next Planning and Zoning Meeting has been moved up to March 10, 2008 at 6:00 p.m.

**ADJOURNMENT:** Member Dominique moved to adjourn the meeting at 8:53 p.m. Member Clements seconded the motion and it passed unanimously.

______________________________  ______________________
Tina Smith, Secretary             Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present (entered at 6:10)
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Police Officer Steve Shadwell, and Planning and Zoning member Johann Behnken.

PLANNING AND ZONING BUSINESS - The December Planning and Zoning Board Meeting was canceled.

TOWN RESIDENTS' TIME - There were no residents present with any new business.

TOWN ATTORNEY'S REPORT - Town Attorney Mike Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JANUARY 8, 2008 TOWN COMMISSION MEETING - Commissioner Wagner moved to approve the minutes from the January 8, 2008 meeting as written. The motion was seconded by Commissioner Garcia and passed unanimously.
II. MAINTENANCE BUILDING UPDATE:
- Manager Burns stated that the shed should be removed some time next week. He is also planning to verify that the metal building has been ordered before he mails out the first check to Fragata Construction.
- Meanwhile, the town’s engineers are doing a survey of the entire town hall property.

III. STORAGE LOT UPDATE - Manager Burns reported that one more of the Quit Claim deeds was received.

IV. BRENT ACREE LOT - There is no update on this item. The current owners haven’t responded from the town’s last offer of $250,000.

V. '55 CHEVROLET - A local news channel reporter read the town’s minutes and decided to do a story about the mayor’s decision to list the ’55 Chevrolet for sale. It was free advertisement for the car but the town still hasn’t received any offers.

NEW BUSINESS:
- Commissioner McCallister asked for more details about the new maintenance building. Manager Burns reported that the contractor, Fragata Construction, agreed that it would be complete approximately 150 days from the signing of the contract; 6-8 weeks to receive the building once it is ordered and 60 days to construct the building. He also stated that he has a file of all details and can answer any questions.
- Tree trimming?
- Mayor Combs stated that he would like to go out for a referendum about the Shalimar Yacht Basin bond issue before making another offer with the owners. Mayor Combs would like to know how much this will cost at the next meeting.

MAYOR COMBS’ REPORT:
- The next OCLOC lunch meeting will be in March.
- Manager Burns was asked to look into the police retirement and see if there’s a medical retirement clause.

COMMISSIONER GARCIA’S REPORT:
- The new guy, Carl Miley, is doing well
- February 27 is Officer Shadwell’s last day
Detective Roberts has an appointment on Thursday and will find out then whether or not he’ll need surgery

**COMMISSIONER MCCALLISTER’S REPORT** - Commissioner McCallister had nothing to report.

**COMMISSIONER BEHNKEN’S REPORT** - Commissioner Behnken had nothing to report.

**COMMISSIONER WAGNER’S REPORT** - Commissioner Wagner had nothing to report.

**POLICE REPORT** - Officer Shadwell had nothing to report.

**TOWN MANAGER UPDATE** - Chief Cash was unable to attend this meeting because his youngest son has been sick. The temporary port that was installed to make receiving antibiotics easier was recently removed.

**ANNOUNCEMENTS:**

- FEBRUARY 27, 2008 - PLANNING AND ZONING MEETING
- MARCH 11, 2008 - TOWN COMMISSION MEETING

**ADJOURNMENT:** Commissioner Behnken moved to adjourn the meeting at 6:32 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.

___________________________________
March 11, 2008

Tina Smith, Secretary
Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Chief John Cash, and resident Arthur Johanson.

PLANNING AND ZONING BUSINESS - The December Planning and Zoning Board Meeting was canceled.

TOWN RESIDENTS’ TIME - Town Resident Arthur Johanson commented that he’d like to see more officers added to the police force. Mayor Combs stated that they’d look at the need for more officers but it’s hard to find anyone worth hiring for the money we have budgeted.

TOWN ATTORNEY’S REPORT - Town Attorney Mike Chesser was not present.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE DECEMBER 13, 2007 SPECIAL TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes from the December 13, 2007 Special
Town Commission Meeting. The motion was seconded by Commissioner Garcia and passed unanimously.

II. MAINTENANCE BUILDING BIDS - The bids for the new maintenance building closed on Friday. We received 4 bids ranging from $109,000 to $170,000. Mayor Combs and Town Manager Tom Burns contacted the 4 bidders to ask that they change up certain things so the 4 bids are comparable. They are also trying to cut out some of the extras to work the price down - things that can be done at a later date or by the town’s maintenance department. **Commissioner McCallister moved to authorize Mayor Combs to negotiate the Construction contract, not to exceed $125,000. The motion was seconded by Commissioner Garcia and passed unanimously.**

III. STORAGE LOT UPDATE - Manager Burns mailed off a letter to Meigs Principal, Lamar White. In the letter, Manager Burns asked Principal White if he would support the town in writing, something that the town could include in their upcoming mail effort. Attorney Mike Chesser asked Attorney Jeff McInnis if they would support the effort and Attorney McInnis stated that they would definitely sign a letter of support. Commissioner Wagner suggested making it clear in the letter that the property owners on Richbourg have no claim to the property.

IV. BRENT ACREE LOT - Manager Burns e-mailed Gary Brandon Industries but hasn’t heard back from them.

V. '55 CHEVROLET - Mayor Combs explained that he feels the ’55 Chevy is a nice thing to have, if we have the money. He would like to sell it and get a new car. Manager Burns suggested that we wait until the next budget cycle and let the car appreciate. He doesn’t want to take a loss. Mayor Combs asked that they compromise and list it right now for what the town’s got into it. Everyone agreed that it could wait until after the new maintenance building project is underway.

NEW BUSINESS:

- Manager Burns updated the commission on the current CD rates. The interest on a 6-month CD is 3.95. The commission agreed that Manager Burns should put $150,000 into a 6-month CD.

- Mayor Combs stated that he met with the paver guy and is waiting for a bid on 2 speed bumps; one for Old Ferry Road (between Gardner Drive and Meigs Drive, possibly in front of the Tucker’s residence) and one for Cherokee Road (across from the entrance to Cherokee Park). Mayor Combs believes the bid will be between $4,000 and $5,000. **Commissioner McCallister moved to authorize Mayor Combs to sign a**
contract with the paver company for 2 speed bumps, not to exceed $5,000. The motion was seconded by Commissioner Wagner and passed unanimously.

MAYOR COMBS’ REPORT:

I. OCLOC DINNER INVITATION - MARK YOUR CALENDARS...JANUARY 15 AT THE NICEVILLE COMMUNITY CENTER - Mayor Combs reminded everyone of the dinner. He also announced that he is the new 2008 president of the Okaloosa County League of Cities.

- Mayor Combs asked Maintenance Supervisor Kent Beck to get estimates to get the maintenance truck fixed. He also stated that the next time it gets dinged or wrecked, Supervisor Beck will be responsible to pay for the damages.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT:

I. TREE TRIMMING - Manager Burns gave Commissioner McCallister the list of Shalimar Commons residents who have not yet signed the hold harmless agreements. Commissioner McCallister stated that he will personally take the agreements to his neighbors’ houses.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT
- Detective Roberts will likely have to have surgery.
- Officer Shadwell’s deployment date has been pushed back to March.
- The county received a grant for the new radio program.
- A new 23 year old part-timer will be sworn in on Tuesday.

TOWN MANAGER UPDATE
- The Police Department is getting more aggressive about parking on the right-of-way.

ANNOUNCEMENTS:

JANUARY 30, 2008 - PLANNING AND ZONING MEETING

FEBRUARY 12, 2008 - TOWN COMMISSION MEETING

ADJOURNMENT: **Commissioner Garcia moved to adjourn the meeting at 7:00 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.**

___________________________________  February 12, 2008_____________
Tina Smith, Secretary                  Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present (entered at 6:10)
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Town Attorney Mike Chesser, Deputy Clerk Tina Smith, Officer Steve Shadwell, Michael Kent, Laura Wright, Angela Balent, Kristen McCalister, Richard Hoffert, and Richard Lott.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board has not met since the last meeting.

TOWN RESIDENTS' TIME - No residents present had any new business or complaints.

TOWN ATTORNEY'S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE DECEMBER 11, 2007 REGULAR TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes of the December 11, 2007 Regular Town Commission Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

II. AUDIT OUTBRIEF - Angela Balent with O'Sullivan Creel briefed the commission that the town is in good financial condition.

III. LOW INCOME HOUSING BOND - Richard Lott went over the attached “Questions to ask before you approve a bond issue” pamphlet and no
significant issues were brought up by the commission. Mayor Combs asked that a list of attachments be added to the end of the resolution. There are also several minor changes to be made including adding the Resolution number of “2008-01”, changing all of the words “City” to “Town”, “Council” to “Commission”, add the rate of “7 ½%” on page 8, and change the name on the signature page. **Commissioner Behnken moved to approve Resolution 2008-01 with amendments. The motion was seconded by Commissioner Garcia and passed unanimously.**

**ANNOUNCEMENTS:**

DECEMBER 26, 2007 - PLANNING AND ZONING MEETING

JANUARY 8, 2007 - TOWN COMMISSION MEETING

- The advertisement for the maintenance building went out. The Commission will get a look at the bids at the next Commission Meeting.
- Mayor Combs asked that we have an update on the Brent Acree lot at the next Commission Meeting.
- The Shalimar Commons tree trimming issue will be settled as soon as Manager Burns has all of the hold harmless agreements back.
- A new letter will go out to the Richbourg quit-claim homeowners that will include a form from principal at Meigs showing his support for the lot trade. Manager Burns will talk to the principal and Attorney Chesser will talk to Jeff McInnis.

**ADJOURNMENT:** **Commissioner Garcia moved to adjourn the meeting at 7:46 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.**
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Chief John Cash, and many residents.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board has not met since the last meeting.

TOWN RESIDENTS' TIME - No residents present had any new business or complaints.

TOWN ATTORNEY'S REPORT - Attorney Chesser was not present.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE NOVEMBER 13, 2007 REGULAR TOWN COMMISSION MEETING - Commissioner Behnken moved to approve the minutes from the November 13, 2007 Regular Town Commission Meeting. The motion was seconded by Commissioner McCallister and passed unanimously.
NEW BUSINESS - Mayor Combs reminded everyone that there will be a special meeting on Thursday, December 13 at 6:00 to discuss the Bond issue and the audit.

MAYOR COMBS’ REPORT:

I. OCLOC DINNER INVITATION - MARK YOUR CALENDARS...JANUARY 15 IN NICEVILLE - Mayor Combs reminded everyone about the OCLOC dinner hosted by Niceville.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing other than the auditors will be at the Thursday meeting to give their report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken reported that she will pick out the Yard of the Quarter for the newsletter this month.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT - The Police Department had nothing to report.

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:

DECEMBER 13, 2007 - SPECIAL TOWN COMMISSION MEETING

DECEMBER 26, 2007 - PLANNING AND ZONING MEETING

JANUARY 8, 2007 - TOWN COMMISSION MEETING

Mayor Combs passed out the Christmas bonuses to all of the employees.

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 6:07 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

    Mayor Gary Combs - present
    Mayor Pro-Tem Ricardo Garcia - present
    Commissioner Jerry McCallister - present
    Commissioner Ursel Behnken - present
    Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Chief John Cash, Planning and Zoning Chairman Brad Gable, Planning and Zoning Member Johann Behnken, Steven Peterson, Resident Kenneth Holt.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board discussed entering into a parking agreement with the Shalimar Yacht Basin. Attorney Chesser sent a letter with his representatives. He will review the current agreement and forward it back to Town Hall. Mayor Combs stated that the agreement includes a one foot limit (for cars to be parked near the pavement). He would like to see that number changed to 3 feet.

TOWN RESIDENTS' TIME - There were no residents present.

TOWN ATTORNEY'S REPORT - Attorney Chesser was not able to attend the meeting but he sent two representatives.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE OCTOBER 9, 2007 REGULAR TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes of the October 9, 2007 Meeting as written. Commissioner Garcia seconded the motion and it passed unanimously.

II. STORAGE LOT UPDATE - Manager Burns updated that there are already some RVs parked in the storage lot. None of the owners have returned letters yet.

III. RICHBOURG RESIDENT “DE-ANNEXATION DISCUSSION - Mr. Wickliffe asked the commission for a legal reason for not allowing him to “de-annex”. Mayor Combs stated that the commission will have an opinion from the town attorney at the next meeting.

IV. SECOND READING OF ORDINANCE 2008-03 - BOND POWERS - Commissioner Garcia moved to approve the second reading of Ordinance 2008-03. The motion was seconded by Commissioner Behnken and passed unanimously.

NEW BUSINESS:

I. CHRISTMAS FESTIVITIES - Deputy Clerk Tina Smith asked that everyone bring a dish (like last year). It was also decided that the parade would start approximately 30 minutes later than previous year. Commissioner Wagner stated that he would be able to stay around town hall during the parade.

II. SHALIMAR YACHT BASIN DEVELOPMENT ORDER INQUIRY - A letter from Attorney Chesser to Attorney Jeff McInnis was attached to the packets. Attorney Chesser believes that it would be unfair to the residents to allow an extension on the Development Order. He believes that the developers should have to resubmit the documentation.

III. Mayor Combs asked the ‘55 Chevy be added to New Business on January’s agenda.

MAYOR COMBS’ REPORT:

I. Mayor Combs had nothing to report.
COMMISSIONER GARCIA’S REPORT - Commissioner Garcia reported that he attended the flag raising ceremony at Uptown Station. He stated that the 40’x70’ flag is only temporary; they have a larger flag ordered.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister stated that there are several residents in Shalimar Commons who would like the trees that are hanging over their fences to be trimmed. Manager Burns iterated that he already talked to the manager of the plaza and they simply need hold harmless agreements signed by the homeowners.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report but she did state that she will help with the Christmas party.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT -
- Officer Steve Shadwell will be leaving for Iraq for a year. Manager Burns asked the Commission if the town would still pay for his life insurance. Mayor Combs asked Manager Burns to find out if Officer Shadwell would be covered if anything happened to him.
- Detective Roberts is still on light duty - should be off some time next month
- The police department helped with the latest Toys for Tots.

TOWN MANAGER UPDATE -
- Gene Tucker asked that the speed bumps be added soon. Manager Burns stated that there is a lot of speed enforcement on Old Ferry.
- The maintenance building RFP with specs will be out by the end of November. They should be able to have the groundbreaking by February. Modifications can be made during the opening of the RFPs.
- Detective Roberts went in the hole approximately 140 hours on his leave but decided to clear the problem up right away by paying the town cash.
- The goal before the next audit is to clean up the personnel policy
- The auditors will give their report at the next meeting and we should receive it electronically beforehand.
ANNOUNCEMENTS:

NOVEMBER 28, 2007 - PLANNING AND ZONING MEETING

DECEMBER 11, 2007 - PARADE, TOWN COMMISSION MEETING, CHRISTMAS PARTY

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 7:32 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.

______________________________  12/11/2007
Tina Smith, Secretary           Date Approved
CALL TO ORDER: The meeting was called to order by Chairman Gable at 5:30 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – present
Member Johann Behnken – present
Member Mickey Clements - present
Member Lynn Dominique - absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, Shalimar Yacht Basin owner Steve Peterson and Jack Dorman.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE SEPTEMBER 26, 2007 P&Z MEETING - Member Behnken moved to approve the minutes from the September 26, 2007 P&Z meeting as written. The motion was seconded by Member Tucker and passed unanimously.

II. DISCUSSION OF 82.261 - OFF-STREET PARKING AND LOADING - Steve Peterson from the Shalimar Yacht Basin requested an encroachment agreement from Cherokee Road to Old Ferry Road on the south side of Gardner Drive. Member Behnken moved that Manager Burns draft a parking agreement and bring it to commission for approval. The motion was seconded by Member Clements and passed unanimously.

II. EAR CONTRACT DISCUSSION - The board reviewed each of the current major Comp Plan elements and what changes these major issues might influence.
NEW BUSINESS - There was no new business.

ANNOUNCEMENTS:
November 13, 2007 at 6:00 p.m. -- Shalimar Town Commission Meeting
November 28, 2007 at 6:00 p.m. -- Shalimar Planning and Zoning Meeting

ADJOURNMENT: Member Behnken moved to adjourn the meeting at 8:03 p.m. Member Clements seconded the motion and it passed unanimously.

____________________________  _______________________
Tina Smith, Secretary          Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - absent
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Chief John Cash, Planning and Zoning Member Johann Behnken and Ronald Cotton.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board had nothing for the Commission to approve.

TOWN RESIDENTS' TIME: There were no residents present.

TOWN ATTORNEY'S REPORT: Town Attorney, Mike Chesser, was not present.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE SEPTEMBER 25, 2007 FINAL BUDGET HEARING AND SEPTEMBER 25, 2007 BOND ISSUE SPECIAL MEETING - Commissioner Wagner moved to approve the minutes from the September 25, 2007 Final Budget Hearing and the September 25, 2007 Bond Issue Special Meeting as written. The motion was seconded by Commissioner Garcia and passed unanimously.
II. STORAGE LOT UPDATE - The certified letters went out and several of the property owners have contacted either town hall or the town attorney with questions. At this time, no one has returned their quit-claim deed.

III. BRENT ACREE LOT UPDATE - The last e-mail received from the town was from attorney Dana Matthews. Attorney Matthews relayed that Gary Brandon Industries would take $300,000 for the lot between Shalimar Yacht Basin and Snug Harbor. There have been no other updates.

NEW BUSINESS:

I. MR. WICKLIFFE “DE-ANNEXATION” DISCUSSION - The town received a letter from resident Harry Wickliffe of 179 and 181 Richbourg Avenue. Mr. Wickliffe has requested de-annexation of both of his properties due to the fact that he and his wife live on a fixed income and the “…combination of property tax increases and house insurance premium increases has created a great burden…” Manager Burns forwarded Mr. Wickliffe’s letter to the Commission and Town Attorney Chesser. Attorney Chesser’s legal opinion was that, although we sympathize with the problem, it’s no different from that of other residents of other cities/towns. Manager Burns drafted up a letter which he presented to the Commission. All commissioners read the letter and concurred with it. None believed that these properties should be “de-annexed”.

II. FIRST READING OF ORDINANCE 2008-03 - BOND POWERS - Attorney Chesser was forwarded this ordinance and was told that if he had changes, he could make them before the second reading. This ordinance will cover any possible future bond issues (from dams to prisons). Commissioner Behnken moved to approval Ordinance 2008-03 for the first reading. The motion was seconded by Commissioner Garcia and passed unanimously.

MAYOR COMBS’ REPORT:

I. OCLOC DINNER INVITATION - There were 2 different dates posted so Deputy Clerk Tina Smith will call Mary Esther to find out the correct date. That information will be forwarded to all commissioners first thing tomorrow.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia stated that he and Manager Burns have discussed moving the current part-time police officer, Steve Shadwell, to full-time. Manager Burns explained that the money is in the budget to start Steve Shadwell out at $22,000 plus benefits. Chief John Cash isn’t planning (at
this time) to hire another part-time officer. **Commissioner Garcia moved that Steve Shadwell be elevated to a full-time position.** Commissioner Behnken seconded the motion and it passed unanimously.

**COMMISSIONER MCCALLISTER’S REPORT:** Commissioner McCallister was not present.

**COMMISSIONER BEHNKEN’S REPORT:** Commissioner Behnken had nothing to report.

**COMMISSIONER WAGNER’S REPORT:** Commissioner Wagner had nothing to report.

**POLICE REPORT:**
- Chief Cash served pancakes on Saturday for Crimestoppers donations
- The '55 Chevy will be in the car show at the Eglin Armament Museum
- The Department has had several encounters with homeless people in the town. Chief Cash will establish a policy that will direct the officers what to do with future homeless people
- Residents of Snug Harbor have made complaints about an unleashed dog at Shalimar Yacht Basin. The dog owner has already come by town hall to retrieve a complaint form. Manager Burns stated that they are all trying to work the issue internally without the help of PAWS

**TOWN MANAGER UPDATE:**
- Manager Burns still needs to write a letter to Rob Harrell regarding the storage shed on the adjacent property.
- They are still working on purchasing a metal building for the new maintenance department
- Garbage contract RFPs still need to go out
- The Waste Management “claw” is too large to pick up the small garbage cans without the cans falling into the trucks. Small cans will no longer be available, only medium and large.

**ANNOUNCEMENTS:**
OCTOBER 17, 2007 - PLANNING AND ZONING MEETING - 5:30 P.M.

NOVEMBER 13, 2007 - TOWN COMMISSION MEETING - 6:00 P.M.

ADJOURNMENT: Commissioner Wagner moved to adjourn the meeting at 6:31 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – present
Member Johann Behnken – present
Member Mickey Clements – present
Member Lynn Dominique – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Jack Dorman.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JULY 25, 2007 P&Z MEETING - Member Behnken moved to approve the minutes of the July 25, 2007 P&Z Meeting as written. The motion was seconded by Member Clements and passed unanimously.

II. DISCUSSION OF 82.261 - OFF-STREET PARKING AND LOADING - Manager Burns requested that all members review the current Shalimar codes and possibly go online to review codes from other cities before the next meeting.

II. EAR CONTRACT DISCUSSION - The board discussed the EAR Major Issues as approved by DCA with Mr. Jack Dorman. Each issue was discussed and a determination was recommended for which Comp plan elements would address each issue. Mr. Dorman recommended that the next meeting focus on a review of each of the major current comp plan elements, and what changes the major issues might dictate.
NEW BUSINESS: It was agreed that the October 31 regular meeting would be rescheduled and advertised for October 17 at 5:30 PM.

ANNOUNCEMENTS:
October 9, 2007 - Shalimar Town Commission Meeting - 6:00 p.m.

ADJOURNMENT: Member Behnken moved to adjourn the meeting at 6:45 p.m. Member Clements seconded the motion and it passed unanimously.

____________________________  10/17/2007
Thomas A. Burns, Secretary    Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 5:46 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Bond Representative Richard Lott, Michael Kent, Laura Wright, Cynthia Wilcox, Richard Hoffert, Ben Pearce, Mike Whitfield, Jim Whitfield, Nikki Slattery, William Slattery, Quang Giang, Buck Smith and Tom Hoffer.

OLD BUSINESS: ECH II Bond Issue Agreement Discussion - Town Attorney Mike Chesser introduced Richard Lott who will be the town’s Bond Representative. Mr. Lott explained the three different types of bonds Florida. He also stated that Affordable Housing Bonds are routine and popular in the state.

Several current bondholders were present and explained that they haven’t been paid. Mr. Kent stated that no outstanding bondholders will be left. When the new bonds are purchased, the current bondholders will get paid. The Shalimar deal can’t go through until the Okaloosa County deal is completed.

There is no requirement for formal action tonight. The next step will be an interlocal agreement with Okaloosa County then the town will have to pass an ordinance. Mr. Kent is projecting that the process will start in early November.

ANNOUNCEMENTS:

SEPTEMBER 26, 2007 - PLANNING AND ZONING MEETING - 6:00 P.M.
OCtober 9, 2007 - Town Commission Meeting - 6:00 P.M.

AdJournment: Commissioner McCallister moved to adjourn the meeting at 7:03 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER: Mayor Combs called the Final Budget Hearing to order at 5:36 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: absent
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Michael Kent, Laura Wright, Cynthia Wilcox, Richard Hoffert, Ben Pearce, Mike Whitfield, Jim Whitfield, Nikki Slattery, William Slattery, Quang Giang, Buck Smith and Tom Hoffer.

HEARING ITEMS:

1. APPROVE MINUTES FROM TENTATIVE BUDGET MEETING OF SEPTEMBER 11, 2007 AND TOWN COMMISSION MEETING OF SEPTEMBER 11, 2007 - Commissioner Garcia moved to approve the minutes from the Tentative Budget Hearing and Town Commission Meeting as written. The motion was seconded by Commissioner Wagner and passed unanimously.

2. BUDGET DISCUSSION - There was no discussion.

4. SECOND PUBLIC READING OF ORDINANCE 2008-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2007-2008 - Commissioner McCallister moved to approve Ordinance 2008-01 Setting the millage rate for Fiscal Year 2007-2008 and Ordinance 2008-02 Establishing the Budget for Fiscal Year 2007-2008 as written. The motion was seconded by Commissioner Garcia and passed unanimously.

ANNOUNCEMENTS:

SEPTEMBER 26, 2007 – Planning and Zoning Meeting, 6:00 p.m.

OCTOBER 9, 2007 – Town Commission Meeting, 6:00 p.m.

ADJOURNMENT – Commissioner McCallister moved to adjourn at 5:39. The motion was seconded by Commissioner Garcia and passed unanimously.

________________________________________________________________________
Tina Smith, Deputy Town Clerk                      Date approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Chief John Cash and Planning and Zoning Member Johann Behnken.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board didn't have a meeting in August.

TOWN RESIDENTS' TIME - There were no residents present.

TOWN ATTORNEY'S REPORT - Attorney Chesser presented the Commission with his Quit Claim Deed form that will be mailed out to the home owners involved with the property on Richbourg. Manager Burns agreed to draft a cover letter and forward to Attorney Chesser before it gets mailed out. The town hall will then mail the letters out by certified mail to the homeowners of record (according to the Okaloosa County Property Appraiser).

Attorney Chesser also stated that he has only received one phone call regarding Shalimar Yacht Basin.
OLD BUSINESS:

I. APPROVE MINUTES FROM THE AUGUST 14, 2007 MEETING - Commissioner Behnken moved to approve the minutes as written. Commissioner Wagner seconded the motion and it passed unanimously.

II. STORAGE LOT UPDATE - This issue was discussed under the town attorney's report.

III. BRENT ACREE LOT UPDATE - Mayor Combs briefed that he and Manager Burns had a phone conference with Dana Matthews regarding this lot. He stated that he asked Mr. Matthews to convey to the current property owners an offer of $250,000. No contact has been made since that call.

IV. HOMELESS ORDINANCE DISCUSSION - Mayor Combs stated that the town doesn’t have enough of a homeless problem to warrant another law.

NEW BUSINESS - Manager Burns reported that the Occupational License renewal notices went out and a response was received from Shalimar Yacht Basin. There is evidence that there are liveaboards living at Shalimar Yacht Basin Marina.

MAYOR COMBS’ REPORT - The Okaloosa County League of Cities met yesterday but didn’t have a quorum so nothing was done. The next dinner is October 16 and Mary Esther is planning for it to be at the Soundside.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reported that the 1st Budget Hearing was held tonight and the 2nd Budget Hearing is scheduled for September 25 at 5:30.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report but asked about the Tidbits article. She was informed that the due date should be e-mailed by Tuesday, September 18.

Manager Burns stated that the storage place updated their landscaping after he mailed the letter.
COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - Chief Cash reported that there is still over $7,000 sitting in the bank account from the deceased man found in town. Chief was informed by Attorney Chesser that he has to send a letter to New York and find out if they want the money because that’s where the man was from.

The Police Department is still investigating the gang issues. They gave all of their information to the Sheriff’s Department to post to their site. Everyone believes this will become a big problem if it’s not dealt with now.

Mayor Combs reported that Detective Roberts received a gun to deal with the town’s coyote problem. Right now only 2 people are registered to used the gun (Roberts and Burns) because they are the 2 Wildlife Nuisance Trappers.

TOWN MANAGER UPDATE
- Manager Burns and Kent Beck are getting quotes for the maintenance area building
- The town has not gone out for RFPs for Waste Management yet
- The audit is coming up in October
- The Christmas Parade/Party is right around the corner and we will have to find someone who will lend the town a boat and we still need a sound system.

ANNOUNCEMENTS:

- SEPTEMBER 25, 2007 - 2ND BUDGET HEARING - 5:30 P.M.
- SEPTEMBER 25, 2007 - BOND ISSUE HEARING - 5:40 P.M.
- SEPTEMBER 26, 2007 - PLANNING AND ZONING MEETING - 6:00 P.M.

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 6:30 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.
CALL TO ORDER: Commissioner Jerry McCallister called the Tentative Budget Hearing to order at 5:35 p.m. in Town Hall Chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present

Mayor Pro-Tem Ricardo Garcia: present

Commissioner Jerry McCallister: present

Commissioner Ursel Behnken: present

Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith.

Finance Commissioner Jerry McCallister briefed that he and Manager Burns met with the auditors for the initial in-brief.

Manager Burns reported that one change has been made to the budget since the budget workshop. After researching and receiving quotes for the maintenance outbuilding, Manager Burns transferred $30,000 for this project so that a budget amendment won’t be required later this year.

HEARING ITEMS:

1. FIRST PUBLIC READING OF ORDINANCE 2008-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2007-2008 - See hearing agenda item #2

2. FIRST PUBLIC READING OF ORDINANCE 2008-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2007-2008 - Commissioner Behnken moved to accept Ordinance 2008-01 and 2008-02 as presented. The motion was seconded by Commissioner Garcia and passed unanimously.
3. **BUDGET DISCUSSION**

**ANNOUNCEMENTS:**
Final Budget Hearing – SEPTEMBER 25, 2007 at 5:30 p.m.

**ADJOURNMENT:** Commissioner Behnken moved to adjourn at 5:43 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:07 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present (entered at 6:20)


Mayor Combs introduced the commission to the members of the audience. Chief Cash presented Detective Sam Roberts with a Medal of Honor and Life Saving Commendation from the Town of Shalimar and the Silver Star for Bravery from A.P.H.F.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board didn't make any recommendations that require approval from the Commission.

TOWN RESIDENTS' TIME - Resident Jan Carlson (Garnier’s Cay Phase II Board of Directors President) asked the Commission to consider designating the woody area at the end of Shalimar Drive as overflow parking for Garnier’s Cay Phase II residents. She stated that the Homeowner’s Association agreed that they did not want to extend the current parking area because they didn’t want to remove the mature trees. Manager Burns stated that there were many ways to approach the situation. He suggested that
the area be available to everyone who lives in that area and the town will add a sign informing those who park there that they must pre-coordinate overnight parking with the Shalimar Police Department. The Commission and Ms. Carlson agreed with this idea.

TOWN ATTORNEY’S REPORT - Town Attorney, Mike Chesser, stated that he talked to Pat Lott and she asked him to let the commission know that she could meet with them by phone if they required further counsel. She also asked that she receive all pertinent documentation (such as the resolution) more than 24 hours before it is to be brought up for discussion. She advised that the commission could approve this resolution in concept only but only because they are required to hold a public hearing. Commissioner Behnken moved to accept Resolution 2007-04 as written. The motion was seconded by Commissioner McCallister. There was some discussion. Resolution 2007-04 passed unanimously. The commission will try and meet on September 25, 2007 for the public hearing to discuss this issue in further detail.

Attorney Chesser spoke with School Board attorney Jeff McInnis. Attorney Chesser reported that there are currently 11 owners who will need to sign over their interest in the property. Manager Burns agreed to draft up a letter for each owner to sign but forward it to Attorney Chesser for approval before it goes out in the mail.

There have been several inquiries about the Shalimar Yacht Basin lately (zoning classification, how many units could be built there, current height limit, etc.). Manager Burns informed the commission that Jack Dorman pointed out to him that the limit for “units per acre”, according to the Town’s Comprehensive Plan, is 15 units. Attorney Chesser suggested to Manager Burns that it would be best to forward all zoning questions to him.

OLD BUSINESS:

- Commissioner McCallister moved to approve the minutes from the July 10, 2007 meeting, the July 24, 2007 special meeting, and the July 24, 2007 budget workshop. The motion was seconded by Commissioner Garcia and passed unanimously.

II. STORAGE LOT UPDATE - This item was discussed in the Town Attorney’s Report.
III. BRENT ACREE LOT UPDATE - Manager Burns reported that he passed along the bid of $225,000 made at the last Commission Meeting. He then called Gary Brandon Industries to make sure they had received the offer and he was told that Gary Brandon was conferring with his partner but Manager Burns hasn’t heard from them since that. Mayor Combs said that he will get the phone number and call Gary Brandon personally and may call a special meeting soon.

NEW BUSINESS:

I. SHALIMAR BOND ISSUE - This was discussed in the Town Attorney's report.

II. HOMELESS ORDINANCE DISCUSSION - Deputy Clerk Tina Smith stated that she left the homeless ordinance out of the packet. Mayor Combs let everyone know that it's more of a 'panhandling' ordinance. Police Chief John Cash said that he looked at the ordinance and it would be a good idea to consider it for the town since all of the other cities are passing it. Clerk Smith will e-mail it out to everyone.

MAYOR COMBS' REPORT:

I. OCLOC UPDATE - Mayor Combs reported that there wasn’t a League of Cities Meeting in August but there was a dinner in July. No business was discussed.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reminded everyone that the two Budget hearings are on September 11 and 13 at 5:30 p.m.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT
- The Police Department has been diligent about writing parking tickets
- Chief Cash and Detective Roberts did a gun safety briefing for Mayor Combs’ Squadron
- Chief Cash set up a week long survey on Old Ferry Road. The survey showed that the peak hours are between 10 a.m. until noon and 5 p.m. until 7 p.m.

**TOWN MANAGER UPDATE** - Manager Burns had nothing to report except that he will be leaving for vacation tomorrow morning and will be back to work in a week.

There was some discussion about the Budget Hearing dates. **Commissioner Behnken moved to move the 2nd Budget Hearing to September 25, 2007 right before the planned Bond Hearing. The motion was seconded by Commissioner Garcia and passed unanimously.**

**ANNOUNCEMENTS:**

AUGUST 29, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.

SEPTEMBER 11, 2007 - 1ST BUDGET HEARING 5:30 P.M.

SEPTEMBER 11, 2007 - TOWN COMMISSION MEETING  6:00 P.M.

SEPTEMBER 13, 2007 - 2ND BUDGET HEARING 5:30 P.M.

Mayor Combs went over the announcements and reminded everyone of the Special Bond Hearing and the date change on the 2nd Budget Hearing.

**ADJOURNMENT:**  **Commissioner Behnken moved to adjourn the meeting at 7:42 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.**

___________________________________

Tina Smith, Secretary
CALL TO ORDER:  The meeting was called to order by Chairman Gable at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – present
Member Johann Behnken – present
Member Mickey Clements - present
Member Lynn Dominique - present

OTHERS IN ATTENDANCE:  Town Manager Tom Burns, Deputy Clerk Tina Smith and Jack Dorman.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JUNE 27, 2007 P&Z MEETING - Member Dominique’s name is misspelled on the minutes.  Member Behnken moved to approve the minutes of the June 27, 2007 P&Z Meeting as amended. The motion was seconded by Member Clements and passed unanimously.

II. EAR CONTRACT DISCUSSION - The Town Commission authorized Chairman Brad Gable to sign the contract. The Planning and Zoning Board reviewed the contract and made a few changes. Member Dominique moved to accept the agreement with the changes discussed. The motion was seconded by Member Behnken and passed unanimously.

NEW BUSINESS:  There was no new business.

ANNOUNCEMENTS:
August 14, 2007 – 6:00 p.m. – TOWN COMMISSION MEETING
August 29, 2007 – 6:00 p.m. – PLANNING AND ZONING MEETING

ADJOURNMENT: Co-Chairman Tucker moved to adjourn the meeting at 6:54 p.m. Member Clements seconded the motion and it passed unanimously.

_____________________________  09/26/2007
Tina Smith, Secretary              Date Approved
CALL TO ORDER – Mayor Gary Combs called the special meeting to order at 5:07 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Mike Kent and Laura Wright.

OLD BUSINESS:

I. HOUSING BOND DISCUSSION - Manager Tom Burns reported that Attorney Chesser contacted Pat Lott as independent council for this bond issue. Manager Burns resolved the concerns of the commission. He found that:

- if the town decides to support the ECH II - Captains Quarters, LLC, it should not effect the ability to borrow money this calendar year.
- the principles are asking the Town of Shalimar because they likely perceive the town as a friendlier issuer. Also, smaller cities are less likely to have strict policies in place and more likely to accept a lower fee.
- the contract resolution should contain some sort of indemnity clause to avoid any future financial risk to the town.
- the proposed payment is typically a percentage up to 2% but $50,000 would probably cover any legal fees.
- the bond issuer should provide the town with evidence that this is a financially feasible project.

Mr. Kent stated that they would agree to have language in the contract that would cover court fees. The town will be required to pass a resolution and will need interlocal agreements with each jurisdiction associated with the project.

Commissioner McCallister moved to proceed with ECH II - Captains Quarters, LLC on the issuance of $12,000,000 low income revenue bonds with a ½% (or $60,000) fee noted in the contract. The motion was seconded by Commissioner Garcia and passed unanimously.

ANNOUNCEMENTS:

July 24, 2007 – Immediately following this meeting – Budget Meeting
July 25, 2007 – 6:00 – Planning and Zoning Meeting
August 14, 2007 – 6:00 – Town Commission Meeting

ADJOURNMENT -- Commissioner Behnken moved to adjourn the meeting at 5:36 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.

___________________________________
Tina Smith, Deputy Town Clerk
CALL TO ORDER: Mayor Gary Combs called the Budget Workshop of the Shalimar Town Commission to order at 5:37 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

- Mayor Gary Combs – present
- Mayor Pro-Tem Ricardo Garcia – present
- Commissioner Ursel Behnken – present
- Commissioner Jerry McCallister – present
- Commissioner Glenn Wagner – absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, and Police Chief John Cash

PURPOSE OF BUDGET WORKSHOP 1: To review historical fiscal data. Estimate income, expenses and tentative millage rate for the upcoming fiscal year. The Commission reviewed the salary increases, line item income and expenses, and suggested some minor changes. Manager Burns reported that the income needed next year could be obtained with a millage rate of 2 mils, which is below the rolled back rate of 2.04 mils. He also stated that the tentative millage rate voted on at this meeting could be decreased but not increased. **Commissioner McCallister moved to set the tentative millage rate at 2.04 mils. Commissioner Behnken seconded the motion and it passed unanimously.** The Commission agreed with the salary increases. A second budget workshop will not be required. The dates for the Budget hearings will be discussed after Manager Burns collects the dates for all of the county meetings.

ANNOUNCEMENTS:

- **July 25, 2007 – 6:00** – Planning and Zoning Meeting
August 14, 2007 – 6:00 – Town Commission Meeting

Chief John Cash reported that there will be a small awards ceremony at the August 14, 2007 Commission Meeting where he will present Detective Sam Roberts with a medal. He is also planning a small get together with hors d’oeuvres.

Manager Burns stated that there have been several coyotes spotted around town and many of those residents are afraid to let their small pets outside. Detective Roberts would like to purchase a small .22 caliber pistol using money from the sale of one of the cars (approximately $795). Commissioner Garcia moved to allow the police to use some of the money collected from the sale of the cars to buy a .22 caliber pistol. Commissioner McCallister seconded the motion and it passed unanimously.

ADJOURNMENT:

Commissioner Behnken moved to adjourn the Budget Workshop at 6:17 p.m. It was seconded by Commissioner McCallister and passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - absent
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance:  Town Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Tina Smith, Detective Sam Roberts, Planning and Zoning Member Johann Behnken, Michael Kent, Laura Wright, Cynthia Wilcox and Ramona Speer.

PLANNING AND ZONING BUSINESS - The Planning and Zoning Board recommended that the Commission approve a contract with Jack Dorman that will not exceed $21,000 (any work the town does will reduce the end cost). Manager Tom Burns reported that the contract hasn’t been drawn up yet but there is an attached memo that outlines what will be included in the contract. He also stated that $7,000 is already in this year’s budget. Commissioner McCallister moved to authorize Planning and Zoning Board Chairman, Brad Gable, to sign a contract with Jack Dorman and to add $15,000 to the budget for the upcoming fiscal year. The motion was seconded by Commissioner Wagner and passed unanimously.

TOWN RESIDENTS' TIME - Ramona Speer asked if the parking area at the end of Shalimar Drive (next to Garnier’s Cay town homes) could be used as overflow parking. It was suggested that the homeowner’s association put in more parking spaces if they are necessary. Also, the association may make a request to the commission to designate that area as overflow and define the parameters of its use.
TOWN ATTORNEY'S REPORT - Attorney Chesser reported that the town is not shown on record as the owner of the lot across from Meigs Middle School. He stated that a requirement to trade lots with the school would be to have all 9 owners sign a quit claim deed but we would have to get 100% of the owners to sign it. Another option is that the school board could authorize the town to use the lot. It was decided that on 1 August, the town-owned lot will be opened up for temporary storage. No fees will be collected for now and the residents will have to sign up at the town hall.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JUNE 12, 2007 TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes from the June 12, 2007 Town Commission Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

II. STORAGE LOT UPDATE - This item was discussed under the Town Attorney’s report.

III. BRENT ACREE LOT UPDATE - Manager Burns reported that Gary Brandon Enterprises e-mailed him back with their original offer. The Commission agreed that they did not want to consider offering more than $225,000 for the lot.

NEW BUSINESS:

I. BOND ISSUE - Mike Kent, with the Non-Profit Organization of Emerald Coast Housing II, Inc., recounted the history of his company’s past bond issue request with the town. Shalimar’s Commission signed a resolution in 2003 to move forward with the agreement but it never went further. Mr. Kent relayed that his company had everything in place but the storms hit and they are just now getting back on track. There was some discussion and questions. Attorney Chesser stated that if the commission is inclined to move forward with this, the town should hire someone to act as bond counsel. Pat Lott was suggested because the town has worked with her in the past. Manager Burns noted the commission’s questions and will refer all of them to Ms. Lott before the next meeting. The Commission agreed to have a special meeting on July 24, 2007 before the budget meeting.

II. HOMELESS ORDINANCE DISCUSSION - There is no new information on this issue so it will be tabled until the next regular meeting. Detective Sam Roberts feels that a homeless ordinance is unnecessary.
MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - Everyone was reminded to RSVP for the OCLOC dinner. Also, Mayor Combs recognized Kent Beck for doing so much work adding new plants all over town.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reported that he attended the Shalimar Post Office’s lighthouse dedication ceremony. He was presented with a gift that he then dedicated to the town. Commissioner McCallister also stated that the budget workshop is scheduled for July 24, 2007 and Manager Burns does not believe that 2 budget workshops will be necessary.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner (also a former Planning and Zoning Board Member) reported that a residence on Dana Court now has a cell tower in the back yard. He recalled that the cell tower company agreed to put up a privacy fence. Also, Commissioner Wagner doesn’t feel that the storage lot landscaping is “first class” as they originally agreed it would be. Manager Burns will look into both situations and take care of each.

POLICE REPORT - Detective Sam Roberts iterated that he has been actively writing parking tickets all over town but there is some question about writing tickets to someone blocking the sidewalk. Mayor Combs suggested letting each Homeowner’s Association decide how they want that handled on their streets but to continue writing tickets to cars parked on the street and town rights-of-way.

TOWN MANAGER UPDATE - Manager Burns said that he will be driving to Tallahassee for Chief Cash’s graduation.

ANNOUNCEMENTS:

JULY 25, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.
AUGUST 13, 2007 - TOWN COMMISSION MEETING 6:00 P.M.

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 7:42 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.

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Tina Smith, Secretary
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6:04 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – absent
Member Johann Behnken – present
Member Mickey Clements - present (arrived at 6:07)
Member Lynn Dominique - present (arrived at 6:08)

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith and Jack Dorman.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MAY 30, 2007 P&Z MEETING - Member Behnken moved to approve the minutes from the May 30, 2007 P&Z Meeting as written. The motion was seconded by Member Clements and passed unanimously.

II. EAR DISCUSSION - Jack Dorman explained that his fee would be no more than $20,000. That fee could be less based on how much work the town does. Member Dominique moved to progress with Jack Dorman who will put together a contract, not to exceed $21,000 and will include a clause that allows for a reduction in cost for work that is done by the town. Member Behnken seconded the motion. Member Behnken asked if the contract could include a “drop dead date”. Mr. Dorman stated that a date wouldn’t be a problem but he would prefer it to be called a “target date”. The motion passed unanimously. Manager Burns reported that this year’s budget already included $7,000 to hire a
consultant. The Commission will have to approve $15,000 for the FY07-08 budget. **Member Dominique moved to recommend that the Town Commission approve a $15,000 addition to the FY 07-08 budget to complete the EAR. The motion was seconded by Member Clements and passed unanimously.** Mr. Dorman will not be able to have a final contract to the town by July 10 for the Commission Meeting but will e-mail a memo that will explain the agreement. The final contract will be to the town before the next Planning and Zoning Meeting.

**NEW BUSINESS** - There was no new business to discuss

**ANNOUNCEMENTS:**
July 10, 2007 – 6:00 p.m. – TOWN COMMISSION MEETING
June 25, 2007 – 6:00 p.m. – PLANNING AND ZONING MEETING

**ADJOURNMENT:** **Member Clements moved to adjourn the meeting at 7:07 p.m. Member Dominique seconded the motion and it passed unanimously.**

______________________________ 07/25/2007
Tina Smith, Secretary Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith and Police Chief John Cash.

PLANNING AND ZONING BUSINESS - The Planning and Zoning did not make any recommendations that require approval by the Town Commission.

TOWN RESIDENTS' TIME: There were no residents present.

TOWN ATTORNEY'S REPORT: Attorney Chesser was unable to attend. Mayor Combs suggested allowing the residents to use the lots next to town hall until the Richbourg storage lot is completed. The Commission agreed to not allow RVs and only charge the people $10 per month.

The School Zone signs were removed to fix the mast arms. They will be replaced by the time school starts.

OLD BUSINESS:

II. WASTE MANAGEMENT CONTRACT - The RFPs have not gone out yet but Manager Burns will have the information for the budget meetings.

III. STORAGE LOT UPDATE - The storage lot update is under the town attorney’s report.

IV. BRENT ACREE LOT UPDATE - Manager Burns has not heard back from the owner on record, Gary Brandon Enterprises.

NEW BUSINESS - There was no new business.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - Mayor Combs reported that the Executive Board discussed a Homelessness Ordinance that the City of Fort Walton Beach recently passed. It is Mayor Barker’s belief that the homeless will continue to migrate to cities that have passed this ordinance. Planning and Zoning Member, Lynn Dominique, will present the ordinance to the commission.

Mayor Combs updated the Commission on his future annexation plans. He’d like to talk to someone at the church on the south side of Meigs Drive to find out if they would voluntarily annex, then work down Old Ferry Road. Chief Cash was directed to set up a meeting with the church’s point of contact. Mayor Combs said that he would attend a meeting with their board, if necessary.

COMMISSIONER GARCIA’S REPORT - Detective Sam Roberts is taking classes to obtain his degree. The town has a policy or reimbursing employees a percentage of their tuition. There was some discussion as to whether or not the town would have Detective Roberts sign something stating that he would not seek employment elsewhere within the next year or two. Manager Burns said that the Policy Manual didn’t include a retention clause but it can be amended. Manager Burns suggested and the Commission agreed to reimburse him 75% now but update the policy manual.
COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister stated that he would not be available the week of 15-24 for the budget workshops. Manager Burns will review his calendar and that of other cities and county and e-mail everyone. He feels that the millage may stay at 2.2 mills.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT:
- Chief Cash has worked on a Police Department/Resident checklist. The list is full of items that, when observed by a resident, should be called in (i.e., neighbor’s mail piling up, etc.). Chief Cash will attend all of the Home Owners’ Association Meetings to brief this list and answer questions.
- Manager Burns briefed that Detective Sam Roberts was in the newspaper and the issue was a lot worse then the paper made it sound. The town is proud of this Detective.
- Steve Peterson was mad about receiving parking tickets. Mayor Combs tasked the police department to keep a record of the liveaboards. If Shalimar Yacht Basin has any liveaboards, they need to pay for the liveaboard license.
- Someone at Snug Harbor had their boat stolen this weekend.

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:
- JUNE 27, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.
- JULY 10, 2007 - TOWN COMMISSION MEETING 6:00 P.M.

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 6:32 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.
Tina Smith, Secretary
Town of Shalimar
Town Commission Annexation Workshop Minutes
June 5, 2007

CALL TO ORDER: Mayor Gary Combs called the meeting to order at 6:02.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith, County Commissioner Janazzo, County Growth Management Representative Bill Smith, Town Resident Kenneth Holt, and Enclave Residents Jon Sheperd, Jan Clements, Hulda Mahlum, Bob Strauss, Judy Pope, Brad Sheldon, and Rick Sheldon.

Mayor Combs went through the attached slideshow and called for questions and comments.

ANNOUNCEMENTS:
JUNE 12, 2007 - TOWN COMMISSION MEETING 6:00 P.M.
JUNE 27, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.

ADJOURNMENT: The informal workshop adjourned at 7:17 p.m.
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6:02 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – absent
Member Johann Behnken – present
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and residents John and Sally Henderson, Barbara and Ed Toretta, Lee Steinman, and Mack Kirkland.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MARCH 28, 2007 P&Z MEETING - Member Behnken moved to approve the minutes from the March 28, 2007 P&Z Meeting. The motion was seconded by Member Clements and passed unanimously.

II. 123 GARDNER DRIVE BUILDING PERMIT REQUEST - Manager Burns explained that the contractor who came in for permit had very sketchy information on project specifications and dimensions and given issues concerning use of the easements between buildings, he asked the Hendersons to come before the board and explain the project.

John Henderson briefed the board and presented photos and a drawing of a proposed Screen room enclosure that would intrude 5 feet into the 7.5 ft easement which is also 5 feet into the 7.5 foot building side setback.
Discussion of town building setbacks and interior unit deeded access ensued.

The board decided that because the requested project constituted a ‘structure’ and was to be built beyond the 7.5 foot setback line, a variance request must be made and the variance process completed before a decision to allow the project could be considered before the board.

III. EAR DISCUSSION - Reviewed proposed additions presented by Manager Burns and directed all members to make any suggested inputs to him by Friday, June 1 so that he can send the amended list of issues to DCA by June 4. Manager Burns was also directed to make contact with Frank Gorman to determine a pricing formula for his help in completing the EAR.

ANNOUNCEMENTS:
June 12 – 6:00 p.m. – TOWN COMMISSION MEETING
June 27 – 6:00 p.m. – PLANNING AND ZONING MEETING

ADJOURNMENT: Member Behnken moved to adjourn the meeting at 7:15 p.m. Member Clements seconded the motion and it passed unanimously.

________________________________________ 06/27/2007 ____________________________
Thomas A. Burns, Secretary Date Approved
CALL TO ORDER: Mayor Gary Combs called the Emergency Meeting to order at 5:02 p.m. in the front offices of the Shalimar Town Hall.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith.

OLD BUSINESS:

II. SENIOR HOMESTEAD EXEMPTION - Commissioner McCallister moved to approve Ordinance 2007-06 as written. The motion was seconded by Commissioner Behnken and passed unanimously.

ANNOUNCEMENTS:

MAY 30, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.
JUNE 5, 2007 - ANNEXATION WORKSHOP 6:00 P.M.
JUNE 12, 2007 - TOWN COMMISSION MEETING 6:00 P.M.

Mayor Combs reported that a resident applied for a building permit to build a structure in the drainage and utility easement. Because of the past easement issues, the issue
will be on the Planning and Zoning Board agenda tomorrow and may come in front of
the Commission at the June 12th meeting.

**ADJOURNMENT:** Commissioner McCallister moved to adjourn the meeting at
5:09. The motion was seconded by Commissioner Wagner and passed
unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Attorney Mike Chesser, Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Sergeant John Spohn, P & Z member Johann Behnken, Vlad Diacomm, Fort Walton Beach Chamber Representative Ted Corcoran, and residents Sherry Davis, Joseph Brownlee, and Arthur Johanson.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in April. There won’t be any more information on the EAR until Manager Burns hears from the Department of Community Affairs.

TOWN RESIDENTS’ TIME: Vlad Diacomm with Clear Wire applied for a permit to add an antenna to the tower on the courthouse property, no concrete will be added. Mayor Combs directed to approve the permit as long as Clear Wire is using the existing pad.

Ted Corcoran reported that the Fort Walton Beach Chamber has a Local Issues Committee and representatives from most of the local cities attend. They meet monthly but the times and dates vary. Mr. Corcoran asked if someone from Shalimar could attend these meetings. Most of the commissioners concurred that they would need to know the date and time before they could agree to attend. Mayor Combs stated that Linda with a Shalimar travel agency once showed interest in starting up
something similar to a Shalimar Chamber for Businesses. Also, Lynn Dominique, our newest Planning and Zoning Board Member, is already active in the Fort Walton Beach Chamber.

**TOWN ATTORNEY’S REPORT:**

- Attorney Chesser explained that the Richbourg lot that is intended to be traded with the School Board has no recorded deed showing that it belongs to the Town of Shalimar. There is a dedication of this lot on the original plat map. The 9 property owners must agree to a quit claim deed. Attorney Chesser will mail the letters out to these 9 owners.

- Manager Burns e-mailed Gary Brandon Enterprises about the Brent Acree lot but hasn’t heard back from them yet. Mayor Combs stated that he would like to personally talk to them on the phone.

**OLD BUSINESS:**

I. **APPROVE MINUTES FROM THE APRIL 10, 2007 TOWN COMMISSION MEETING** - Commissioner Garcia moved to approve the minutes from the April 10, 2007 Commission Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. **WASTE MANAGEMENT CONTRACT** - Manager Burns was authorized to agree to the new terms from Waste Management. He was also directed to go out for RFPs before the budget process begins.

III. **STORAGE LOT UPDATE** - This item was discussed during the Town Attorney Report

IV. **BRENT ACREE LOT UPDATE** - This item was discussed during the Town Attorney Report

V. **60TH ANNIVERSARY CELEBRATION** - Mayor Combs asked Commissioner McCallister if Shalimar Commons annual Yard Sale would be moved to Cherokee Park. Commissioner McCallister stated that some of his neighbors will be at the park. Mayor Combs briefed that there will be a dedication ceremony, food, music, and the yard sale tables.

VI. **EAGLE SCOUT PROJECT UPDATE** - The project will be complete before the Anniversary Party. Okaloosa Counties Master Gardner reviewed the
plants and their names. There will be extra supplies left at the Town Hall for future use.

NEW BUSINESS:

I. PROCLAMATION 2007-01 - ARSON AWARENESS WEEK - Mayor Combs proclaimed this week Arson Awareness Week.

II. SENIOR HOMESTEAD EXEMPTION - The State of Florida passed a law allowing low income seniors to receive more of a homeowner’s exemption but municipalities are required to pass an ordinance by June 1, 2007. The Commission looked over the property appraiser documents but there was some confusion with the income and exemption amounts. Attorney Chesser stated that an Emergency Ordinance only requires one reading. Manager Burns was directed to find out more information and call an Emergency Meeting if necessary.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - There wasn’t an OCLOC Meeting in May.

Mayor Combs reported that he and Manager Burns met with the County yesterday to discuss annexing the enclaves on Old Ferry Road. They also discussed the Municipal Services Taxing Unit (MSTU) option. Commissioner Janazzo asked the mayor to draft up letters to the residents. He also stated that he will support the town’s efforts. Mayor Combs will draft up the letter and a survey to mail to enclave residents and he will also plan an annexation workshop to get information out.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken reported that she will be available at 10:00 to help with the 60th Anniversary in the park.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.
POLICE REPORT:
- Sergeant Spohn reported that there is a fire on Green Acres that has the road closed.
- Detective Roberts is having tests and trying to get better before Saturday.
- The new police phone is working out.

TOWN MANAGER UPDATE
- Everyone is invited to the Polyengineering Open House is at lunch this Friday
- Roy with Polyengineering will get our surveys done for Mande and Brande Courts
- The preliminary audit done by the Department of Revenue shows that the Town of Shalimar only owes $109
- 2 of the 4 people in the Mike Woll accident have been settled
- The Cadillac is listed on GovDeals for $3000. **Commissioner McCallister moved to lower the bid to $2500. Commissioner Behnken seconded the motion and it passed unanimously.**

ANNOUNCEMENTS:

**MAY 30, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.**

**JUNE 12, 2007 - TOWN COMMISSION MEETING 6:00 P.M.**

ADJOURNMENT: **Commissioner McCallister moved to adjourn the meeting at 6:57 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.**

___________________________________
Tina Smith, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Chief John Cash, P & Z member Johann Behnken, and resident Ken Holt.

PLANNING AND ZONING BUSINESS - Approve DCA Letter - Commissioner McCallister moved to authorize Manager Burns to send the DCA Letter with changes. Commissioner Wagner seconded the motion and it passed unanimously.

TOWN RESIDENTS' TIME - Ken Holt stated that there are still a lot of cars speeding down Cherokee Road.

TOWN ATTORNEY’S REPORT - The town is still looking at the possibility of trading lots with the school so the school’s property isn’t cut in half by a storage lot. Manager Burns reported that, if the trade goes through, the town will end up with slightly more property but the new property will be more work to turn into a storage lot. Attorney Chesser will order the title search on that property.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE MARCH 13, 2007 TOWN COMMISSION MEETING - Commissioner Behnken moved to approve the minutes from the March 13, 2007 Town Commission Meeting. The motion was seconded by Commissioner Garcia and passed unanimously.

II. WASTE MANAGEMENT (WM) CONTRACT - The Commission asked Manager Burns if it is possible to raise only the commercial rates or split the difference between the commercial and residential. Manager Burns will ask the town’s WM representative (Rory Cassedy) and get a report back to the commission at the next meeting. Commissioner McCallister moved to authorize Manager Burns to negotiate a contract for the 1 year extension and go out for RFPs with a suggested 3-5 year contract term and 2-1 year extensions. The motion was seconded by Commissioner Behnken and passed unanimously.

III. STORAGE LOT UPDATE - This agenda item was briefed in Attorney Chesser’s report.

IV. BRENT ACREE LOT UPDATE - Manager Burns reported that he received the appraisal for this property today. Attorney Chesser suggested e-mailing the owner back and asking them to reconsider their counter offer.

NEW BUSINESS - There was no new business to report.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - The next dinner will be on April 17 at Two Trees.

- Mayor Combs briefed that Jean Wilkinson, a previous town clerk and resident, has passed away.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.
COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT - Chief John Cash briefed that the town has seized a white Chevrolet Suburban.

TOWN MANAGER UPDATE - Manager Burns stated that the 60th Anniversary Celebration and Flea Market will be held in Cherokee Park on Saturday, May 12. If anyone has ideas for the festivities, please contact either him or Tina at town hall.

Johann Behnken reported that Mr. Maxon has asked the county to rezone his property at the end of Snug Harbor. Mr. Behnken has drafted up a list of questions to ask at the meetings. Manager Burns stated that he will be available to attend the meeting on Thursday evening in Crestview. Mayor Combs asked everyone to send their questions to Manager Burns who will forward them on to the County Planning Commission.

ANNOUNCEMENTS:

APRIL 17, 2007 - OCLOC DINNER 6:00 P.M. AT TWO TREES RESTAURANT

APRIL 25, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.

MAY 8, 2007 - TOWN COMMISSION MEETING 6:00 P.M.

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:15 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

________________________________________________________________________
Tina Smith, Secretary
CALL TO ORDER: The meeting was called to order by Co-Chairman Tucker at 6:03 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable – absent
Member/Co-Chairman Gene Tucker – present
Member Johann Behnken – present
Member Mickey Clements - present

Co-Chairman Tucker Swore in the new member, Lynn Dominique. Mr. Dominique was appointed at the February Commission Meeting.

OTHERS IN ATTENDANCE: Deputy Clerk Tina Smith

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 28, 2007 P&Z MEETING - Member Behnken moved to approve the minutes of the February 28, 2007 Planning and Zoning Meeting as written. The motion was seconded by Member Clements and passed unanimously.

II. APPROVE DCA LETTER - The Planning and Zoning Board went over a few changes to the letter:
- All references to the word “County” need to be changed to “Town”
- Some of the wording is not applicable to the town and either needs to be removed or reworded

Member Clements moved to approve the letter with the corrections made. Member Dominique seconded the motion and it passed unanimously. Co-Chairman Tucker
asked that the corrected copy of the letter be forwarded to the board before it gets mailed out.

NEW BUSINESS:
There was no new business.

ANNOUNCEMENTS:
April 10 – 6:00 p.m. – TOWN COMMISSION MEETING
April 25 – 6:00 p.m. – PLANNING AND ZONING MEETING

ADJOURNMENT: Member Behnken moved to adjourn the meeting at 6:52 p.m. Member Dominique seconded the motion and it passed unanimously.

________________________________________________________
Tina Smith, Secretary Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Chief John Cash, P & Z member Johann Behnken, resident and future P & Z member Lynn Dominique, Rory Cassedy with Waste Management, Karem Jadim with Shalimar United Methodist Preschool, residents Kenneth Holt and Russel Arney.

PLANNING AND ZONING BUSINESS - There is nothing to approve from the February 28, 2007 Planning and Zoning workshop.

TOWN RESIDENTS' TIME

- See Old Business: III. 14 Cherokee Road Update
- A representative from Shalimar United Methodist Preschool presented the Commission with a row of hands that she asked be displayed in town hall.
- Resident Kenneth Holt asked why the Commission was concerned with 14 Cherokee when the back yard of 16 Cherokee is also being used as storage. Mayor Combs directed Manager Burns to write a letter to the 3 residences (16, 17, and 18 Cherokee) to address the upcoming mosquito season and ask them to clean up their yards.

TOWN ATTORNEY'S REPORT
- Attorney Chesser briefed that there was another town/city attorney seminar coming up and, if he’s available, he will attend if they would like. They authorized him to attend the course.

- Mayor Combs asked Attorney Chesser about the fees the town was charged for drafting up the Shalimar Yacht Basin contract. Attorney Chesser will look into this.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 13, 2007 TOWN COMMISSION MEETINGS - Commissioner McCallister moved to approve the minutes from the February 13, 2007 Town Commission Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

II. SALE OF CADILLAC DISCUSSION - Manager Burns relayed that the motion at the last meeting stated that the Cadillac would be sold by a sealed bid but he would like to put the car for sale on GovDeals.com. Commissioner McCallister moved to allow Manager Burns to sell the Cadillac on Govdeals.com instead of using the sealed bid process. The motion was seconded by Commissioner Garcia and passed unanimously.

III. 14 CHEROKEE ROAD UPDATE - Mayor Combs moved this agenda item to Town Residents’ Time. Attorney Chesser asked Russel Arney what his plans were for the property. Mr. Arney stated that he planned on having a house built there. Right now the property is in Mr. Arney’s daughter’s name. Before any plans can be submitted for a new home, Mr. Arney will be required to put the property in his name. Commissioner Garcia moved to give Russel Arney 7 days to transfer the property from his daughter’s name to his name and to require Mr. Arney to have a county building permit and a town building permit or have the lot cleaned up within 60 days. The motion was seconded by Commissioner Behnken and passed unanimously. Manager Burns asked the Commission to specify the penalty for the property owner if he doesn’t clean up the lot. Commissioner Garcia moved to amend his original motion to authorize Town Manager Tom Burns to charge the property owner of record $500 per day after the 60th day if the property owner did not get the required paperwork or clean up the lot. The motion was seconded by Commissioner Behnken. The original motion passed unanimously and the amended motion passed unanimously.

IV. E.A.R. UPDATE - The Planning and Zoning Board had their scoping meeting on February 28. There are no proposals from the Board to pass
on to the Commission. Manager Burns will formalize a letter to be sent to
the DCA. Also, Manager Burns will have a draft ordinance before the next
meeting that should include height requirements, an addition to the zoning
classifications, and a Future Land Use Map change. The entire PDP section
will need to be reworked eventually.

NEW BUSINESS:

I. WASTE MANAGEMENT CONTRACT - Rory Cassedy with Waste
Management briefed the Commission that the current contract is almost up
but allows for 2 one year extensions. Mr. Cassedy doesn’t have the
authority to negotiate with the Commission so he will have an update to
Manager Burns by Friday and an extension fee increase within 2 weeks.

II. STORAGE LOT UPDATE - Manager Burns briefed that he met with the
Okaloosa County School Board regarding the town’s lot across from Meig’s
Middle School. The Town Commission has agreed with the idea of making
that lot a fenced in storage lot. The School Board asked if it would be
possible to trade the land the town owns for another comparable plot
down the street from the current lot. The reason is because Shalimar’s lot
cuts the School Board’s lot in half. Manager Burns reported that the new
plot up for consideration is, actually, 4 lots and the town would trade from
a 120’ X 80’ lot to a 111’ X 125’ tree-covered lot. There would be a bit
more expense to get the new lot ready for a storage lot but it’s larger.
The school board hasn’t voted on this idea yet. Attorney Chesser
recommended that the Commission authorize a title search for all of the
lots. He also advised everyone to keep the current tree ordinance in mind
when clearing the new lot. **Commissioner McCallister moved to
authorize Manager Burns to do a title search, not to exceed the
cost of $500. Commission Behnken seconded the motion and it
passed unanimously.**

III. BRENT ACREE UPDATE - Mayor Combs briefed that the current owners
of the lot between Snug Harbor Townhomes and the Shalimar Yacht Basin
paid a little over $600,000 but would take a little over $300,000 from the
town to buy it. Manager Burns was tasked to get an appraisal done on the
lot.

Mayor Combs recommended to the Commission that they reward an incentive bonus to
all of the employees of the town. Manager Burns explained that the money is already
budgeted. Commissioner Garcia moved that the town give bonuses ($300 to Tom
Burns, John Cash, Tina Smith, and Kent Beck and $200 to John Spohn, Sam Roberts,
Steve Shadwell, and Jeff Adams). Commissioner Behnken seconded the motion and it
passed unanimously. $1200 will come out of the FA bonus budget, $400 from the LEF bonus budget, and $400 from the PHY bonus budget.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - Mayor Combs briefed that there was no quorum at the last Executive Board Meeting.

II. TIDBITS ARTICLES - Tidbits articles need to be e-mailed to Deputy Clerk Tina Smith by March 26.

III. APPOINT NEW PLANNING AND ZONING MEMBER - Manager Burns updated everyone that Sally Henderson resigned from the P & Z board. Lynn Dominique of 234 Snug Harbor volunteered to replace her. Mayor Combs appointed Mr. Dominique and he will be sworn in by Chairman Gable at the next Planning and Zoning meeting.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reported that they would need to shift some money from the full time to the part time because the town will not be adding another new full time police officer after Michael Woll left.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT:

- The '55 Chevy will be at the March 24 Construction Junction
- Steve Shadwell recently helped someone change her tire and Chief Cash received a thank you letter from her
- There is still a little over $7000 in the evidentiary account from the guy that passed away. The department may need to spend some money for an attorney.
- The park camera has been moved to capture a little of the fountain and a little of the table.
- Mayor Combs briefed that the fountain should be up and running by the next meeting.

- If anyone knows of a group that needs community service house, please contact town hall because there is always a list of things to do in the park. Commissioner McCallister asked Mayor Combs to forward him the list of what needs to be done and he will forward it on to find out if there’s any interest from his group.

- The Boy Scout project is moving along. The posts are painted and they painted the yellow stripe last night. They will be back in a couple of weeks to get the other 2 stripes painted.

- Mayor Combs asked Manager Burns to talk to Maintenance Supervisor Kent Beck about cleaning up the maintenance area behind town hall. He would like it to be done before he gets back from England (3/31). Mayor Combs requested that Manager Burns get proposals for a new maintenance area (slab, building, etc.)

**TOWN MANAGER UPDATE** - The marquee will be up and running tomorrow.

**ANNOUNCEMENTS:**

- MARCH 28, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.
- APRIL 10, 2007 - TOWN COMMISSION MEETING 6:00 P.M.

Before the meeting adjourned, resident Behnken asked about attaching something to the pictures in the conference room that listed what they are. He also reported that a lawn company was blowing leaves from a property on Eglin Pkwy. onto the street. Manager Burns will check with the Department of Transportation about this.

**ADJOURNMENT:** Commissioner Behnken moved to adjourn the meeting at 7:59 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
- Chairman Brad Gable – present
- Member/Co-Chairman Gene Tucker – absent
- Member Johann Behnken – present
- Member Mickey Clements - present

Chairman Brad Gable noted that Deputy Clerk Tina Smith would be the secretary for this meeting.

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, resident Phil Richter, Kelly Parker and Glenda Duncan with FDOT, Joseph Strasser with Eglin AFB and Alison McDowell with CBA.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JUNE 28, 2006 P&Z MEETING AND THE FEBRUARY 8, 2007 COMP PLAN WORKSHOP - Member Behnken moved to approve the minutes form the June 28, 2008 P&Z Meeting and the February 8, 2007 Comp Plan Workshop as written. The motion was seconded by Member Clements and passed unanimously.

NEW BUSINESS:

I. 32 SHALIMAR DRIVE - SEPARATE DWELLING - Phil Richter, the resident at 32 Shalimar Drive, submitted a letter of request to add a second dwelling unit to his property. The 2-story unit would be approximately 900 sq. ft. with a garage on the bottom and living space on the top. This property is already zoned R-3 so a garage apartment is allowed but the property owner will be required to go through the procedures for a Special Exception. Chairman
Gable pointed out, however, that this lot could not be subdivided at a later date because each lot alone would not meet single family zoning requirements. Mr. Richter will contact town hall when he’s ready to proceed with the Special Exception.

II. COMP PLAN ISSUES - No major issues were identified for the E.A.R. Process.

Chairman Gable introduced Lynn Dominique. If Mr. Dominique is appointed by the Mayor at the next Commission Meeting, he will be sworn in and replace Sally Henderson’s on the Planning and Zoning Board at the next meeting.

ANNOUNCEMENTS:
March 13 – 6:00 p.m. – TOWN COMMISSION MEETING
March 28 – 6:00 p.m. – PLANNING AND ZONING MEETING

ADJOURNMENT: **Member Behnken moved to adjourn the meeting at 7:12 p.m. Member Clements seconded the motion and it passed unanimously.**

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Tina Smith, Secretary          Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Sergeant John Spohn, and P & Z member Johann Behnken.

PLANNING AND ZONING BUSINESS - There is nothing to approve from the January 8 Planning and Zoning workshop. Mayor Combs briefed the Commission that Sally Henderson resigned from the Planning and Zoning Board. He has already contacted the Snug Harbor resident that showed interest in a commission position but hasn't heard back from him yet.

TOWN RESIDENTS' TIME - There were no residents present

TOWN ATTORNEY'S REPORT - Town Attorney Mike Chesser was not present.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JANUARY 9, 2007 TOWN COMMISSION MEETING AND THE JANUARY 22, 2007, AND JANUARY 25, 2007 SPECIAL TOWN COMMISSION MEETINGS - Commissioner McCallister moved to approve the minutes from the
January 9, 2007 Town Commission Meeting and the January 22, 2007 and January 25, 2007 Special Town Commission Meetings. The motion was seconded by Commissioner Garcia and passed unanimously.

II. SNUG HARBOR OWNER AGREEMENT - No one from Snug Harbor was present. Town Manager Tom Burns explained that one of the residents, Wayne Warner, asked that the town reevaluate the use and maintenance agreement between the town and the three homeowners at the end of Snug Harbor. Mayor Combs suggested that Manager Burns tell Mr. Warner that the Commission will not sign the agreement until all 3 owners have signed it.

NEW BUSINESS:

I. AUDIT REPORT - Angela Balent from O'Sullivan Creel went over the Audit report for the Commission. She stated that the Financial Position for the town is "very strong".

II. ARNEY PROPERTY UPDATE - Mayor Combs explained that the owner of record, Ellen Tunstall, had until February 1, 2007 to either obtain a county building permit or clean up the property - neither have been done. Mayor Combs then presented a letter that Manager Burns will send to Ms. Tunstall giving her until March 1, 2007 to clean up the property. Commissioner McCallister moved to task Manager Burns to send the letter and authorized him to fine the property owner for each day after March 1, 2007 that the case has not been resolved. Commissioner Garcia seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT:

- Mayor Combs expressed his desire to purchase the lot between the Shalimar Yacht Basin and Snug Harbor to build a boat launch. Manager Burns will research and inform everyone what he thinks it is worth.
- Mayor Combs has been in contact with one of the owners of the Shalimar Yacht Basin, Randy. Manager Burns e-mailed the other owner, Steve, a draft of a contract but hasn’t heard back from him yet. The insurance estimate came in quite a bit lower than what was expected.
- The OCLOC dinner will be hosted by Fort Walton Beach on April 17.
- The Cherokee Park fountain will be worked on tomorrow.
- The Eagle Scout project is progressing. The boys will be cutting the wood for the posts next week.
- There has been some vandalism done in Meigs Park.
- The Future Land Use map has been changed somewhat, though it’s still in draft form. It will need to be approved by the Commission at a later date.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT:
- Commissioner McCallister asked about the status of the storage lot. Manager Burns briefed that the fencing RFPs went out last week. He asked the commission if they would like the fence to have barbed wire at the top. They decided that he should get quotes that include barbed wire.
- The Shalimar Commons Homeowner’s Association is still looking for a decorative street light for their entrance.
- The Association picked out two tables for their little park area. Commissioner McCallister was informed that they could have one of the tables at Meigs Park.
- Shalimar Commons parking situation is the best it’s been (parking on the right-of-way)

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT:
- Mayor Combs asked Sergeant Spohn to tell Detective Roberts to move the camera in the park to face the fountain.
- A Barron Court resident offered the town a German Shepherd as a police dog. Officer Shadwell agreed to keep the dog at his house. The Department is looking into the expenses of food, training, etc.
- Giuseppi’s roof caught fire last week but it didn’t get out of control. The fire department showed up quickly.
- The town police cell phone doesn’t show a ‘missed call’ so if you have called it and don’t receive a call back, that’s why.
- Sergeant Spohn drove one intoxicated person home from Cheers.
TOWN MANAGER UPDATE:

- Manager Burns reported that Detective Roberts just completed a CSI course and came back to town with a list of equipment that the department is lacking. **Commissioner McCallister moved to authorize Commissioner Garcia to look into the list and allow the police department to make purchases of equipment up to the amount of money in the forfeiture account. Commissioner Behnken seconded the motion and it passed unanimously.**

- The seized Cadillac now belongs to the town. The Commission agreed that it needed a regular tire (it now has a spare doughnut tire on it). They agreed that it should be a used tire. The commission also agreed that the town would sell the car. **Commissioner Behnken moved to authorize Manager Burns to sell the Cadillac using the sealed bid process and advertise that the minimum bid is $3,000. The motion was seconded by Commissioner Garcia and passed unanimously.**

- The white seized truck was sold back to the owner.

ANNOUNCEMENTS:

   FEBRUARY 28, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.

   MARCH 13, 2007 - TOWN COMMISSION MEETING 6:00 P.M.

ADJOURNMENT: **Commissioner McCallister moved to adjourn the meeting at 7:29 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.**

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Tina Smith, Secretary
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6 pm.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – absent
Member/Secretary Sally Henderson – absent
Member Johann Behnken – present
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Mayor Gary Combs, Town Manager Tom Burns, and Deputy Clerk Tina Smith.

NEW BUSINESS:
Town Manager Tom Burns explained that all chapters in the town’s Comprehensive Plan will need to be reviewed for currency and major issues that need addressing in the EAR. The following is a list of the chapters and who was tasked to work on that chapter:

Chapter 1 - Tom Burns
Chapter 2 - Tom Burns
Chapter 3 - Tom Burns
Chapter 4 - Tom Burns
Chapter 5 - Tom Burns
Chapter 6 - Tom Burns
Chapter 7 - Gary Combs
Chapter 8 - Brad Gable
Chapter 9 - Mickey Clements
Chapter 10 - Gary Combs
Chapter 11 - Gary Combs
Chapter 12 - Johann Behnken
Chapter 13 - Tom Burns
Chapter 14 - Tom Burns
Chapter 15 - Summary of Comp Plan to be done at a later time
Chapter 16 - Summary of Comp Plan to be done at a later time

ANNOUNCEMENTS:
1. February 13, 2007 – 6:00 p.m. – Town Commission Meeting
2. February 28, 2007 – 6:00 p.m. – P&Z Meeting and Scoping Workshop

ADJOURNMENT: The meeting adjourned at 7:32

Tina Smith, Secretary
CALL TO ORDER – Mayor Gary Combs called the emergency meeting to order at 5:55 in Town Hall front offices.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith.

MAYOR COMBS’ REPORT:

I. UPDATE ON MARINA NEGOTIATIONS - Mayor Combs reported that Steve Peterson from the Shalimar Yacht Basin submitted a letter to the town declining the town’s offer to buy the Yacht Basin.

NEW BUSINESS:

I. RESOLUTION 2007-03 - In order for the referendum to be removed from the ballot, the Commission would have to approve a resolution rescinding Resolution Number 2007-02. Commissioner McCallister moved to approve Resolution 2007-03 as written. The motion was seconded by Commissioner Garcia and passed unanimously.

ANNOUNCEMENTS:

JANUARY 31, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.
FEBRUARY 13, 2007 - TOWN COMMISSION MEETING  6:00 P.M.

ADJOURNMENT - Commissioner McCallister moved to adjourn the meeting at 5:56 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:05 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Arthur Johanson, Mack Kirkland, Kathy Roniger, Richard Hoffert, Brad Gable, and Jim Wilton.

MAYOR COMBS’ REPORT:

I. UPDATE ON MARINA NEGOTIATIONS - Mayor Combs reported that he and Manager Burns have been researching the financial records, quotes for insurance, etc. They have also been talking to the owners of the Shalimar Yacht Basin, trying to come to an agreement. They both met with Attorney Chesser and worked on a contract. The bond referendum will need to be voted on and the approved referendum resolution needs to be delivered to the Supervisor of Elections office before Friday, January 26 so she can prepare the ballot.

NEW BUSINESS:

I. RESOLUTION 2007-02 - Commissioner McCallister moved to approve Resolution 2007-02 as written. The motion was seconded by Commissioner Garcia and passed unanimously.
II. SET MARINA PUBLIC HEARING DATES - The Marina Public Hearing date were set at February 6 and February 27. Manager Burns will have a good insurance quote. The 2 public hearings will be held for residents to come and ask questions. Any questions that are brought up and their answers will be posted to the web site for the voters to research along with the slideshow that the mayor prepared.

ANNOUNCEMENTS:

JANUARY 31, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.

FEBRUARY 13, 2007 - TOWN COMMISSION MEETING  6:00 P.M.

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 8:27 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

___________________________________
Tina Smith, Secretary
Town of Shalimar
Town Commission Meeting Minutes
January 9, 2007

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:05 p.m. in Town Hall chambers. He asked resident Joseph Brownlee to lead the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Police Chief John Cash, Police Sergeant John Spohn, residents Joseph Brownlee, Sherry and Jeff Davis, Mack Kirkland, Richard Hoffert, Brad Gable, Tom Cruise, Johann Behnken, Lee Steinman, and Wendy Victora from the paper.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in December.

TOWN RESIDENTS' TIME - Mayor Combs moved the New Business to this point in the meeting. Resident Joseph Brownlee updated the commission on the current status and figure of his Cherokee Park/Eagle Scout project.

TOWN ATTORNEY'S REPORT - Attorney Chesser researched the Occupational Licensing fee for the Shalimar Yacht Basin. It is his opinion that the Town could prohibit the marina from doing business if they don't pay their license fee. Mayor Combs asked Attorney Chesser to call Shalimar Yacht Basin.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE DECEMBER 12, 2006 TOWN COMMISSION MEETING - Commissioner McCallister moved to approve the minutes from the December 12, 2006 Town Commission Meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

II. ORDINANCE 2007-04 THIRD READING - POLICE RETIREMENT FUND - Commissioner Garcia moved to approve the third reading of Ordinance 2007-04 as written. The motion was seconded by Commissioner Wagner and passed unanimously.

NEW BUSINESS:

I. CHEROKEE PARK EAGLE SCOUT PROJECT UPDATE - This agenda item was discussed at the beginning of the meeting.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - There was nothing to report from the Okaloosa County League of Cities.
   - Mayor Combs discussed the possible purchase of the Shalimar Yacht Basin. He explained that the negotiations are at a standstill.
   - Members of the Commission that are up for reelection need to qualify with the Supervisor of Elections office between January 22 at noon and January 26 at noon. Mayor Combs stated that he received an e-mail from a Snug Harbor resident who is interested in serving on the Commission.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia inquired about the stripes that were mistakenly put on half of Gardner Drive. Manager Burns stated that he would call the contractor.

COMMISSIONER MCCALLISTER’S REPORT:
   - Commissioner McCallister reported that he and Manager Burns will be meeting with the auditor this week.
   - The mechanic that worked on the ’55 is willing to work on all of the town’s vehicles. Commissioner McCallister highly recommends him.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken had nothing to report.
COMMISSIONER WAGNER’S REPORT:

- Commissioner Wagner asked about the status of the engineering. Manager Burns stated that he sent a letter to the county about the pond and reminding them that the town would need the full concurrency study by the end of February. Since that letter has been sent, a company has come into town hall to apply for a permit to add wi-fi to one of the towers. Manager Burns denied the permit until the survey is received by the county. Polyengineering still needs to inform the town what needs to be done with the swales.

- There was some question about SR85/Eglin Pkwy. Commissioner Wagner asked who filled the potholes in. Manager Burns stated that he would e-mail VMS and find out.

POLICE REPORT:

- There was a car theft on Gardner Drive
- A “grand theft” was reported at Waterworx between employees
- A recent death of a New York resident has kept Detective Roberts busy searching for next of kin
- Parking on the roads still hasn’t declined on Mande/Brande Court
- The town still does not own the seized truck

TOWN MANAGER UPDATE:

- Manager Burns reported that he is researching storage lots. The town hopes to fence in the lot across from Meigs Middle School and rent spaces to residents for storage of boat trailers, RVs, etc. The Commission directed Manager Burns to get estimates for an 8’ tall commercial-grade chain link fence and rock to fill the lot.

- There is now a surveillance system in the park. Everyone is hoping that this will end the park vandalism.

- Manager Burns is still planning on some sort of Spring Party in the park which will include a ceremony for Rik Larson. Another idea would be to do the party in conjunction with the Eagle Scout Project completion.

ANNOUNCEMENTS:

JANUARY 18, 2007 - OCLOC DINNER 6:00 P.M.

JANUARY 31, 2007 - PLANNING AND ZONING MEETING 6:00 P.M.

FEBRUARY 13, 2007 - TOWN COMMISSION MEETING 6:00 P.M.
ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 7:09 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.

Tina Smith, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:03 p.m. in Town Hall chambers. He asked Rico Garcia to lead the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, and many other employees and residents were in attendance for the Christmas festivities.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in November.

TOWN RESIDENTS' TIME - None of the residents had any new business.

TOWN ATTORNEY'S REPORT - Mayor Combs moved the Attorney’s report to the end of the agenda.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE NOVEMBER 14, 2006 TOWN COMMISSION MEETING - Commissioner Behnken moved to approve the minutes of the November 14, 2006 Town Commission
Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. ORDINANCE 2007-04 SECOND READING - POLICE RETIREMENT FUND - Commissioner McCallister moved to table this issue for the January Meeting. The motion was seconded by Commissioner Behnken and passed unanimously.

III. ORDINANCE 2007-05 SECOND READING - INDEMNITY CLAUSE - Commissioner Garcia moved to approve the second reading of Ordinance 2007-05 as written. The motion was seconded by Commissioner McCallister and passed unanimously.

NEW BUSINESS - There was no new business.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - Mayor Combs reported that nothing significant happened at the lunch meeting.

II. TIDBITS ARTICLES BY DECEMBER 18 - Everyone was reminded to have articles to town hall by December 18.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Mayor Combs moved Commissioner McCallister’s report to the end of the agenda (after Attorney Chesser’s report).

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken reported that she handed out the yard of the quarter honors during the Christmas Parade.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not in attendance.

POLICE REPORT - The Police had nothing to report.

TOWN MANAGER UPDATE - Manager Burns reported that Officer Spohn had a write up in Sunday’s paper.
ANNOUNCEMENTS:

DECEMBER 27, 2006 - PLANNING AND ZONING MEETING 6:00 P.M.

JANUARY 9, 2007 - TOWN COMMISSION MEETING 6:00 P.M.

TOWN ATTORNEY’S REPORT - Attorney Chesser had nothing to report. He and Manager Burns will get together to discuss a few issues before the next meeting.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister handed out everyone’s Christmas bonus checks.

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 6:17 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present

Others in attendance: Deputy Clerk Tina Smith, Police Chief John Cash, Steve and Paulette Peterson from Shalimar Yacht Basin, Raymond Fraser from Shalimar Yacht Basin, and Johann Behnken.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in October.

TOWN RESIDENTS' TIME - This agenda item was moved to the end of the agenda.

TOWN ATTORNEY’S REPORT - Attorney Chesser was forwarded the draft of a letter to be sent to Mr. Dewrell. The commission approved the draft and directed Deputy Clerk Smith to mail this letter to Mr. Dewrell by certified mail tomorrow.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE OCTOBER 10, 2006 TOWN COMMISSION MEETING - Commissioner Garcia moved to approve the minutes from the October 10, 2006 meeting as written. The
motion was seconded by Commissioner McCallister and passed unanimously.

II. ORDINANCE 2007-03 SECOND READING - ANNEXATION OF BP PROPERTY - Commissioner Behnken moved to accept the second reading of Ordinance 2007-03. Commissioner Wagner seconded the motion and it passed unanimously.

NEW BUSINESS:

I. ORDINANCE 2007-04 FIRST READING - POLICE RETIREMENT FUND - Commissioner Garcia moved to accept the first reading of Ordinance 2007-04. The motion was seconded by Commissioner Wagner and passed unanimously.

II. ORDINANCE 2007-05 FIRST READING - INDEMNITY CLAUSE - Commissioner McCallister moved to accept Ordinance 2007-05 as written. The motion was seconded by Commissioner Behnken and passed unanimously.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - Mayor Combs reported that the Okaloosa County Executive Board did not have a quorum so the meeting only lasted 15 minutes and nothing new was discussed.

Manager Burns completed the Stormwater letter and Deputy Clerk Smith was instructed to forward the letter to members of the commission.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report. Commissioner McCallister asked Commissioner Garcia if they planned on replacing Officer Mike Woll. Commissioner Garcia stated that they are discussing hiring more part-timers instead.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister stated that his homeowner’s association would like to add lights to the entrance of the subdivision. They want to replace one and add one. The association will pay for the lights to be replaced/added but Commissioner McCallister is asking if the town will pay the electric bill. Mayor Combs suggested that Commissioner McCallister write a letter and submit it to town hall.
Commissioner McCallister also asked if they could add 2 tables to the Shalimar Commons Park area. The homeowner’s association will donate the money to the town to purchase the tables. Mayor Combs said that if the association buys the tables, the town will figure everything else out.

**COMMISSIONER BEHNKEN’S REPORT** - Commissioner Behnken will divulge her “yard of the quarter” winner by December 12 during the town Christmas parade.

**COMMISSIONER WAGNER’S REPORT** - Commissioner Wagner had nothing to report.

**POLICE REPORT – Police Monthly Activity Report attached**
Detective Roberts will receive an update on the ’55 Chevy tomorrow.

**TOWN MANAGER UPDATE** - Manager Burns was not present.

**TOWN RESIDENTS’ TIME** - Raymond Fraser and Steve Peterson both talked to the Commission about the new occupational license fees. They both feel that the increase is too high. Mr. Fraser presented a couple of Florida Statutes. Attorney Chesser stated that he will have to look into those statutes and discuss the ordinance with Manager Burns when he returns. He also stated that the full fee is required unless the law is changed. Mayor Combs acknowledged that it will be at least 6 months into the fiscal year before the commission can get through any ordinance change process. He asked that the Shalimar Yacht Basin pay half of the Occupational License fee now and they will pay the other half if a new ordinance is not passed.

**ANNOUNCEMENTS:**

NOVEMBER 29, 2006 - PLANNING AND ZONING MEETING 6:00 P.M.

DECEMBER 12, 2006 - CHRISTMAS PARADE 4:30 P.M.

DECEMBER 12, 2006 - TOWN COMMISSION MEETING 6:00 P.M.

DECEMBER 12, 2006 - GET TOGETHER AFTER MEETING - Each commissioner was asked to bring a covered dish for the get together.
ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 7:41 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith, Police Sergeant John Spohn, Jim and Rebecca Monte, Kenneth Holt, Virginia Rapp, Julie Mamani, Candis Carillo, Genevieve McGowan, and Johann Behnken.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in September.

TOWN RESIDENTS' TIME - None of the residents present had any new business.

TOWN ATTORNEY'S REPORT - Attorney Mike Chesser was not present.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE SEPTEMBER 21, 2006 FINAL BUDGET HEARING - Commissioner McCallister moved to approve the minutes from the September 21, 2006 Final Budget Hearing as written. The motion was seconded by Commissioner Garcia and passed unanimously.
II. **ENGINEERING UPDATE** - Polyengineering briefed their recommended improvements to the Commission:

- More frequent maintenance routine of the town’s inlets and storm pipes.
- Okaloosa County/FEMA project which should be ready to bid around April 2007.
- Work with Okaloosa County and request that they re-establish the top berm of the courthouse annex Stormwater retention pond to its original design of 12 feet and excavate the bottom to allow additional volume.
- Reestablish Mande and Brande Court swales
- Reestablish Barron Court swales and acquire a drainage easement to channel the water flow to Meigs Park.

Mayor Combs stated that he would ask residents to clean out the swales on their property. Before the next Commission Meeting, a letter will be drafted to the county regarding the annex retention pond. Mayor Combs asked the engineers to provide the town with a list of addresses where the swales needed maintenance. He also asked if they could supply the wording for the letter to the county.

NEW BUSINESS:

I. **ORDINANCE 2007-03 FIRST READING - ANNEXATION OF BP PROPERTY** - Commissioner McCallister moved to accept the first reading of Ordinance 2007-03 as written. The motion was seconded by Commissioner Garcia and passed unanimously.

MAYOR COMBS’ REPORT:

I. **OCLOC UPDATE** - Mayor Combs updated everyone on the date of the Quarterly Dinner. Also, Mayor Anderson (President of the OCLOC) is not pleased with the lack of participation at the monthly meetings.

- Manager Burns was directed to draft up another letter to Mr. Dewrell about his sign and derelict vehicles.
- The Shalimar Yacht Basin is unhappy with their new license fee.
- If the town can get financing to purchase the Shalimar Yacht Basin and everything gets ironed out before the next regular commission meeting, a special meeting may be called. Manager Burns stated that he has all of the paperwork for review, if anyone is interested.
COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken stated that she would have the next “Yard of the Quarter” winner to town hall for the December newsletter.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT – Police Monthly Activity Report attached
- Mike Woll got a job with Fort Walton Beach PD.
- John Spohn briefed the Commission on the Florida Municipal Pension Trust Fund Resolution regarding changes to the retirement fund. These changes were gone through at one of the budget meetings.
- There are still some minor problems with the ’55 Chevy. Commissioner McCallister suggested a mechanic to take it to.
- There are grants available for the Police Department to purchase defibrillators. Training will probably be necessary.

TOWN MANAGER UPDATE - Manager Burns had nothing to report.

ANNOUNCEMENTS:
- OCTOBER 25, 2006 - PLANNING AND ZONING MEETING 6:00 P.M.
- NOVEMBER 7, 2006 - TOWN COMMISSION MEETING 6:00 P.M.

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 6:36 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.
CALL TO ORDER: Mayor Combs called the Final Budget Hearing to order at 5:31 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Deputy Clerk Tina Smith, and Resident Virginia Rapp.

HEARING ITEMS:

1. APPROVE MINUTES FROM THE AUGUST 8, 2006 TOWN COMMISSION MEETING, SEPTEMBER 12, 2006 TOWN COMMISSION MEETING AND SEPTEMBER 12, 2006 TENTATIVE BUDGET HEARING -- Commissioner McCallister moved to approve the minutes from the August 8, 2006 Town Commission Meeting, September 12, 2006 Town Commission Meeting, and September 12, 2006 Tentative Budget Hearing. The motion was seconded by Commissioner Behnken and passed unanimously.

2. BUDGET DISCUSSION -- There was no discussion.

3. SECOND PUBLIC READING OF ORDINANCE 2007-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2006-2007 -- Commissioner Garcia moved to approve Ordinance 2007-01 Setting the millage rate at 2.2 mills for Fiscal

5. RESOLUTION 2007-01 -- EGLIN BYPASS -- Commissioner McCallister moved to approve Resolution 2007-01 as written. The motion was seconded by Commissioner Behnken and passed unanimously.

6. POLYENGINEERING REPORT -- Representatives from Polyengineering gave a brief report. Mayor Combs asked that they come back to the October Commission Meeting and give a full briefing. Commissioners and residents should forward all questions to Manager Burns and he will forward them all to Polyengineering.

ANNOUNCEMENTS:

   SEPTEMBER 27, 2006 – Planning and Zoning Meeting, 6:00 p.m.
   OCTOBER 10, 2006 – Town Commission Meeting, 6:00 p.m.

Mayor Combs added that Tidbits articles should be submitted this week or no later than Monday.

ADJOURNMENT – Commissioner McCallister moved to adjourn at 6:33. The motion was seconded by Commissioner Garcia and passed unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER – Commissioner Jerry McCallister called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - absent

Mayor Pro-Tem Ricardo Garcia - absent

Commissioner Jerry McCallister - present

Commissioner Ursel Behnken - present

Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Police Sergeant John Spohn, Town Attorney Mike Chesser, Steve Copus, Deputy Clerk Tina Smith and Residents Richard Davis, Arthur Johanson, and Johann Behnken.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in August.

TOWN RESIDENTS' TIME:

I. ENGINEERING UPDATE - The engineers wanted to brief Mayor Combs so they will give their report at the September 21 meeting next week.

Several residents have inquired as to when the county will be done with the pump station and repaving. Manager Burns reported that he spoke with Billy Black from Hemphill Construction. Mr. Black said that the pump station on Meigs Drive has been delayed and they don’t want to repave the roads until they pressurize the new pipes. The company is hoping that the pump station and road repaving will be done within the next 30 days. Resident Johann Behnken stated that he could be patient with the repaving but doesn’t understand why Hemphill Construction has left trash
next to the pump station on Clifford Drive. Manager Burns asked Mr. Behnken to come talk to him at town hall and he would take care of the problem.

TOWN ATTORNEY’S REPORT:
- Attorney Mike Chesser reported that he is will be forwarding an ordinance to the commission that contains an indemnity provision.
- Attorney Chesser recommended that the commission change the sign ordinance but is a little leery about making that recommendation because the current sign ordinance has already held up in court.
- Attorney Chesser stated that Mike Woll’s accident is still being investigated.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE AUGUST 8, 2006 MEETING --
Commissioner Behnken asked if the approval of the minutes could be tabled until the next budget meeting because 2 of the 3 Commissioners present weren’t at the August 8 meeting.

NEW BUSINESS:
Commissioner Wagner reported that there are 3 large dead pine trees on our property near the school.

Commissioner Behnken stated that there is a bush sticking out at the intersection of Gardner Drive and Clifford Drive. Manager Burns informed her that Maintenance Supervisor Beck has it on his list and will be able to get to it when it stops raining.

MAYOR COMBS’ REPORT:
I. OCLOC UPDATE - Mayor Combs was not present. Deputy Clerk Smith attended the League of Cities lunch and reported that there isn’t anything significant taking place.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia was not present.
COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister reminded everyone that the next Budget Hearing will be next Thursday, September 21, at 5:30 p.m.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken stated that the town was awarded a $1000 stipend to send one commissioner to the Annual Florida League of Cities Conference and it was definitely worthwhile. Manager Burns learned about wi-fi and would like to hook it up in the entire city.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT – Police Monthly Activity Report attached
Meigs Middle School are planning on putting up a fence because they have been getting a lot of through traffic during school hours.
Mike Woll is still on light duty until September 21.
- **MAGNET PROGRESS** - The magnets are done and have been received by the town. They will be passed out to every resident and business when the weather clears up.
- **1955 CHEVY** - Manager Burns talked to the mechanic today. He had to order a new ignition switch but he told Manager Burns that he’d have the car back to the town by Thursday (September 14). The mechanic will be doing everything to the car in trade for the grey Pontiac.

TOWN MANAGER UPDATE
- The town will be planting some trees on Clifford Drive after the road is repaved. Also, there are still plans to purchase a Buckeye Tree for a Rik Larson memorial.
- The Shalimar Yacht Basin (SYB) is back on the market and Manager Burns has talked to 2 banks about the town getting financing. SYB has given the town their financial information. Commissioner Wagner asked if the town could get a grant. Manager Burns reported that they started looking at grant options a couple of months ago but stopped looking into it because the SYB owners gave the town the impression that it was already basically sold. Manager Burns and Mayor Combs will look into the grant options when Mayor Combs returns.

ANNOUNCEMENTS:
SEPTMBER 21, 2006 - 2ND BUDGET HEARING 5:30 P.M.
OCTOBER 10, 2006 – TOWN COMMISSION MEETING 6:00 P.M.

OCTOBER 25, 2006 - PLANNING AND ZONING MEETING 6:00 P.M.

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 6:36 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.

___________________________________
Tina Smith, Secretary
CALL TO ORDER: Commissioner Jerry McCallister called the Tentative Budget Hearing to order at 5:32 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:

- Mayor Gary Combs: absent
- Mayor Pro-Tem Ricardo Garcia: absent
- Commissioner Jerry McCallister: present
- Commissioner Ursel Behnken: present
- Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Police Sergeant John Spohn, Town Attorney Mike Chesser, Steve Copus, Deputy Clerk Tina Smith and Residents Richard Davis, Arthur Johanson, and Johann Behnken.

HEARING ITEMS:

1. **FIRST PUBLIC READING OF ORDINANCE 2007-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2006-2007** – Commissioner McCallister presented the first reading of Ordinance 2007-01. **Commissioner Wagner moved to approve Ordinance 2007-01 and accept 2.2 mills for FY 2006-2007. The motion was seconded by Commissioner Behnken and it passed unanimously.**

2. **FIRST PUBLIC READING OF ORDINANCE 2007-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2006-2007** – Commissioner McCallister presented the first reading of Ordinance 2007-02. **Commissioner Behnken moved to approve Ordinance 2007-02. The motion was seconded by Commissioner Wagner and it passed unanimously.**

3. **BUDGET DISCUSSION** – Manager Burns updated the town’s Liability insurance. The cost went up but he isn’t proposing a budget change because
the town’s Workman’s Compensation insurance cost went down so they even each other out. The Budget total is still the same.

4. **FIRST PUBLIC READING OF ORDINANCE 2007-03 ANNEXING EXPREZIT CONVENIENCE STORE** – Attorney Chesser read the title of Ordinance 2007-03. Manager Burns explained that the BP Station sent a letter to him requesting to be annexed into the town. **Commissioner Wagner moved to approve Ordinance 2007-03. The motion was seconded by Commissioner Behnken and it passed unanimously.**

**ANNOUNCEMENTS:** Final Budget Hearing – SEPTEMBER 21, 2006 at 5:30 p.m.

**ADJOURNMENT:** **Commissioner Behnken moved to adjourn at 5:50 p.m. The motion was seconded by Commissioner Wagner and it passed unanimously.**

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Tina Smith, Deputy Town Clerk
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Sergeant John Spohn, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Frank and Gloria Kane, Kenneth Holt, Virginia and Ron Rapp, Russel Arney, Brad Gable, and Art Johanson.

NICHOLAS HOPKINS PRESENTATION - Mayor Combs introduced Nicholas Hopkins and thanked him for helping the town’s maintenance department out during his summer break. He also presented Nicholas with a certificate and a small gift.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in July.

TOWN RESIDENTS' TIME:

I. ENGINEERING UPDATE - Polyengineering representatives stated that they were approximately 80% complete and will begin writing up the report. They will have their report to the town before the next Commission Meeting.
Resident, Art Johanson asked the commission if the easements in his townhome subdivision (Sundrift) were public or private. After reviewing the paperwork Mr. Johanson submitted to the town, Attorney Chesser stated that any issue with these easements would be a civil matter.

TOWN ATTORNEY’S REPORT:

I. ANNEXATION PROCESS - Attorney Chesser stated that, in the case of a voluntary annexation, the applicant would be required to submit a petition to the town and the Commission would have to pass an ordinance.

II. HARREL PROPERTY UPDATE - Attorney Chesser briefed that the contract has been signed and the closing is set for the 15th. Manager Burns will cut the check as soon as he finds out what the amount needs to be. **Commissioner McCallister moved to authorize Mayor Combs to sign the closing documents. Commissioner Garcia seconded the motion and it passed unanimously.**

Attorney Chesser attended a Municipal Law Seminar since the last meeting. He learned and suggested that the commission pass an ordinance that would disallow anyone to sign a contract if it contains an indemnity provision.

The Dewrell property on Clifford Drive is in the same condition it was in back in 2003. Mayor Combs stated that the town codes are effective except for perpetual offenders. Attorney Chesser advised Manager Burns to follow the code book, even though Mr. Dewrell has recently received a letter from the town.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JULY 11, 2006 MEETING - **Commissioner McCallister moved to approve the minutes from the July 11, 2006 Meeting as written. Commissioner Garcia seconded the motion and it passed unanimously.**

II. CHEROKEE PROPERTY (ADJACENT TO PARK) - Russel Arney, whose daughter owns the property, stated that she would agree to sign an agreement to clean up the property within the time mentioned.

NEW BUSINESS - There was no new business to report.
MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - Mayor Combs reported that the league mainly discussed the one-cent sales tax again.

COMMISSIONER GARCIA’S REPORT - There have been no BRAC Meetings since the last Commission meeting so there is nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.

POLICE REPORT – Police Monthly Activity Report attached

- CELL PHONE AND MAGNET PROGRESS - Chief Cash stated that he now has the new phone and Deputy Clerk Smith is working on the magnets.
- 1955 CHEVY - Mayor Combs asked that someone from the Police Department pick up the car and take it to someone that will be able to fix it in one week.
- FMPTF CHANGE PROPOSALS - Manager Burns explained that the town owes the Police Department approximately $40,000 in extra benefits. He is recommending that the Commission pass an ordinance to change the plan. He has suggested changing the vestment period to 6 years and changing the minimum retirement age. Mayor Combs asked if we could get out of the state retirement and do something different. Manager Burns will make some calls and find out what will happen to the $25,000 if they decide to opt out.

TOWN MANAGER UPDATE -

Code Enforcement Status:
- Cotton and Gates letter is attached
- Richbourg lot - the owner plans on building a home on this property and brought in a preliminary diagram of the footprint of the building
- Mayor Combs would like the Police Department to take weekly pictures of all properties that the town is having a problem with and make sure the date is on them
- Manager Burns hasn’t talked to Shalimar Yacht Basin about the buffer zone yet
- Nextel hasn’t been in for their permit yet but they have agreed to removal of current impervious surface equal to new concrete pad
- Waste Management sent their franchise fee check and will start paying quarterly
- The contractors have been calling about the Starbucks demolition
- The Commission agreed to Budget Hearing dates of September 12 at 5:30 and September 21 at 5:30.

ANNOUNCEMENTS:

AUGUST 30, 2006 – PLANNING AND ZONING MEETING 6:00 P.M.
SEPTEMBER 12, 2006 – TOWN COMMISSION MEETING 6:00 P.M.

ADJOURNMENT -- Commissioner McCallister moved to adjourn the meeting at 7:29 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 5:59 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present (left at 7:17)

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Sergeant John Spohn, Detective Sam Roberts, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Ed Stanford, Steve Gaultney, Michael Whitfield, and residents Johann Behnken and Arthur Johanson.

PLANNING AND ZONING BUSINESS:

I. STARBUCKS RECOMMENDATION - The Planning and Zoning Board recommended that the plans submitted originally be approved with the contingency that the hydrology report, traffic analysis, lighting plan, and parking concerns be submitted to town hall by July 7. These new reports and plans were reviewed by the commission. Commissioner Behnken moved to approve the plans as submitted. Commissioner Wagner seconded the motion and it passed unanimously. Manager Burns will draft up the Development Order.

II. COUNTY PROPERTY STORMWATER STUDY - Manager Burns explained that the county requested a permit for a generator to be installed at the annex to power the entire courthouse/EOC. Since then, the county is asking for another permit for a Nextel tower array and impervious pad to be laid. A letter from Danielle Slaterpryce was also presented. Before this is approved, it was suggested that Manager Burns
wait for the town’s engineering study to be reported. If Polyengineering finds that everything is up to code on the courthouse is not a part of the flooding problem, Manager Burns is authorized to permit the tower and pad but the county will be required to clear a current pervious surface that is roughly the same size as the concrete pad will be. If Polyengineering believes that the courthouse property is contributing to the current drainage problem in that part of town, the county will be required to come before the commission for a solution.

TOWN RESIDENTS' TIME - Art Johanson had several complaints, one of which was that there are several vehicles, trailers, boats, etc. parked on the lot next to the parking lot of the park. Manager Burns was directed to write the property owner a letter. Manager Burns was also asked to write letters to Steve Peterson asking about the buffer zone fence cleanup, the owner of the lot on Richbourg about cleaning up their lot, the Shalimar secure storage landscaping, and the car wash about their signage. If the lots are not cleaned up by a certain date (specified by the code book), the town’s maintenance department will clean them up and charge the property owners.

TOWN ATTORNEY'S REPORT - Attorney Chesser stated that he has received several calls about Mike Woll’s accident. He has told Mike Woll to refer all questions to him, not to give statements to anyone.

Attorney Chesser also reported that he will be attending the Attorney’s Seminar next week. Mayor Combs mentioned that he would like more information on annexing enclaves and businesses on Eglin Pkwy. He would also like to know if it’s possible for municipalities to have a 1-cent sales tax that would just be distributed to the cities with no county involvement.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JUNE 13, 2006 TOWN COMMISSION MEETING AND THE JUNE 13, 2006 FINAL BUDGET WORKSHOP - Commissioner Garcia moved to approve the minutes of the June 13, 2006 Town Commission Meeting and the June 13, 2006 Final Budget Workshop as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. ORDINANCE 2006-05 - AMENDING BUDGET ORDINANCE 2ND READING - Mayor Combs read Ordinance 2006-05 and went over the changes suggested at the first reading. Commissioner
McCallister moved to approve Ordinance 2006-05 as written. Commissioner Garcia seconded the motion and it passed unanimously.

NEW BUSINESS:

I. SHALIMAR POLICE DEPARTMENT MANNING/COVERAGE - The Police Department was directed to purchase a cell phone that will be carried by the on-duty officer. The phone number will be distributed to Shalimar residents only and will be for non-emergency use only.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - The 1-cent sales tax was discussed because there are 2 cities that still have not forwarded their information to the county. There was more discussion about the Quarterly dinner meeting dates. Last month they decided on the 2nd Thursday but that conflicts with Laurel Hill’s regular Council meetings so the board is now looking at the 3rd Tuesday. All cities are to look at their schedules and make sure that the 3rd Tuesday is good for everyone.

II. QUARTERLY DINNER - JULY 20 - FWB YACHT CLUB - HOSTED BY CINCO BAYOU - Everyone needs to make sure they RSVP to Tina today.

COMMISSIONER GARCIA’S REPORT - They have not held an Eglin/BRAC meeting since the last Commission Meeting, because there are quarterly meetings, but the subcommittees will have meetings more often.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister and Manager Burns are looking at changing accounts with AmSouth to get better interest rates.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken reiterated her concern that she’s the only person deciding what residence wins the “Yard of the Quarter”. Everyone trusts her opinion.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner left the meeting before his report.
POLICE REPORT – Police Monthly Activity Report attached

The 1955 Chevy should be ready some time next week

Chief Cash showed interest in attending the Chief’s Seminar which is in September. He has already discussed this with Manager Burns.

The cars on the lot next door will be moved. One of the cars is equipped with some police gear and it has been discussed that Mike Woll will drive it when he returns to work.

TOWN MANAGER UPDATE - Manager Burns stated that a resident of Finisterra is interested in parking his large truck on the lots next to town hall and pay the town. Commissioner McCallister asked that this be discussed after the town actually owns the property. Manager Burns would also like to increase the insurance on the town hall building from $250,000 to $300,000. The board would like to know what the premium cost will be before making a decision. Manager Burns will get that information and inform the board at the next meeting.

ANNOUNCEMENTS:

JULY 26, 2006 – PLANNING AND ZONING MEETING 6:00 P.M.

AUGUST 8, 2006 – TOWN COMMISSION MEETING 6:00 P.M. - Commissioner Behnken will not be at the next meeting. Commissioner McCallister stated that he may not be there because he’s having surgery at the end of July.

ADJOURNMENT -- Commissioner McCallister moved to adjourn the meeting at 7:40 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

____________________________________
Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Tina Smith, Steve Gaultney, Michael Whitfield, and Ed Stanford

OLD BUSINESS:

1. A motion was made by Member Behnken to approve the minutes of the May 31st, 2006 meeting. Member Tucker seconded the motion and it passed unanimously.

NEW BUSINESS:

1. Starbucks: The site plans and landscape plans for the proposed Starbucks Coffee Shop were presented by Steve Gaultney. Questions and concerns raised by P & Z members in relation to lighting, traffic, parking and hydraulics were recorded and addressed by Mr. Gaultney and Mr. Stanford. Member Tucker made a motion to approve the plans as submitted with the added contingency that the hydrology report, traffic analysis, lighting plan and parking concerns be submitted to the Town Manager by July 7, 2006. Member Behnken seconded the motion and it passed unanimously.

ANNOUNCEMENTS:

3. July 11, 2006 – 6:00 p.m. – Town Commission Meeting
4. July 26, 2006 – 6:00 p.m. – Planning and Zoning Meeting
ADJOURNMENT: A motion was made by Member Clements at 6:20 to adjourn the meeting. Member Behnken seconded the motion and it passed unanimously.

_____________________________________
Sally Henderson, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent (arrived at 6:55)
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, and resident Arthur Johanson.

PLANNING AND ZONING BUSINESS: There were no recommendations from the Planning and Zoning Board.

TOWN RESIDENTS' TIME: Residents present had nothing to report.

TOWN ATTORNEY'S REPORT: 25TH ANNUAL SEMINAR - FLORIDA MUNICIPAL ATTORNEYS ASSOCIATION -- Attorney Chesser stated that he would find the seminar beneficial. Commissioner Garcia moved to send Attorney Chesser to the seminar. Commissioner Wagner seconded the motion and it passed unanimously.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MAY 9, 2006 TOWN COMMISSION MEETING AND THE JUNE 6, 2006 TENT. BUDGET WORKSHOP -- Commissioner McCallister moved to approve the May 9, 2006
Town Commission Meeting and the June 6, 2006 Tentative Budget Workshop as written. Commissioner Garcia seconded the motion and it passed unanimously.

NEW BUSINESS:

I. TIDBITS DEADLINE - FRIDAY, JUNE 16 - Please turn in articles by June 23, 2006.

II. ORDINANCE 2006-05 - AMENDING BUDGET ORDINANCE - $410,000 was added to the “Capital Improvement Reserves” category. Mayor Combs suggested that another “whereas” be added to explain what the money was added for. **Commissioner McCallister moved to approve Ordinance 2006-05 with amendments. Commissioner Garcia seconded the motion and it passed unanimously.**

III. GROWTH MANAGEMENT RESOLUTION 2006-05 - Commissioner Garcia moved to approve Resolution 2006-05 as written. The motion was seconded by Commissioner Wagner and passed unanimously.

MAYOR COMBS’ REPORT:

I. OCLOC UPDATE - 1-CENT SALES TAX - APPROVE RESOLUTION 2006-04 - Commissioner Garcia moved to approve Resolution 2006-04 as written. The motion was seconded by Commissioner Wagner and passed unanimously. Mayor Combs stated that he is planning on writing about the 1-cent sales tax in the Tidbits this month.

II. QUARTERLY DINNER - JULY 20 - FWB YACHT CLUB - The League is discussing changing the dinner day to the 2nd Thursday because the NWFLC has their dinners on the 3rd Thursday.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia stated that he is one of the representatives for the transportation committee for the Eglin/BRAC meetings. If anyone has any concerns, comments, or questions, please forward them to Commissioner Garcia and he will pass them on to the correct committee or sub-committee.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister had nothing to report.
COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken hadn’t arrived at the meeting yet.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner had nothing to report.

POLICE REPORT – Police Monthly Activity Report attached - Chief Cash reported that Officer Curtis’ last day was Monday, Officer Shadwell is on TDY through his regular job and Officer Woll will probably be out 4-6 weeks. The police report stated that both parties were at fault. Attorney Chesser suggested adding the insurance deductible in next years’ budget, in preparation for a lawsuit.

The Police Department has been going door-to-door to update the resident’s list. They are also giving parking tickets all over town.

Mayor Combs would like the town to adopt a policy that if an employee wrecks a car or other equipment, they should have to pay half of the deductible. Manager Burns will draft up a resolution amending the personnel policy manual.

TOWN MANAGER UPDATE

- CARS - Detective Roberts drove the ’55 Chevy to a new place and it might be possible to pay for the maintenance work by trading one of the seized vehicles.

- ROADS - Manager Burns attempted to call the contracted company, Hemphill, but Mr. Black didn’t answer his phone. Manager Burns will get an update for the next meeting.

The owner at #10 Cherokee Road stopped by town hall to give an update. He stated that they are close to getting the electricity on.

The Shalimar Cheers Club approval to repair their sign after it was damaged during Hurricane Ivan.

ANNOUNCEMENTS:

JUNE 28, 2006 – PLANNING AND ZONING MEETING

JULY 11, 2006 – TOWN COMMISSION MEETING  6:00 P.M.
ADJOURNMENT -- Commissioner Behnken moved to adjourn the meeting at 7:01 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER: Mayor Gary Combs called the second Budget Workshop of the Shalimar Town Commission to order at 5:42 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:
- Mayor Gary Combs – present
- Mayor Pro-Tem Ricardo Garcia – present
- Commissioner Ursel Behnken – absent
- Commissioner Jerry McCallister – present
- Commissioner Glenn Wagner – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, and resident Art Johanson.

PURPOSE OF BUDGET WORKSHOP 2: Establish a preliminary budget and propose a tentative millage rate for the upcoming fiscal year. Manager Burns stated that the changes to the budget that were discussed at the last meeting had been applied and everyone should have received the new budget via e-mail for review. Everyone agreed that the new figures were correct. The Commission continued the discussion about lowering the millage rate. **Commissioner McCallister moved to set the tentative millage rate at 2.2 mils. Commissioner Garcia seconded the motion and it passed unanimously.**

Chief John Cash and Manager Burns stated a desire to sell back some of their leave. The Commission would not like the policy to change so that any future requests will be approved on a case-by-case basis. **Commissioner Wagner moved to approve Chief Cash and Manager Burns selling back some of their leave. Commissioner Garcia seconded the motion and it passed unanimously.**
ANNOUNCEMENTS:

June 29, 2005 – 6:00 p.m. – Planning and Zoning Meeting
July 12, 2005 – 6:00 p.m. – Town Commission Meeting

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 5:57 p.m. Commissioner Garcia seconded the motion and it passed unanimously.

____________________________________
Tina Smith, Deputy Town Clerk
CALL TO ORDER: Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 5:39 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Ursel Behnken – present
Commissioner Jerry McCallister – present
Commissioner Glenn Wagner – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, and resident Arthur Johanson.

PURPOSE OF BUDGET WORKSHOP 1: To review historical fiscal data. Estimate income, expenses and tentative millage rate for the upcoming fiscal year. The Commission reviewed the salary increases, line item income, and line item expenses. There were some minor adjustments made that will be reflected on the handouts at the next meeting. The Commission also discussed lowering the millage rate to 2.2 mils from 2.4 mils. The Commission all agreed on a $1 per hour raise for both part timers. Manager Burns will start paying them each $.50 more until the beginning of the fiscal year. The next budget workshop will be on June 13, 2006 at 5:30 p.m.

ANNOUNCEMENTS:

June 13, 2006 – 5:30 – Budget Workshop 2
June 13, 2006 – 6:00 – Planning and Zoning Meeting
ADJOURNMENT:

Commissioner McCallister moved to adjourn the First Budget Workshop at 8:37 p.m. It was seconded by Commissioner Garcia and passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements - absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Tina Smith, Steve Golfman and Michael Whitfield

OLD BUSINESS:

1. A motion was made by Member Behnken to approve the minutes of the February 22nd meeting as written. Member Tucker seconded the motion and it passed unanimously.

NEW BUSINESS:

1. Starbucks: A presentation was made by representatives of Starbucks Coffee explaining their desire to demolish the existing Expresit Convenience Store and gas station on Eglin Parkway and replace it with a Starbucks Coffee Shop. The Commission was assured that the plans for this project would be provided by June 23rd for review prior to providing a recommendation to the Town Commission at their July meeting.

2. County Annex: Town Manager, Tom Burns presented a request by NEXTEL to install additional telecommunications equipment at the County Courthouse Annex. It was decided that the town manager would contact Brent Miller of NEXTEL to request documentation of storm water compliance before the request would be considered by the board.
3. EAR Assistance: Town Manager Burns updated the P&Z Board Members on the grant to assist the town in developing the comp plan and the possibility of forming a partnership with Cinco Bayou.

ANNOUNCEMENTS:

5. June 6, 2006 – 5:30 p.m. – Town Commission Tentative Budget Meeting
6. June 13, 2006 – 5:30 p.m. – Town Commission 2nd Budget Meeting
7. June 13, 2006 – 6:00 p.m. – Town Commission Meeting

ADJOURNMENT: A motion was made by Member Henderson at 6:50 to adjourn the meeting. Member Tucker seconded the motion and it passed unanimously.

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Sally Henderson, Secretary
Town of Shalimar
Town Commission Meeting Minutes
May 9, 2006

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Kenneth Holt, Cristobal Bailon, and Johann Behnken.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Meeting in April.

TOWN RESIDENTS’ TIME - Kenneth Holt expressed interest in the surplus chain link fence section out back. The board told him to just take it if he wanted it.

TOWN ATTORNEY’S REPORT - Mayor Combs asked that the contract be sent over to Mr. Harrell and make sure he agrees. Attorney Chesser suggested $500 for Earnest Money. Manager Burns would like to see the closing of the property before the end of the Fiscal Year. Everyone agreed on closing on the property on August 25. Some additions/changes to the contract were discussed: Amount should be $397,500, the Earnest Money amount can be filled in at $500, and a small section explaining the town’s use of the property until closing.

Attorney Chesser has received the Preliminary Development Order and would like to finish reading it during the meeting.
OLD BUSINESS:

I. APPROVE MINUTES FROM THE APRIL 11, 2006 TOWN COMMISSION MEETING AND THE APRIL 25, 2006 SPECIAL TOWN COMMISSION MEETING - Commissioner Behnken moved to accept the minutes from the April 11, 2006 meeting and the April 25, 2006 special meeting as written. Commissioner McCallister seconded the motion and it passed unanimously.

NEW BUSINESS:

I. TOWN VEHICLE DISCUSSION - The Police Department has seized 3 vehicles, 2 of which have gone through the court process and now belong to the town. Manager Burns suggested that the Police Department choose one vehicle for undercover work and sell the other 2. Commissioner Garcia stated that he will discuss this with his department and inform the commission of their decision at the next meeting.

II. POLICE CAR BID - Manager Burns reported that only one bid was received for the old police car. The bid was for $316. Manager Burns stated that the car has been known to just turn off while being driven and someone that test drove it said that it didn’t feel like the transmission was shifting correctly. Commissioner Garcia moved to sell the 1996 Ford Crown Victoria for $316. The motion was seconded by Commissioner Behnken and passed unanimously.

III. 10 CHEROKEE ROAD UPDATE - Mr. Bailon stated that his plumbing inspection will be tomorrow but the county won’t give him the occupancy certificate until the sheetrock is all up and covering the wires. Mayor Combs said that it is noticeable that someone has been working on the property. It was agreed that the previous deadline can be disregarded.

IV. BUDGET MEETING DATES (SUGGESTED DATES 6/6/06 AND 6/13/06) - These dates are good for everyone. Mayor Combs reminded Manager Burns that he’d only have a couple of weeks and Manager Burns said there was enough time. He will have a tentative budget to everyone by the end of next week. He also has to check the dates of the other budget meetings in the county and if there are any conflicting meetings he will inform everyone via e-mail.

V. AUTHORIZATION TO AMEND BUDGET ORDINANCE 2006-02 - The Board authorized Manager Burns to rewrite the budget ordinance to include the land sale. He will have the rewritten ordinance to everyone by
the end of next week. The first and second readings will take place at the budget meetings discussed earlier.

MAYOR COMBS’ REPORT:

I. **OCLOC UPDATE - 1-CENT SALES TAX - APPROVE LIST** - (In no particular order) 1) Complete Master Storm water management plan for the entire town, 2) Mitigate flooding on Barron Court, 3) Mitigate flooding at Shalimar Commons Subdivision, 4) Mitigate flooding on Shalimar Drive. Mayor Combs added 5) Complete Storm water management plan for the town hall property and surrounding lots. There were no other additions and no one disagreed with this list.

Commissioner McCallister asked Manager Burns if there were any plans to restripe Richbourg Ave. Manager Burns said that he talked to the resource officer at Meigs who said that everything was fine with the current set up.

Hemphill is proposing to start the pipe line repair paving in 3 weeks. Manager Burns reminded them of the patch where the water line broke and the patch where the police sit and they have said that they will pave both areas.

The town now has another part-time maintenance man, Jeff Adams. Maintenance Supervisor Kent Beck and Mr. Adams will be cleaning up the back area at the end of the week, after Mr. Beck is through with his personal business.

COMMISSIONER GARCIA’S REPORT - Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT - Commissioner McCallister let the board know that the new police truck has been delivered and is out front.

COMMISSIONER BEHNKEN’S REPORT - Commissioner Behnken asked the Commission if anyone thought it was unfair that she was the only judge for the yard of the quarter. Everyone agreed that she was doing fine on her own.

COMMISSIONER WAGNER’S REPORT - Commissioner Wagner was not present.
POLICE REPORT – Police Monthly Activity Report attached - Chief Cash briefed the number of parking warnings and parking tickets that had been given out in the last month in Shalimar Commons. He also reported the amount of speeding tickets given on Gardner Drive and Old Ferry Road. Also, part-time officer, Will Curtis, who is recently married, will be out of the Air Force on June 1 and has been offered a job with the Walton County Sheriff’s Department.

TOWN MANAGER UPDATE - Attorney Chesser gave Manager Burns his changes to the Preliminary Development Order. The changes will be added and the final draft will be e-mailed out to everyone for review.

ANNOUNCEMENTS:

MAY 31, 2006 – PLANNING AND ZONING MEETING - There may be a meeting for the EAR Comp. Plan Review. The town’s deadline for the Comp. Plan update is the Summer of 2008.

JUNE 6, 2006 – FIRST BUDGET WORKSHOP 5:30 P.M.

JUNE 13, 2006 – SECOND BUDGET WORKSHOP 5:30 P.M.

JUNE 13, 2006 – TOWN COMMISSION MEETING 6:00 P.M.

ADJOURNMENT -- Commissioner McCallister moved to adjourn the meeting at 6:52 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER – Mayor Gary Combs called the special meeting to order at 6:06 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present

Mayor Pro-Tem Ricardo Garcia - present

Commissioner Jerry McCallister - present

Commissioner Ursel Behnken - present

Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, and Randy Longenbach, Dana Matthews, Scott Work, Debbie Dantin, Gary Brandon, Johann Behnken, Brad Gable, Steve and Paulette Peterson, Adam Russell, Mike Richardson, and Frank Kane.

OLD BUSINESS:

I. SHALIMAR YACHT BASIN DEVELOPMENT PROJECT DISCUSSION - Dana Matthews recapped the history of the project as it relates to past meetings. Mike Richardson went over the handout packets and the renderings that were posted on the chamber wall. Mayor Combs went over his list of questions and the developers’ answers (attached). Some of the concerns of the commission and the residents present at the meeting include:

- trash receptacles for the boaters
- designating the parking spaces for boat slips and condos
- protecting the trees and the buffer zone next to the maintenance area
- the type of boat storage racks that will be used in the maintenance area
Dana Matthews stated that the developers are willing to put up $250,000 for the traffic calming measures and suggested that they be done during the first phase of the project.

**Commissioner Wagner moved to approve the Preliminary Development Order to include the number of units, building height, layout of buildings, and all traffic calming measures as presented on April 25, 2006 subject to the approval of all applicable regulatory agencies. Commissioner Behnken seconded the motion.** Dana Matthews asked the board to clarify that the traffic calming measures referred to were the 4 that had already been agreed to, but does not include widening Cherokee Road. There was no disagreement from the board. Attorney Chesser asked about the Development Order and Commissioner Wagner stated that this motion is authorizing Town Manager Burns to draft up the Preliminary Development Order. **The motion passed unanimously.**

Manager Burns reported that Rob Harrell was close to accepting the offer of $400,000. Mayor Combs stated that he would offer $400,000 and ask Mr. Harrell to pay for the appraisal. Mayor Combs then mentioned some other possible negotiations. **Commissioner McCallister moved to allow Mayor Combs to negotiate with Mr. Harrell for the 3 lots next door. Commissioner Garcia seconded the motion and it passed unanimously.**

**ANNOUNCEMENTS:**

MAY 9, 2006 – TOWN COMMISSION MEETING

**ADJOURNMENT -- Commissioner McCallister moved to adjourn the meeting at 7:52 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.**

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Tina Smith, Deputy Town Clerk
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - present (arrived at 6:05)

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Roy Petrey, Pat Dulian, Ken Holt, Virginia Rapp, and Ron Rapp.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Recommendations for the Commission to approve.

TOWN RESIDENTS' TIME - The town residents present had no new business.

TOWN ATTORNEY’S REPORT

- Attorney Mike Chesser has reviewed the Porpoise Point agreement that was submitted to the town by Wayne Warner. He stated that it was comparable to the agreement the town had with Myron Tassin but Attorney Chesser suggested that Mr. Warner make the agreement between each of the owners or their successors in interest so they will be able to sell the property without having to redraft this agreement. He also recommended making the agreement a recordable document so that it will be recorded in the public records at the clerk’s office and when the property is sold, the agreement becomes part of the conveyance.
- Attorney Chesser has called Rob Harrell’s office to get an answer to the last proposal ($400,000) but he will be gone until next Monday.

- Town Manager Tom Burns stated that he would like Attorney Chesser to look over a school board agreement that was just brought into town hall. Manager Burns will make him a copy to take with him.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE MARCH 14, 2006 TOWN COMMISSION MEETING - Commissioner Garcia moved to approve minutes from the March 14, 2006 meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

NEW BUSINESS:

I. TREE GRANT RESOLUTION 2006-03 - Commissioner Behnken moved to approve the terms of the grant agreement as written in the resolution. The motion was seconded by Commissioner Garcia and passed unanimously.

II. WENDY GREY CONTRACT - Commissioner McCallister moved to approve the attached contract from Wendy Grey. Commissioner Wagner seconded the motion and it passed with Commissioner Behnken voting nay. Mayor Combs asked Manager Burns to forward the contract to Bullock Tice for review before he signs it.

III. POLYENGINEERING TASK ORDER - Commissioner Garcia moved to approve the Polyengineering Contract. Commissioner Wagner seconded the motion and it passed unanimously.

IV. JIM GETTY (RESIDENT) WALL DISCUSSION - There are 2 issues concerning Mr. Getty. The first issue is the maintenance of the landscaping that Mr. Getty has added and the second issue is Mr. Getty’s use of the town’s right-of-way to access his back yard. The landscaping agreement will be handled with Mr. Getty’s homeowner’s association. As far as the use of the right-of-way, Mayor Combs is hesitant about setting a precedent. At this point, Mayor Combs stated that Mr. Getty can use the right-of-way without direct permission but if there are any complaints from neighbors, etc. the use will have to stop.

MAYOR COMBS’ REPORT:
I. **OCLOC UPDATE** - The Executive Board is still discussing the 1-cent sales tax referendum. Mayor Combs asked Manager Burns about the old police car. Manager Burns stated that he will get the car advertised before the next meeting.

**COMMISSIONER GARCIA’S REPORT** - Commissioner Garcia had nothing to report.

**COMMISSIONER MCCALLISTER’S REPORT** - Commissioner McCallister stated that the amount of money budgeted for gas will most likely be low due to the current price of gas. Also, the new police truck is on order and should be delivered soon.

**COMMISSIONER BEHNKEN’S REPORT** - Commissioner Behnken reported that 904 Sara Drive won the yard of the quarter and it was posted in the March Tidbits.

**COMMISSIONER WAGNER’S REPORT** - Commissioner Wagner had nothing to report.

**POLICE REPORT** – Police Monthly Activity Report attached

**TOWN MANAGER UPDATE** - Manager Burns announced that the Fairfield Inn will be having a ribbon cutting ceremony on April 25 at lunch and everyone is invited.

**ANNOUNCEMENTS:**

- **APRIL 13, 2006 – OCLOC DINNER MEETING**
- **APRIL ??, 2006 – SPECIAL TOWN COMMISSION MEETING** - The date of April 25 for the special meeting is good for everyone. Mayor Combs asked that everyone think of questions to ask of the developers and e-mail them to Tom. Tom will then forward them to the developer.
- **APRIL 26, 2006 – PLANNING AND ZONING MEETING**

**ADJOURNMENT** -- Commissioner Behnken moved to adjourn the meeting at 7:07 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem Ricardo Garcia - present
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - absent
Commissioner Glenn Wagner - present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, and residents Barry Barnes and Wayne Warner.

PLANNING AND ZONING BUSINESS - There was no Planning and Zoning Recommendations for the Commission to approve.

TOWN RESIDENTS' TIME - The town residents present had no new business.

TOWN ATTORNEY'S REPORT - Attorney Chesser had nothing to report.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE FEBRUARY 15, 2006 TOWN COMMISSION MEETING - Commissioner Wagner moved to approve minutes from the February 15, 2006 meeting as written. The motion was seconded by Commissioner Garcia and passed unanimously.
II. **SNUG HARBOR REQUEST** - The Town of Shalimar currently has a use and maintenance agreement with Myron Tassin, the previous owner of the 3 lots at the end of Snug Harbor. The agreement for Mr. Warner’s lot was transferred to him from Mr. Tassin when he closed on his house but the other homeowners have no such transfer paperwork. **Commissioner Wagner moved that, if the owners of all 3 lots are willing to sign an equivalent use and maintenance agreement to legally take over Myron Tassin’s responsibility, the town would agree to transfer this agreement to the 3 new owners. The motion was seconded by Commissioner Garcia and passed unanimously.**

III. **ORDINANCE 2006-04 (attached)** -- Attorney Chesser had some changes that the commission agreed to. **Commissioner Wagner moved to approve Ordinance 2006-04 with amendments. Commissioner Garcia seconded the motion and it passed unanimously.**

NEW BUSINESS: There was no new business to discuss.

MAYOR COMBS’ REPORT:

I. **HARRELL PROPERTY UPDATE** -- Attorney Mike Chesser briefed that he talked with Rob Harrell. He recommended to the commission that the town split the difference with Mr. Harrell and offer him a price that’s somewhere between both of the appraisals. Attorney Chesser believes that it is possible that the town will pay more than $75,000 to try and go eminent domain on the land. **Commissioner McCallister moved to allow Attorney Chesser to offer Mr. Harrell $400,000 for the 3 lots next to town hall. Commissioner Garcia seconded the motion and it passed unanimously.** Mayor Combs stated that he only wanted the total for the lot, taxes, closing costs, etc. to be no more than $400,000.

II. **OCLOC UPDATE** - Commissioner Garcia attended the lunch. The main thing that was discussed was the 1-cent sales tax referendum. There have been no new issues with the tax.

III. **TIDBITS** - The March Tidbits will be going out at the end of the month. Please get your articles to Tina Smith by Friday.

COMMISSIONER GARCIA’S REPORT: Commissioner Garcia had nothing to report.
COMMISSIONER MCCALLISTER’S REPORT: Commissioner McCallister had nothing to report.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken was not present.

COMMISSIONER WAGNER’S REPORT: Commissioner Wagner had nothing to report.

POLICE REPORT – Police Monthly Activity Report attached

TOWN MANAGER UPDATE – An interlocal agreement between the town and the county is needed and the standard contract that the county has with all of the cities was briefed. Attorney Chesser pointed out some changes that he would recommend. Manager Burns stated that he’d have to get approval from Randy Showers who is with Okaloosa County. **Commissioner Garcia moved to authorize Mayor Combs to sign the updated agreement if the county agrees to the changes.** Commissioner McCallister seconded the motion and it passed unanimously.

Manager Burns briefed that the copy machine lease is almost up and he is looking around for another, newer contract. Right now he has a bid that is less than the town is paying now. **Commissioner Garcia moved to authorize Manager Burns to get a new copy machine contract for the same amount of money as the current bid or less.** Commissioner Wagner seconded the motion and it passed unanimously.

ANNOUNCEMENTS:

MARCH 29, 2006 – PLANNING AND ZONING MEETING

APRIL 11, 2006 – TOWN COMMISSION MEETING

ADJOURNMENT -- Commissioner McCallister moved to adjourn the meeting at 6:50 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.
Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Chairman Gable at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – absent
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Tina Smith and John Himes.

OLD BUSINESS:
I. A motion was made by Member Henderson to approve the minutes of the February 13th meeting. Member Clements seconded the motion and it was passed unanimously.

NEW BUSINESS:-
1. John Himes, of Destin Signs, representing the owner of Waterworkx requested a variance for the Valvoline Oil sign. The owner is required by Valvoline to have an illuminated sign over the bay where oil changes are done. There is currently 218 sq. ft. of signage on the pole on Eglin Pkwy. and the requested variance would add an additional 42 sq. ft. Following a discussion of the ordinance, a motion was made by Member Behnken that with the exception of this sign, all other signs are to be limited to 200 sq. ft. and made and maintained by professionals. The Valvoline sign is to be considered a directional sign instead of a point of sale sign and is to be limited to no more than 20 sq. ft. Following discussion, the motion was seconded by Member Clements and it was passed unanimously.

ANNOUNCEMENTS:
Chairman Gable reviewed the Commission meeting discussion of the Shalimar Yacht Basin project. The height of the new condo project at the foot of the Shalimar Bridge was discussed and it was decided that Chairman Gable would send a letter to the Okaloosa County Commissioners voicing our concern and requesting that they support Shalimar as we have supported the county in height restrictions.

March 14, 2006 – 6:00 p.m. – Town Commission Meeting
March 29, 2006 – 6:00 p.m. – Planning and Zoning Meeting

ADJOURNMENT: A motion was made by Member Behnken at 6:55 to adjourn the meeting. Member Clements seconded the motion and it passed unanimously.

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Sally Henderson, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Ricardo Garcia: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Rachelle Graves, Frank and Gloria Kane, Debbie Dantin, Dana Matthews, Scott Work, Adam Russell, Randy Longenbach, Mike Richardson, Mike Munson, Kenneth Holt, Steve Peterson, Brad Gable, and Mickey Clements.

PLANNING AND ZONING BUSINESS: 2/2/06 and 2/13/06 Minutes are attached - Mayor Combs rearranged the agenda at this point to move this item to later in the meeting (right before the “Mayor’s report” section).

TOWN RESIDENTS’ TIME -- Kenneth Holt, whose home backs up to Cherokee Park, inquired about the park hours and stated that there had been activity in the park after hours. Mayor Combs asked the Police Chief John Cash to increase the emphasis on patrols through the park in the evenings.

TOWN ATTORNEY’S REPORT -- Attorney Chesser’s report was discussed during Mayor Combs’ report.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JANUARY 10, 2006 TOWN COMMISSION MEETING -- Commissioner McCallister moved to approve the minutes of the January 10, 2006 meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.

II. SNUG HARBOR REQUEST -- This issue is still being resolved by the homeowners so Mayor Combs requested it be tabled and put on the next meeting’s agenda.

III. ORDINANCE 2006-04 (attached) -- Commissioner Garcia moved to approve Ordinance 2006-04. Commissioner McCallister seconded the motion. Commissioner Wagner believes the rates for marinas are too high. There was a suggestion that the fee chart include a sliding scale which would stagger the prices in increments of 10 wet slips (1-10 wet slips would pay $1200, 11-20 would pay $2400, and so on). It was agreed that the ordinance will be rewritten to include this sliding scale and the Commission will have a 3rd reading at the next scheduled Commission meeting.

NEW BUSINESS:

I. 10 CHEROKEE ROAD -- The owner of 10 Cherokee Road asked the Commission for a deadline extension because he is not through with the house yet. He stated that he has more time to work on it now. Mr. Holt, who lives at 13 Cherokee Road, stated that he has no complaints about the noise and also verified that he hears owner is working on this house. Commissioner Behnken moved to extend the deadline to May 15, 2006. Commissioner Wagner seconded the motion and it passed unanimously.

PLANNING AND ZONING BUSINESS: 2/2/06 and 2/13/06 Minutes are attached -
- The minutes from the February 2, 2006 meeting were approved by the Planning and Zoning Board at the February 13, 2006 meeting. Dana Matthews questioned the recommendation made at the February 13, 2006 meeting and P&Z Chairman, Brad Gable, and Manager Burns explained that it was an overall summary based on things that the Planning and Zoning Board went through at the February 2, 2006 meeting.
- Attorney Chesser stated that all of the documents that have been submitted and/or generated to/by the town in reference to this project are a part of this record. He then swore in Debbie Dantin, Mike Richardson, Brad Gable, and Tom Burns.
- Dana Matthews briefed the history of this development. He stated that the developers have updated all of their plans to include all recommendations made by the Planning and Zoning Board, Town Commission, and Okaloosa County. Mayor Combs inquired about the sort of marina-activity would be taking place and Mr. Matthews stated that there would be very little because of all the restrictions put on the property at past meetings.

- Mayor Combs suggested that all traffic calming measures be included in the Development Order and if the town finds that they need more after the property is populated, the town will pay for them. Manager Burns will e-mail his suggested traffic calming measures to the developers so they will be included in the updated plans.

- Mayor Combs would also like to see more marina-activity and would like to do something about the aesthetics of the buildings. The current artist’s renderings of the buildings are too dorm-like. The architect agreed that the buildings could be made to look better if the Commission would raise the height restriction to 70 feet on the buildings along Old Ferry. Some units will be rearranged to allow for a boat maintenance yard on the west side of the development and they will work with the roof angles which affects the current appearance. All other previous recommendations will be adhered to. Mayor Combs would also like to see the length of Building D down to 217 feet.

- The developers should have updated plans within 30 days. When the town receives the plans, a special meeting will be scheduled.

MAYOR COMBS’ REPORT:

I. HARRELL PROPERTY UPDATE -- Mr. Harrell wants $475,000 for the 3 lots next door. The appraisal that the town paid for showed the lot as “Commercial” property so it appraised quite a bit higher. Mayor Combs didn’t believe that the town should pay for the appraisal because the product isn’t what was asked for. Attorney Chesser stated that Mr. Humphries may sue him, because he’s the one that requested the appraisal. The board agreed that Attorney Chesser would get with Mr. Harrell and find out the name of another appraiser that the town could pay for a second appraisal.

II. OCLOC UPDATE -- The sales tax referendum is still an issue but the League hasn’t really gotten any farther with it at this point.

COMMISSIONER GARCIA’S REPORT -- Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT -- The 1955 Chevrolet Bel-Aire needs a new engine and the Police Department has decided on a new police vehicle.
Commissioner Garcia moved to approve spending money for a new engine. Commissioner Wagner seconded the motion and it passed unanimously. Manager Burns briefed the commission that Chief Cash has looked at the state contract information and picked out a truck. **Commissioner Wagner moved to approve the purchase of a new police truck.** Commissioner McCallister seconded the motion and it passed unanimously. Manager Burns recommended that the options purchased with the truck be discussed with Commissioner Garcia.

**COMMISSIONER BEHNKEN’S REPORT** -- Commissioner Behnken had nothing to report.

**COMMISSIONER WAGNER’S REPORT** -- Commissioner Wagner had nothing to report.

**POLICE REPORT** – Police Monthly Activity Report (attached)

**TOWN MANAGER UPDATE** -- Manager Burns had nothing to report.

**ANNOUNCEMENTS:**

- **FEBRUARY 22, 2006 – PLANNING AND ZONING MEETING**
- **MARCH 14, 2006 – TOWN COMMISSION MEETING**

Attorney Chesser suggested that the Commission consider hiring an expert witness. Mayor Combs asked Manager Burns to get in touch with Wendy Grey and find out if she is available. He also suggested that Ms. Grey attend the developers’ meetings so that they don’t include anything in the new plans that are nonconforming. Manager Burns will contact the developers and ask if they would approve of our expert attending those meetings.

**ADJOURNMENT** -- Commissioner McCallister moved to adjourn the meeting at 10:16 p.m. The motion was seconded by Commissioner Garcia and passed unanimously.
Tina Smith, Deputy Town Clerk
CALL TO ORDER: Chairman Gable called the meeting to order at 6:01 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, Brad Sheldon and Scott Work.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE FEBRUARY 2, 2006 P&Z MEETING -- Member Behnken moved to approve the minutes from the February 2, 2006 meeting as amended. Member Tucker seconded the motion and it passed unanimously.

Member Tucker moved to recommend to disapprove the current plan dated 24 January, 2006 based on compatibility issues, traffic problems, and sidewalks issues. Also, when a new plan is issued, they need to come back to the Planning and Zoning Board before going before the Town Commission. Member Henderson seconded the motion and it passed unanimously.

ANNOUNCEMENTS:
February 15, 2006 – 6:00 p.m. – RESCHEDULED TOWN COMMISSION MEETING
February 22, 2006 – 6:00 p.m. – PLANNING AND ZONING MEETING
ADJOURNMENT: Member Behnken moved to adjourn the meeting at 6:18 p.m. Member Tucker seconded the motion and it passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER: Chairman Gable called the meeting to order at 6:05 p.m. He led the "Pledge of Allegiance".

ROLL CALL FOR THE RECORD:
Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Amy LeMay, Steve Copus, Dana Mathews, Scott Work, Adam Russell, Mike Richardson, Debbie Dantin, Mike Munson, Steve and Paulette Peterson, and residents Frank and Gloria Kane, and Jon Shepard.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE JANUARY 25, 2006 PLANNING & ZONING MEETING – Member Clements moved to approve the minutes of the January 25, 2006 P&Z Meeting as written. Member Henderson seconded the motion and it passed unanimously.

II. SHALIMAR YACHT BASIN DEVELOPMENT REVIEW – Chairman Gable went through the following agenda addition:

Agenda ideas – P&Z meeting Feb 2, 2006 – Shalimar Yacht Basin

Meeting objectives: Make determinations of compliance and recommendations (with final comments) to the Shalimar Town Commission on the proposed SYB development application (PDP), as presented on preliminary plans dated December 30, 2005 (updated on January 24, 2006).
1. Compliance with previous Commission zoning change guidance.
   A. density - meets 25/acre guidelines
   B. height - meets 50 foot maximum for all building guidelines
   C. setbacks - appears that setback requirements are met. Dana Matthews stated that the developers are using an updated/current survey that shows the correct property lines.
   D. parking (check handicap numbers - 1 for every 25 spots) - The developer stated that they would check the numbers of handicap spaces that will be required. They also pointed out that, at this time, there are 12 extra parking spaces.
   E. minimum unit size - meets 1400 sq. ft. minimum guidelines
   F. open space - meets guidelines of at 15% minimum
   G. signage (location of and size) - there is no information on the plans about signage but the board pointed out that, according to the January 24, 2005 Town Commission Meeting, the developers are limited to 200 sq. ft. as with any commercial lot.

2. Traffic
   A. Adequacy of traffic concurrency study (Exhibit 1C is missing) - (1C in the concurrency study was renumbered to 1.3.) The board decided that the traffic concurrency study was adequate.
   B. Level of Service and roadway width sufficiency on Gardner Drive, Cherokee Road, and Old Ferry Road - Member Gable pointed out that, according to the town’s codes, all roads leading to a PUD should be at least 24 feet wide. Cherokee Road is only 21 feet wide. Member Behnken moved that it be recommended for the Town Commission to study the issue and to determine whether the widening of the road falls into the scope of this project or if it’s an infrastructure problem of the city which has been there for quite some time and needs to be resolved. Member Clements seconded the motion and it passed 4-1 with Member Gable voting nay.

7:40 Dana Matthews pointed out that A. Lemay has to leave at 8 and asked if we could move to the agenda items that she has to answer 2E – 2J and #3
   C. Recommended traffic calming measures on above roadways with all recommended changes to proposed roadway structures (curbs, materials, landscaping/maintenance).

The developers agreed to a concurrency study after the development is approximately 70% occupied and to putting in necessary traffic calming devices at that time.
1. 4-way stop sign at Old Ferry Road and Meigs Drive - will look at this item at a later date
2. Round-about at Old Ferry Road and Petit Court - will look at this item at a later date
3. Mid-Block Island on Old Ferry Road - will look at this item at a later date
4. Round-about at Old Ferry Road and Gardner Drive - will look at this item at a later date but will keep 4-way stop sign there for now
   a. Closes one entrance to Finesterra. Have they received approval to do this? - will look at this item at a later date if necessary
   b. Maintenance of device - will look at this item at a later date if necessary
5. Mid-Block Island on Cherokee Road - will look at this item at a later date
6. Raised intersection on Cherokee Road - will look at this item at a later date
   a. Brick vs. Stamped Pavers - will look at this item at a later date if necessary
   b. Maintenance of device - will look at this item at a later date if necessary
7. 3-way stop sign at Gardner Drive and Cherokee Road - will look at this item at a later date but will keep the 3-way stop sign for now.
8. Speed Hump on Gardner Drive - will look at this item at a later date

Traffic calming measures to help manage the traffic on Gardner Drive were discussed. The board recommended that the developer put some money into an escrow account. At a later date, when the development is approximately 70% full, a traffic concurrency study should be done and any necessary traffic calming measures will be added using the money from the escrow account.

The developers agreed to this but asked that a cap be put on the escrow amount. Member Behnken asked the traffic expert if she could provide the town commission with a cost estimate for each traffic calming measure proposed and Ms. Dantin agreed.

D. Turn (deceleration) lanes off of SR 85 to Gardner Drive, Cherokee Road, and Old Ferry Road - there were no decisions made on this item
E. Raising of Old Ferry Road, Runoff, Edges, Curbs (Grading Plan) - Amy LeMay briefed that they would be raising Old Ferry Road, where it dips, approximately 4 feet and the swale will be raised. There will be no change to the Stormwater flow.
F. Sidewalks on Old Ferry Road - According to Amy LeMay, sidewalks around the property will impact the swale system because there will be little or no room for the planned swale. **Member Behnken moved that sidewalks be included in the project. Member Tucker seconded the motion.** **Member Behnken amended his motion to specify that the sidewalks be around the perimeter of the property as per our ordinances.**
Member Tucker seconded the amendment. The amendment passed unanimously. The motion passed unanimously.

G. Turning adequacy for vessel removal, garbage, fire, school buses - ratio meets requirements
H. Entrance widths (24’ for 2-way entrance 15’ for one-way entrance) - all widths meet requirements
I. Crosswalk locations - The developer has no objection to striping the sidewalks across the entrances as per board recommendations
J. Traffic moving within the site - The board is comfortable with this issue

3. Storm water concurrency study

A. Sufficiency - the retention pond on the south end of the SYB plans is on the town right-of-way but will be put there to service Old Ferry Road.
B. Maintenance - The developers stated that the Homeowner’s Association will maintain all Stormwater retention areas shown on the site plan.
C. Flood Zone Ratings Compliance (Minimum floor elevation for the site) - Since parking garages are on the bottom floor of all buildings, the habitable level is well above all flood plain elevations and should not affect the town’s CRS level. The garages will have frangible walls based on Florida Building Codes, if necessary.

4. Commercial Activity

A. Restrictions on activity type - This issue was covered at the January 24, 2005 Town Commission Meeting.
B. Commercial vs. residential layout - This issue was covered at the January 24, 2005 Town Commission Meeting.
C. Marina activity limitations - There was some discrepancy between the current owner, Steve Peterson, and the Developer as to the type of marina activities that would take place. Mr. Peterson stated that he would continue to do everything that is being done now except sandblasting. The Developer declared that there would be very little marina activities, stating that there would be no boats on stands, etc.
D. Signage (location of and size) - This issue was covered at the January 24, 2005 Town Commission Meeting.

5. General

A. Landscaping plan – buffer zones, right-of-ways
   1. Open Space Landscaping (82-287 15%) - meets guidelines
   2. Front Perimeter Landscaping (82-288 minimum 10’ wide from abutting right of way) - meets guidelines except that in front of the showroom the landscaping is on the right-of-way and the sidewalk is on the
Shalimar Yacht Basin property. The developer agreed that they will maintain the landscaping.

3. Interior Parking Landscaping (82-289) - appears that the requirement has been met.

4. Buffer Zone Landscaping (82-90) - appears that the requirement has been met.

B. Maintenance of any landscaped right-of-ways - already covered, developers have agreed that the homeowner’s association will maintain the landscaping.

C. Underground Utilities - The developers will meet with Gulf Power and if the power company requires that the lines be underground then they will put them underground.

6. Compatibility

A. Building size/length – board does not agree to adding floors but wants the long building split in two.

**Member Henderson moved that Building B be divided into 2 buildings allowing for 5 buildings as opposed to 4 but that the height not increase. Member Tucker seconded the motion. Member Henderson amended the motion to require that no building be more than 217 feet long and no less than 20 feet between buildings. Member Behnken seconded the amendment. The amended motion passed unanimously. The original motion passed unanimously.**

B. Building appearance/variability – Already discussed

C. View corridors and parking “look through” – Board all in agreement that there should be some open vistas through the buildings/parking garage. Developers don’t have a problem with the “vistas” and have agreed to add a 3-4 foot high wall to hide the front of the cars, all A/Cs, and mechanicals will be on the roof.

D. Public water access/boardwalk - There will be no public boardwalk. The boardwalk is only to paying customers and it’ll be up to the HOA who is allowed on the property and how it will be policed.

At the end of the meeting, Town Attorney Mike Chesser went over each agenda item and the outcome of each. This information is listed below:

1. Compliance with previous Commission zoning change guidance.

   A. density - no report or recommendations to the Town Commission.
   B. height - no report or recommendations to the Town Commission.
   C. setbacks - no report or recommendations to the Town Commission.
D. parking (check handicap numbers - 1 for every 25 spots) - Developer pointed out that they will check on the number of handicap spots required and make sure that they have enough.

E. minimum unit size - no report or recommendations to the Town Commission.

F. open space - no report or recommendations to the Town Commission.

G. signage (location of and size) - at their January 24, 2005 Town Commission Meeting, the Commission made a motion that any signage conform to the current ordinances for commercial signs. Right now there are no signs on the plans so there is no report or recommendations to the Town Commission.

2. Traffic

A. Adequacy of traffic concurrency study (Exhibit 1C is missing) - no report or recommendations to the Town Commission.

B. Level of Service and roadway width sufficiency on Gardner Drive, Cherokee Road, and Old Ferry Road -
   The Level of Service, according to the town’s Comp Plan, is Level C but the numbers in the traffic study were based on Level D. Debbie Dantin will change the study to reflect Level C, revise the numbers, and provide the new calculations to the Town Commission.

   Member Behnken moved that it be recommended for the Town Commission to study the issue and to determine whether the widening of the road falls into the scope of this project or if it’s an infrastructure problem of the city which has been there for quite some time and needs to be resolved. Member Clements seconded the motion and it passed 4-1 with Member Gable voting nay.

C. Recommended traffic calming measures on above roadways with all recommended changes to proposed roadway structures (curbs, materials, landscaping/maintenance).
   1. 4-way stop sign at Old Ferry Road and Meigs Drive - will look at later
   2. Round-about at Old Ferry Road and Petit Court - will look at later
   3. Mid-Block Island on Old Ferry Road - will look at later
   4. Round-about at Old Ferry Road and Gardner Drive- will look at later
      a. Closes one entrance to Finesterra. Have they received approval to do this? - will look at later
      b. Maintenance of device - will look at later
   5. Mid-Block Island on Cherokee Road - will look at later
   6. Raised intersection on Cherokee Road - will look at later
      c. Brick vs. Stamped Pavers - will look at later
      d. Maintenance of device - will look at later
   7. 3-way stop sign at Gardner Drive and Cherokee Road - will look at later
8. Speed Hump on Gardner Drive - will look at later
The developer agreed to put some money into an escrow account. At a later date, when the development is approximately 70% full, a traffic concurrency study should be done and any necessary traffic calming measures will be added using the money from the escrow account. The developers agreed to this but asked that a cap be put on the escrow amount.

Member Behnken asked the traffic expert if she could provide the town commission with a cost estimate for each traffic calming measure proposed and Ms. Dantin agreed.

D. Turn (deceleration) lanes off of SR 85 to Gardner Drive, Cherokee Road, and Old Ferry Road - This is something that will be looked at after 70% occupancy.
E. Raising of Old Ferry Road, Runoff, Edges, Curbs (Grading Plan) - no report or recommendations to the Town Commission.
F. Sidewalks on Old Ferry Road - Member Behnken moved that sidewalks be included in the project. Member Tucker seconded the motion. Member Behnken amended his motion to specify that the sidewalks be around the perimeter of the property as per our ordinances. Member Tucker seconded the amendment. The amendment passed unanimously. The motion passed unanimously.
G. Turning adequacy for vessel removal, garbage, fire, school buses - no report or recommendations to the Town Commission.
H. Entrance widths (24’ for 2-way entrance 15’ for one-way entrance) - no report or recommendations to the Town Commission.
I. Crosswalk locations - The developer has agreed to paint stripes at all entryways
J. Traffic moving within the site - no report or recommendations to the Town Commission.

3. Storm water concurrency study
   A. Sufficiency - no report or recommendations to the Town Commission.
   B. Maintenance - All maintenance will be handled by the homeowner’s association for all Stormwater retention areas shown on the site plan.
   C. Flood Zone Ratings Compliance (Minimum floor elevation for the site) - no report or recommendations to the Town Commission.

4. Commercial Activity
   A. Restrictions on activity type - (according to the developer) will conform to motion made by the Town Commission at the January 24, 2005 meeting
   B. Commercial vs. residential layout - (according to the developer) will conform to motion made by the Town Commission at the January 24, 2005 meeting
C. Marina activity limitations - (according to the developer) will conform to motion made by the Town Commission at the January 24, 2005 meeting

D. Signage (location of and size) - will conform to motion made by the Town Commission at the January 24, 2005 meeting

It was agreed upon that if more than 128 boat slips are to be considered, the property owner will have to come before the board for approval.

5. General

A. Landscaping plan – buffer zones, right-of-ways
   1. Open Space Landscaping (82-287 15%) - no report or recommendations to the Town Commission.
   2. Front Perimeter Landscaping (82-288 minimum 10’ wide from abutting right of way) - no report or recommendations to the Town Commission.
   3. Interior Parking Landscaping (82-289) - no report or recommendations to the Town Commission.
   4. Buffer Zone Landscaping (82-90) - no report or recommendations to the Town Commission.

B. Maintenance of any landscaped right-of-ways - Developer has agreed that the Homeowner’s Association will maintain everything shown on the plat.

C. Underground Utilities - Developer will talk to Gulf Power and pay for underground utilities if required by Gulf Power.

6. Compatibility

A. Building size/length - The longest building allowed will be 217 feet and the space required between all buildings will be at least 20 feet

B. Building appearance/variability - no report or recommendations to the Town Commission.

C. View corridors and parking “look through” - the developer agreed to include a 3-4 foot wall on the bottom/garage floor with frangible/break away walls, if necessary according to Florida Building Codes

D. Public water access/boardwalk - there will be no public water access

ANNOUNCEMENTS:

February 15, 2006 – 6:00 p.m. – RESCHEDULED TOWN COMMISSION MEETING
February 22, 2006 – 6:00 p.m. – PLANNING AND ZONING MEETING
The P&Z Board will be meeting again on Monday, February 13, 2006 at 6:00 p.m. so they can approve the minutes before the Commission Meeting.

ADJOURNMENT: Member Tucker moved to adjourn the meeting at 10:47 p.m. Member Henderson seconded the motion and it passed unanimously.

___________________________
Tina Smith
CALL TO ORDER: Chairman Gable called the meeting to order at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Brad Gable – present
Member/Co-Chairman Gene Tucker – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Tina Smith, Danny Baker, Joe Bell and Linda Bell

APPOINT CO-CHAIR – A motion was made by Member Behnken to accept Member Tucker as the Co-Chair. Member Clements seconded the motion and it passed unanimously.

OLD BUSINESS

I. APPROVE MINUTES FROM THE NOVEMBER 30, 2005 P&Z MEETING – A motion was made by Member Tucker to approve the minutes of the November 30, 2005 meeting with the amended change to III (2) to state that building B be divided into two buildings. Member Behnken seconded the motion and it was passed unanimously.

II. ZONING CHANGE – CHANGE 7 PLEW TO COMMERCIAL ZONING – A rezoning request from residential (R-3, multi-family) to commercial at 7 Plew Avenue was made by owner Danny Baker. A motion was made by Member Behnken recommending that Mr. Baker be given a “Home-business occupational license” provided he provides five parking spaces for customers and
have an office that allows for no more than those parking spaces. Additionally, the re-zoning be revisited at a later date and the owner would not be required to live on the premises. Member Henderson seconded the motion. Members Behnken and Henderson voted in favor of the motion, Members Tucker, Clements and Chairman Gable opposed. Following discussion, a motion was made by Member Tucker to deny the request as it stands today until further information is obtained from the Town Attorney. Chairman Gable seconded the motion and it passed unanimously.

NEW BUSINESS:

I. 903 SUNSET BAY COURT POOL SETBACK VARIANCE – A pool setback variance was requested by Joe and Linda Bell of 903 Sunset Bay Court. A motion was made by Member Tucker to approve the request as is, provided there is a slope gradient towards the bay. Member Clements seconded the motion and it was passed unanimously.

ANNOUNCEMENTS:

February 2, 2006 – 6:00 p.m. – SPECIAL PLANNING AND ZONING MEETING
February 16, 2006 – 6:00 p.m. – RESCHEDULED TOWN COMMISSION MEETING

ADJOURNMENT: A motion was made by Member Tucker at 7:00 to adjourn the meeting. Member Clements seconded the motion and it passed unanimously.

___________________________
Sally Henderson, Secretary
Town of Shalimar
Town Commission Meeting Minutes
January 10, 2006

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
- Mayor Gary Combs: present
- Commissioner Jerry McCallister: present
- Commissioner Ursel Behnken: present
- Commissioner Ricardo Garcia: present
- Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Sergeant John Spohn, Deputy Town Clerk Tina Smith, Rachelle Graves from AmSouth, Tammy and Angela Balent from O’Sullivan Creel, Kathy Melvin, Sherry Carter, Johann Behnken, Ray Starks, and Greg Creel.

PLANNING AND ZONING BUSINESS: Minutes attached – There were no recommendations to approve.

TOWN RESIDENTS' TIME – Rachelle Graves briefed that one of the town’s CDs just rolled over and it’s now a little over $102,000. AmSouth is offering the town to add $100,000 to this amount and put it all into a CD with 4.37% interest and no penalty for early withdrawal. Mayor Combs asked if they could add $100,000 to that number (which would make it a little over $302,000). Commissioner McCallister moved to add $200,000 to the $102,000 and put all of the money into a CD with 4.37% interest and no penalty from AmSouth for early withdrawal. Commissioner Behnken seconded the motion and it passed unanimously.

TOWN ATTORNEY'S REPORT: HARRELL PROPERTY UPDATE (letter attached) – Mayor Combs updated Attorney Chesser that the appraiser was in town hall today. He has just begun the appraisal which he’ll have to the town no later than Monday.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE DECEMBER 13, 2005 TOWN COMMISSION MEETING – Commissioner McCallister moved to approve the minutes from the December 13, 2005 Town
Commission Meeting as written. Commissioner Garcia seconded the motion and it passed unanimously.

II. SNUG HARBOR REQUEST (request letter attached) – This item was tabled and will be put on the February agenda as Old Business.

NEW BUSINESS:

I. PROCLAMATION 2006-02 (attached) – Mayor Combs proclaimed the week of January 15, 2006 as Fort Walton Beach Jaycees Week.

II. PAVING CONTRACT – Commissioner Behnken moved that the town hire CW Roberts to repave Richbourg for $38,000. Commissioner McCallister seconded the motion. Discussion regarding the contract ensued. Commissioner Behnken amended her motion to include that hiring CW Roberts be contingent upon the first review of the contract and allowing the engineers to look at it. Also, the town gives Mayor Combs the authorization to sign the contract. Commissioner Wagner seconded the motion and it passed unanimously.

III. AUDIT OUTBRIEF – Angela Balent went through the audit with the board. Manager Burns was directed to look over the contract and find out when it ends.

IV. ORDINANCE 2006-04 (attached) – Commissioner Wagner moved to consider Ordinance 2006-04 with new categories. Commissioner McCallister seconded the motion. There was some discussion.

7:32 p.m. Commissioner Wagner left

Commissioner McCallister amended the original motion to charge marinas $375 plus (+) $120 per year per slip and to charge hotels $375 plus (+) $14 per year per room. Commissioner Garcia seconded the motion and it passed 3-1 (with Commissioner Behnken voting no).

MAYOR COMBS’ REPORT

– We are hosting the next OCLOC quarterly dinner meeting. It will be on February 1 at the Officers’ Club.

– Commissioner Garcia, as the Mayor Pro-Tem, will be the alternate representative for the OCLOC lunches.
– Chief Cash’s wife just had surgery, everything is good
– Meigs Park was vandalized. The Police Department has caught the kids and they are going to pay to clean it up.

**COMMISSIONER GARCIA’S REPORT** – Sergeant Spohn suggested that the curfew ordinance be more specific. Also, Mayor Combs stated that the attic needs to be cleaned up and it would be best to do it now while it’s cool outside and not too hot up there.

**COMMISSIONER MCCALLISTER’S REPORT** – Commissioner McCallister commended Manager Burns for talking AmSouth into the no penalty CD. He also went on record to state that he does not want to use the Eminent Domain procedure for the lots next door.

**COMMISSIONER BEHNKEN’S REPORT** – Commissioner Behnken asked if the fountain in the pond was broken. Manager Burns assured the board that it is being worked on along with the fence behind the pond.

**COMMISSIONER WAGNER’S REPORT** – Commissioner Wagner was not present at this time.

**POLICE REPORT** – Police Monthly Activity Report attached

**TOWN MANAGER UPDATE** – Goals list attached
– A Planning and Zoning meeting will be on the regularly scheduled date of January 25 to discuss a pool variance and the professional commercial zoning class. There will be a special Planning and Zoning meeting on February 2 to discuss the Shalimar Yacht Basin.
– Maintenance Supervisor applied for a tree grant and we’ll find out soon if we will get it.
– Manager Burns will find out of the current contractors are going to fix the bump in Clifford and pave the area at the end of Gardner where the Police vehicles park.

**ANNOUNCEMENTS:**

FEBRUARY 1, 2006 – OCLOC DINNER – 6:00 P.M.
FEBRUARY 14, 2006 – TOWN COMMISSION MEETING

Commissioner McCallister moved to change the next meeting date from February 14 to February 16. Commissioner Garcia seconded the motion and it passed unanimously.

ADJOURNMENT: Commissioner McCallister moved to adjourn at 8:39 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs : present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: absent
Commissioner Ricardo Garcia: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Deputy Town Clerk Tina Smith, and many residents.

PLANNING AND ZONING BUSINESS: The Planning and Zoning Board recommended rezoning the Acree lot (between Snug Harbor and The Shalimar Yacht Basin) to PDP – Mayor Combs suggested that this item be tabled at this time. The Commission will be reviewing the Development Order for this project at their next meeting and can consider the recommended rezoning at the same time.

TOWN RESIDENTS' TIME – No residents present had any new business.

TOWN ATTORNEY'S REPORT – Attorney Mike Chesser met with Mr. Harrell since the last meeting. Mr. Harrell still believes that the land is worth more than what the town has offered to pay so Manager Burns was directed to hire Mr. Harrell's appraiser to come out and appraise all 3 lots. Attorney Chesser, Mr. Harrell, and Mayor Combs will then meet and come up with an amount which Mayor Combs will bring back to the Commission for approval.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE NOVEMBER 8, 2005 TOWN COMMISSION MEETING – Commissioner McCallister moved to approve the minutes from the November 8, 2005 Town Commission Meeting as written. The motion was seconded by Commissioner Garcia and passed unanimously.

II. RESOLUTION 2006-02 (FORT WALTON BEACH) – Commissioner Garcia moved to approve Resolution 2006-02 as written. The motion was seconded by Commissioner McCallister and passed unanimously.

NEW BUSINESS – Mayor Combs briefed that the Planning and Zoning Chairman, Gene Tucker, is sent out of town a lot by his work. Mayor Combs suggested the Commission that they realign the Board by asking P&Z member Brad Gable to be the Chairman. Commissioner Wagner moved to appoint Brad Gable as the Planning and Zoning Chairman. The motion was seconded by Commissioner McCallister and passed unanimously.

MAYOR COMBS’ REPORT – Mayor Combs reported that he attended the Okaloosa County League of Cities lunch and the Executive Board is still discussing the letter they are going to send the Board of County Commissioners. The City of Niceville has decided not to sign the letter but the Executive Board agreed to send the letter off with only 8 signatures.

COMMISSIONER GARCIA’S REPORT – Commissioner Garcia stated that the police department got the car back in time for the parade. He also noted to Chief Cash that there may be a problem with the taillights.

COMMISSIONER MCCALLISTER’S REPORT – EARMARK $ FOR FUTURE PROJECTS – Commissioner McCallister informed the Commission that the audit went well and the auditors will be at the January Meeting to discuss it. Commissioner McCallister said that the auditors suggested earmarking some of their money for a future project. Commissioner McCallister moved that the Commission earmark $400,000 for “Land Acquisition”. Commissioner Wagner seconded the motion and it passed unanimously.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken was not present but Mayor Combs briefed that Commissioner Behnken presented the “Yard of the Quarter” award during the parade and the recipients were very happy.
COMMISSIONER WAGNER’S REPORT – Commissioner Wagner had nothing to report.

POLICE REPORT – Officer Woll has seized 3 vehicles and there was a burglary at Shalimar Yacht Basin that the Department is investigating. Also, someone vandalized Meigs Park.

TOWN MANAGER UPDATE – Manager Burns had nothing to report.

ANNOUNCEMENTS:

JANUARY 5, 2006 – PLANNING AND ZONING MEETING, 6:00 P.M.

JANUARY 10, 2006 – TOWN COMMISSION MEETING

Mayor Combs also announced that Brad Gable will be the new Planning and Zoning Chairman as of January 1, 2006.

ADJOURNMENT – Commissioner Garcia moved to adjourn the meeting at 6:18 p.m. Commissioner McCallister seconded the motion and it passed unanimously.

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Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Chairman Tucker at 6:02 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Gene Tucker – present  
Member/Co-Chairman Brad Gable – present  
Member/Secretary Sally Henderson – present  
Member Johann Behnken – present  
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Tina Smith, Dana Matthews, Steve Peterson, Danny Baker, Mike Richardson, Scott Work.

OLD BUSINESS:

I. A motion was made by Member Gable to approve the minutes of the October 26th meeting. Member Clements seconded the motion and it was passed unanimously.

II. Zoning change request from residential to commercial at 7 Plew Avenue. Member Gable provided a draft of the proposed changes to Article II which Manager Burns will send to Attorney Chesser requesting recommendations.

III. Shalimar Yacht Basin Development  
A. Choctaw Engineering changes to the plans for the development were discussed. The changes reflected the concerns raised by the P&Z at the October 26th meeting with the exception of the traffic study and the length of Bldg. B.
   1. The traffic study was discussed and discrepancies identified between our internal police report on Old Ferry and the traffic study conducted by the company contracted by the SYB Development. Chairman Tucker informed the P&Z that according to Okaloosa County Commissioner Tucker a proper traffic study must be completed over a seven day period. It was decided that we would rely on the Okaloosa County traffic expert for direction in this matter at the scheduled December 15th meeting.
2. The length of bldg. B was discussed. The P&Z was reminded of the recommendations of Wendy Grey concerning this development, and building length and height approved by the Town Council were discussed. **A motion was made by Member Gable recommending that the length of building B be reduced by 30 feet and be divided into two buildings and the distance between building C & D be increased allowing for five buildings opposed to four.** The motion was seconded by Member Henderson. In discussion, Member Behnken recommended that building B be raised by one story to compensate for the lost units. Member Gamble stated it was his belief that this would be a disservice to the residents of Shalimar as a building of this height would not be compatible with the surrounding residential structures. **The motion passed by a vote of three to two with Member Behnken opposed and Member Clements abstaining.**

**NEW BUSINESS:** Acree Parcel Rezonining Request was discussed. **A motion was made by Member Behnken that we accept the rezoning from industrial to PDP.** Member Gamble amended the motion to make it conditional to this project and that if this project did not go forward it would revert to industrial. The amended motion was seconded by Member Clements and it passed unanimously.

**ANNOUNCEMENTS:** 1. Town Christmas Parade scheduled for December 15th with a gathering at town hall following the parade.

2. Meeting with Okaloosa County TRC Board at 9 a.m.

3. The next P&Z Meeting will be January 5, 2006.

**ADJOURNMENT:** **A motion was made by Member Behnken at 7:30 to adjourn the meeting.** Chairman Tucker seconded the motion and it passed unanimously.

_____________________________
Sally Henderson, Secretary
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Ricardo Garcia: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Deputy Town Clerk Tina Smith, and residents Emily Curtis and Richard Hoffert.

PLANNING AND ZONING BUSINESS: There were no recommendations to approve.

TOWN RESIDENTS' TIME: Engineering update – Mayor Combs asked Deputy Clerk Tina Smith to e-mail the contract to everyone on the board before he signs it.

TOWN ATTORNEY’S REPORT – Eminent Domain – Someone from Mr. Harrell’s office delivered a letter to town hall today. It stated that he would meet with Mike Chesser within a couple of weeks. Mike Chesser wasn’t at the meeting but his fill in briefed the Eminent Domain procedures again and suggested that the board let Mr. Chesser meet with Mr. Harrell before they do anything. Commissioner Behnken moved that the town needs the 3 lots adjacent to the town hall for town hall expansion. Commissioner Garcia seconded the motion and it passed unanimously.

OLD BUSINESS:
I. APPROVE MINUTES FROM THE OCTOBER 11, 2005 TOWN COMMISSION MEETING AND THE OCTOBER 24, 2005 SPECIAL COMMISSION MEETING. Commissioner McCallister moved to approve the minutes from the October 11, 2005 Town Commission Meeting and the October 24, 2005 Special Commission Meeting as written. The motion was seconded by Commissioner Garcia and passed unanimously.

II. SECOND READING ORDINANCE 2006-03 – Redefining Marina/Update Occupational License fees. The Board decided that all of the “whereas” statements that pertain to fees should be removed. Commissioner Wagner moved to accept the second reading Ordinance 2006-03 as amended. Commissioner Garcia seconded the motion and it passed unanimously.

Mayor Combs would like Attorney Chesser and Manager Burns to go over the updates in the Occupational License fee schedule before any decisions are made. Manager Burns will come up with some recommendations for new categories and fees.

NEW BUSINESS:

I. SNUG HARBOR REQUEST – No one from Snug Harbor was present but Mayor Combs recommended to table the request until after the Shalimar Yacht Basin construction is done.

MAYOR COMBS’ REPORT – Mayor Combs briefed that Manager Burns is getting a bid to resurface Clifford.

He also reported that the Okaloosa County League of Cities (OCLOC) has drafted up a letter for all Mayors to sign that asks the county for a meeting to discuss the proposed sales tax. He also stated that the OCLOC has agreed to a 1% tax for 5 years for Stormwater projects. Commissioner Behnken moved that Mayor Combs sign the letter for the town. Commissioner Garcia seconded the motion and it passed unanimously.

Mayor Combs then told the commission that he and Manager Burns had been looking into trying to get a golf cart crossing at SR85. They have written a couple of letters to the Department of Transportation but he hasn’t discussed it at the Commission Meetings until now because he wanted to know if it was even a possibility before drafting up an ordinance.
COMMISSIONER GARCIA’S REPORT – Commissioner Garcia stated that he attended a Seminar in Destin which provided a lot of good information.

COMMISSIONER MCCALLISTER’S REPORT – Commissioner McCallister briefed that the auditors are done but haven’t set a date to come to the Commission yet. They will probably do their outbrief at the January Meeting.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken will give the “Yard of the Quarter” sign during the parade.

COMMISSIONER WAGNER’S REPORT – Commissioner Wagner had nothing to report.

POLICE REPORT – Sam had a meeting with the graphics guy about the car. They will be getting magnetic signs. All of the officers qualified at the shooting range yesterday.

TOWN MANAGER UPDATE – Manager Burns was not present.

ANNOUNCEMENTS:

   NOVEMBER 30, 2005 – PLANNING AND ZONING MEETING, 6:00 P.M.

   DECEMBER 13, 2005 – PARADE, COMMISSION MEETING, AND CHRISTMAS GET TOGETHER STARTING AT 4:30 P.M.

ADJOURNMENT – Commissioner Wagner moved to adjourn the meeting at 7:17 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

___________________________________
Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Chairman Tucker at 6:05 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Gene Tucker – present
Member/Co-Chairman Brad Gable – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Steve Peterson, Ruby Monte, Scott Work, Gloria Kane, Frank Kane, Amy Davis, Kenneth Holt, Danny Baker Hulda Mahlum, Brad Sheldon, Pat Dulian, Richard Hoffert, Judy Pope, Elaine Tucker, Dana Matthews and Wendy Victora.

OLD BUSINESS:
I. A motion was made by Member Behnken to approve the minutes of the September 28th meeting. Member Clements seconded the motion and it was passed unanimously.

II. A rezoning request from residential (R-3, multi-family) to commercial at 7 Plew Avenue was made by owner Danny Baker at the September 28th meeting. A recommendation was made by Town Manager Burns that we table this request until the November meeting.

NEW BUSINESS:
I. Comp. Plan Discussion: The list of major issues to be considered for inclusion in the 2007 Town of Shalimar Comprehensive Plan was read by Chairman Tucker. It was requested that town residents consider and submit issues they would like included.
II. Shalimar Yacht Basin Development Discussion: Issues raised by residents and the P&Z Commissioners were as follows:

- Increased traffic and the validity of the “Traffic Study” which did not reflect peak traffic times and was only taken for one day.
- Landscaping Plan
- Storm water Drainage calculations
- Requirement of fuel storage to be at least 100 yards from residential structure.
- Solid waste collection from vessels
- The length of building B
- Parking for people with rented boat slips that do not live in the condos
- Lighting
- Sufficient room for emergency vehicles and garbage trucks to turn around at the end of Old Ferry

A. It was agreed that the two major issues of concern were the size of building B and the traffic study.

1. Town Manager Burns will request a new traffic study to be conducted by the Town Police Force and request additional information from Okaloosa County Traffic Engineer, Randy Showers. Additionally, he will review and investigate other concerns identified above.

2. Shalimar Yacht Basin Project developers will review concerns and submit changes at the scheduled November 30, 2005, P&Z meeting.

ADJOURNMENT: A motion was made by Member Henderson at 8:00 to adjourn the meeting. Member Behnken seconded the motion and it passed unanimously.

__________________________________
Sally Henderson, Secretary
Town of Shalimar
Special Town Commission Meeting Minutes
October 24, 2005

CALL TO ORDER – Mayor Gary Combs called the special meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs:

Mayor Pro-Tem Ricardo Garcia:

Commissioner Jerry McCallister:

Commissioner Ursel Behnken:

Commissioner Glenn Wagner:

Others in attendance: Town Manager Tom Burns, Deputy Clerk Tina Smith

NEW BUSINESS:

I. ORDINANCE 2006-03 FIRST READING – Manager Burns briefed Attorney Chesser’s concerns with the fees being charged. It was suggested that the board revise the fee schedule for the town’s occupational licensing to include a marina. **Commissioner Behnken moved to approve the first reading of Ordinance 2006-03 with changes (remove #3 under “Requirements for Marinas” and move “Whereas, The Town of Shalimar desires to maintain the water quality in Garnier’s Bayou; and” up between the second and third whereas statement. Commissioner Wagner seconded the motion and it passed unanimously.** Each Commissioner will review the Occupational License fee schedule for suggested changes and Manager Burns will call the Florida League of Cities to check on the legalities. Manager Burns will also research other fee schedules.

Commissioner Wagner asked Manager Burns for an update on the storage units. Manager Burns stated that the developers agreed to landscaping with irrigation. Mayor Combs suggested that Manager Burns not sign the
occupancy certificate if they are still not in compliance. They should have to come before the Town Commission.

Before the next meeting, Manager Burns will talk to Mr. Harrell and inform him that he is going to suggest that the town pursue eminent domain on the largest lot next to town hall.

ANNOUNCEMENTS:

OCTOBER 26, 2005 – PLANNING AND ZONING MEETING, 6:00 P.M.

NOVEMBER 8, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Wagner moved to adjourn the meeting at 6:47 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.

___________________________________
Tina Smith, Deputy Town Clerk
CALL TO ORDER – Commissioner Jerry McCallister called the meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: absent
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Ricardo Garcia: absent
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Town Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Johann Behnken and Brad Gable with the Planning and Zoning Board and residents Richard and Helen Hoffert, Cristobal Bailon and Candis Carrillo.

PLANNING AND ZONING BUSINESS: Minutes attached – The business from the Planning and Zoning Meeting resulted in an ordinance amended to redefine a Marina. Consideration for this ordinance is also listed below under new business.

TOWN RESIDENTS’ TIME: Engineering update

Town Manager, Tom Burns, briefed the board that the town had picked an engineering firm, Polyengineering. He will be meeting with the stormwater expert on October 20 to discuss the scope of flooding mitigation efforts. The engineering contract is at the attorney’s office awaiting input and will be signed before the next meeting by both parties. **Commissioner Behnken moved to allow Mayor Combs to sign the engineering contract. Commissioner Wagner seconded the motion and it passed unanimously.** Attorney Chesser informed the board of his recommended changes to the contract:

1) Should be changed to a monthly billing cycle
2) Should be changed to allow for either party to end contract if both parties agree
3) Should be changed so that the town will own the project materials (Art. 7, page 15)
4) Limitation of Liability language should be looked at (page 17)

**Commissioner Behnken amended her original motion to allow Mayor Combs to sign the contract with concurrence of Attorney Chesser’s changes. Commissioner Wagner seconded the motion and it passed unanimously.**

The owner of 10 Cherokee Road, Cristobal Bailon, who also resides in the town at 11 Plew, received a letter from the town that the home at 10 Cherokee had to be ready for occupancy by the end of September. Mr. Bailon asked the commission for an extension relaying that the house should be ready to live in by the end of January. **Commissioner Behnken moved to extend the deadline for the renovation of 10 Cherokee Road until January 31, 2006. Commissioner Wagner seconded the motion and it passed unanimously.**

**TOWN ATTORNEY’S REPORT:** The Commission asked Attorney Chesser to review a recent drug bust/vehicle and money seizure case. Attorney Chesser reviewed the file but was unable to talk to the judge or D.A., but he believes that the Police Department did nothing wrong and there’s no reason the Department’s credibility was questioned.

**OLD BUSINESS:**

I. APPROVE MINUTES FROM THE SEPTEMBER 13, 2005 TENTATIVE BUDGET HEARING, THE SEPTEMBER 13, 2005 TOWN COMMISSION MEETING, AND THE SEPTEMBER 20, 2005 FINAL BUDGET HEARING – Commissioner Wagner moved to approve the minutes from the September 13, 2005 Tentative Budget Hearing, September 13, 2005 Town Commission Meeting, and September 20, 2005 Final Budget Hearing as written. The motion was seconded by Commissioner Behnken and passed unanimously.

**NEW BUSINESS:**

I. RESOLUTION 2006-01 – Commissioner Wagner moved to approve Resolution 2006-01. The motion was seconded by Commissioner Behnken and passed unanimously.

II. ORDINANCE 2006-03 – Redefining Marina and charging a fee for live-aboards – There was much discussion about this ordinance. Attorney
Chesser believes that there are too many holes in the ordinance the way it is and the town is opening itself up for a lawsuit. He asked if Manager Burns would get similar ordinances from other cities, rework this ordinance, and readvertise for a first and second reading.

**MAYOR COMBS’ REPORT:** Mayor Combs was not present.

**COMMISSIONER GARCIA’S REPORT:** Commissioner Garcia was not present.

**COMMISSIONER MCCALLISTER’S REPORT:** Commissioner McCallister briefed that if the Rob Harrell’s property is purchased by the town, the board will have to amend the FY 06 budget. Also, the auditors called and would like to start their field work at the end of the month.

**COMMISSIONER BEHNKEN’S REPORT:** Commissioner Behnken noted that there was a broken water meter lid in the grassy area before the Dental Surgery building. Manager Burns said that he would inform the county.

**COMMISSIONER WAGNER’S REPORT:** Commissioner Wagner had nothing to report.

**POLICE REPORT:** Chief Cash had already left but the department’s report is attached.

**TOWN MANAGER UPDATE:** Manager Burns reported on the status of the 1955 Chevy. Gator Paint and Body is supposed to get a parts list to the town soon. He knows that the town wants the car back by the end of November.

**ANNOUNCEMENTS:**

- OCTOBER 26, 2005 – PLANNING AND ZONING MEETING, 6:00 P.M.
- NOVEMBER 8, 2005 – NEXT COMMISSION MEETING, 6:00 P.M.

**ADJOURNMENT:** Commissioner Wagner moved to adjourn the meeting at 7:34 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.
CALL TO ORDER: The meeting was called to order by Member Behnken at 6:00 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Gene Tucker – absent
Member/Co-Chairman Brad Gable – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Tina Smith, and Danny Baker

OLD BUSINESS:
I. A motion was made by Member Clements to approve the minutes of the August 31st meeting. Member Henderson seconded the motion and it was passed unanimously.
II. A motion was made by Member Henderson to approve the minutes of the September 12th Special P&Z meeting. Member Clements seconded the motion and it was passed unanimously.

NEW BUSINESS:
I. Marina Ordinance: The recommendations of the P&Z to the Town Commission in the modification of the definition of a Marina as it pertains to the Town Ordinance are as follows:
   A. Modify the ordinance to maintain lift capacity and waste/pump-out capabilities to be maintained.
   B. Require an “Environmental Impact Fee” be paid monthly for all wet slips unless the boat is owned by a resident of the Town of Shalimar. (Amount to be determined by the Town Commission)
   C. Fire safety and environmental impact of the marina be addressed.
   D. Revision of ordinance 82-223 not required as issues are addressed in section 62-63.
II. Professional Commercial Zoning Classification: Manager Burns will draft the “Professional Commercial use guidelines for the P&Z Commission to review.

DISCUSSION:

I. The lot at the west end of the Shalimar Marina property has been purchased and is now included in the development site plan. The P&Z Commission are in agreement to amend our previous motion to include the lot, provided the property in question has become the legal property of the Shalimar Marina.

ADJOURNMENT: A motion was made by Member Behnken at 7:10 to adjourn the meeting. Member Henderson seconded the motion and it passed unanimously.

__________________________________________
Brad Gable, P&Z Co-Chairman

__________________________________________
Thomas A. Burns, Town Manager
CALL TO ORDER: Mayor Pro-Tem Ricardo Garcia called the Final Budget Hearing to order at 5:31 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: absent
Mayor Pro-Tem Ricardo Garcia: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, and Deputy Clerk Tina Smith.

HEARING ITEMS:

1. APPROVE MINUTES FROM TENTATIVE BUDGET MEETING OF SEPTEMBER 13, 2005 – This agenda item will be moved to the next regular Town Commission Meeting on October 11, 2005.

2. BUDGET DISCUSSION – There was no discussion.


moved to approve Ordinance 2006-01 and 2006-02 as written. The motion was seconded by Commissioner Behnken and it passed unanimously.

ANNOUNCEMENTS:

SEPTEMBER 28, 2005 – Planning and Zoning Meeting, 6:00 p.m.

OCTOBER 12, 2005 – Town Commission Meeting, 6:00 p.m.

ADJOURNMENT – Commissioner Wagner moved to adjourn at 5:37. The motion was seconded by Commissioner McCallister and passed unanimously.

_________________________________  10/11/2005
Tina Smith, Secretary  Date Approved
CALL TO ORDER – Mayor Gary Combs called the special meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Ricardo Garcia: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Town Attorney Mike Chesser, Deputy Town Clerk Tina Smith, and Roy Snowden, James Dardar, and Wm. C. Horne with Java Jo'z, Johann Behnken with the Planning and Zoning Board and residents Virginia Rapp and Candis Carrillo.

PLANNING AND ZONING BUSINESS: Java Jo'z Recommendation (unapproved minutes attached) Mayor Combs went over the recommendation. Manager Burns stated that he will talk to the county and get something in writing from them regarding use of the alleyway. Also, Mr. Snowden agreed that Java Jo's will pay to fix both parking lots (the second one being PK’s Pub). Commissioner Behnken moved to approve the Planning and Zoning Recommendation. Commissioner Wagner seconded the motion and it passed unanimously. Mayor Combs tasked Manager Burns to get after PK’s Pub about their sign. Manager Burns stated that he would contact the property owner in Germany via e-mail.

TOWN RESIDENTS' TIME: The residents present asked the board about the status of the drainage issue. Mayor Combs promised that the town would have an engineering firm picked before the next meeting. The September Tidbits will contain a drainage article.
TOWN ATTORNEY’S REPORT: Manager Burns stated that a resident asked the Planning and Zoning Board for a zoning change from Residential to Commercial. The Board decided that a different zoning classification (Commercial Residential) should be established.

Mayor Combs asked Attorney Chesser how to pursue a haul-out facility requirement. Attorney Chesser stated that the town would need to redefine “marina” in the code book. The new definition would include the requirement of a haul-out facility. Mayor Combs agreed to draft an ordinance and try to have a first reading at the next Commission Meeting.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE AUGUST 9, 2005 TOWN COMMISSION MEETING – Commissioner Garcia moved to approve the minutes from the August 9, 2005 Town Commission Meeting. The motion was seconded by Commissioner Wagner and passed unanimously.

NEW BUSINESS:


II. CHRISTMAS FESTIVITIES DISCUSSION – Everyone agreed that the Christmas “Festivities” will be the same as last year. A parade around 4:30 and a short Commission Meeting followed by a small party. The Commission Meeting will fall on December 13.

MAYOR COMBS’ REPORT: Mayor Combs had nothing to report.

COMMISSIONER GARCIA’S REPORT: Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT: Commissioner McCallister stated that the next/final budget meeting will be on September 20 at 5:30 p.m.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report.
COMMISSIONER WAGNER’S REPORT: Commissioner Wagner had nothing to report.

POLICE REPORT: Officers Will Curtis and Sam Roberts are leaving on Thursday afternoon to drive up to get the car. The car should arrive in Shalimar some time this coming weekend.

TOWN MANAGER UPDATE:
The insurance cost increased by approximately 8% because all of the structure values were increased

The life insurance company has changed. The cost from the old company was $91/month for a $25,000 policy for 6 people. That was increased to $105 for a $50,000 policy for 7 people. Manager Burns recommends that the town extend that benefit to the part time employees which would require a policy change.

ANNOUNCEMENTS:

SEPTEMBER 20, 2005 – FINAL BUDGET HEARING, 5:30 P.M.

SEPTEMBER 28, 2005 – PLANNING AND ZONING MEETING, 6:00 P.M.

Mayor Combs stated that the town needed to plan on a Cherokee Park grand opening. He also suggested that the town have some sort of dedication for Commissioner Larson. Planting a Buckeye Tree was suggested. This idea will be discussed at a later date.

ADJOURNMENT: Commissioner Wagner moved to adjourn at 7:41 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

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10/11/2005

Tina Smith, Secretary

Date Approved
CALL TO ORDER: Mayor Gary Combs called the Tentative Budget Hearing to order at 5:43 p.m. in Town Hall Chambers.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present

Mayor Pro-Tem Ricardo Garcia: present

Commissioner Jerry McCallister: absent

Commissioner Ursel Behnken: present

Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, and Deputy Clerk Tina Smith.

HEARING ITEMS:

1. FIRST PUBLIC READING OF ORDINANCE 2006-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2005-2006 – Mayor Gary Combs presented the first reading of Ordinance 2006-01. **Commissioner Behnken moved to approve Ordinance 2006-01 and accept 2.4 mills for FY 2005-2006. The motion was seconded by Commissioner Garcia and it passed unanimously.**

2. FIRST PUBLIC READING OF ORDINANCE 2006-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2005-2006 – Mayor Gary Combs presented the first reading of Ordinance 2006-02. The title of the Ordinance reads “...October 1, 2004...” and should read “...October 1, 2005...” **Commissioner Behnken moved to approve Ordinance 2005-02 with the one change. The motion was seconded by Commissioner Garcia and it passed unanimously.**
3. **BUDGET DISCUSSION** – Manager Burns stated that he would like to purchase 2 things now that are on the budget for 2005-2006. The 2 things are 5 improved tasers for the police department and a portable radio for the part-time police officer. The Commission authorized Manager Burns to make the purchases this (2004-2005) fiscal year.

**ANNOUNCEMENTS:** Final Budget Hearing – SEPTEMBER 20, 2005 at 5:30 p.m.

**ADJOURNMENT:** Commissioner Wagner moved to adjourn at 6:01 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.
Town of Shalimar
Planning and Zoning Special Meeting Minutes
September 12, 2005

CALL TO ORDER: The meeting was called to order by Chairman Tucker at 6:02 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Gene Tucker – present
Member/Co-Chairman Brad Gable – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Tina Smith, William Horn & James B. Dardar with ECM Engineering, Roy Snowden of Java Jo’z

NEW BUSINESS:
I. Java Jo’z Development: Manager Burns presented information from Town Attorney Chesser regarding this development. According to Mr. Chesser, the town can issue a building permit to the lease holder as a stand alone development. Any impact on PK’s Pub or disputes of any kind must go back to the lease holder Bruner Trust.

A motion was made by Member Behnken that the P & Z recommend that the Town Commission approve the Java Jo’z site with the following stipulations:

Verification of the notarized letter from Mr. Horn, a stop sign be placed at the egress from the alley, the Town sign ordinance be adhered to, and the leaseholder, Java Jo’z, to pay for and work with the lease holder of PK’s Pub to have the existing parking lot resurfaced in a uniform way. Member Henderson seconded the motion and it passed unanimously.

II. Chairman Tucker will be absent from the scheduled September 28th meeting so the Town review of the Comprehensive Plan will be postponed until the October 26th meeting.
ADJOURNMENT: A motion was made by Member Behnken at 6:50 to adjourn the meeting. Member Clements seconded the motion and it passed unanimously.

________________________
Gene Tucker, P&Z Chairman

________________________
Thomas A. Burns, Town Manager
CALL TO ORDER: The meeting was called to order by Chairman Tucker at 6:02 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Gene Tucker – present
Member/Co-Chairman Brad Gable – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Mickey Clements - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Steve Peterson, Tony Simpson, Danny Baker, Tony Snowden, William Horn, Richard Hoffert, & James Ardon

Mickey Clements was sworn in by Chairman Tucker

OLD BUSINESS: A motion was made by Member Gable to approve the amended minutes which did not include page 2 of the July 27th meeting. Member Henderson seconded the motion and it was passed unanimously.

NEW BUSINESS:

I. A variance request was made by Tony Simpson for a side and rear setback to construct one additional town home on the end of the existing Marina View Town homes on the corner of Gardner and Old Ferry Road.

   A motion was made by Member Behnken to allow the variance as presented with the stipulation that the future development code may have an effect on that variance. The motion was seconded by Member Henderson and it was passed unanimously.

II. A rezoning request from residential (R-3, multi-family) to commercial at 7 Plew Avenue was made by owner Danny Baker. A recommendation was made by Town Manager Burns that we need a commercial professional zoning classification and Mr. Baker said he is willing to wait.
A motion was made by Member Gable to table the issue and begin the process of developing a “Professional Commercial” zoning classification. The motion was seconded by Member Behnken and it was passed unanimously.

III. A request for a special exception to develop the empty lot behind Exprezit was made by Les Fritz of Fritz Tree Service. Mr. Fritz did not attend the meeting and commercial activity on the property in question is to be stopped tomorrow. Member Behnken suggested we table the request until the P&Z Commissioners have the opportunity to review the previous minutes regarding this issue and that the code enforcement officer go to the lot in question immediately.

ADDITIONAL BUSINESS:

I. A request was made by William Horn of ECM and a representative of Java Jo’z Coffee to tear down the existing building at 1255 Eglin Parkway and replace it with a drive-thru coffee shop. After much discussion it was decided that the application and documents were to be supplied to Manager Burns and Attorney Chesser. If all requirements were met, the P&Z would hold a special meeting on September 12, 2005 to vote on the request.

ADJOURNMENT: A motion was made by Member Henderson at 7:00 to adjourn the meeting. Member Clements seconded the motion and it passed unanimously.

__________________________________________________________  __________________________________________
Brad Gable, P&Z Co-Chairman                        Thomas A. Burns, Town Manager
CALL TO ORDER – Mayor Gary Combs called the special meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: absent
Commissioner Ricardo Garcia: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, Town Attorney Mike Chesser, Deputy Town Clerk Tina Smith, and John Lewis.

PLANNING AND ZONING BUSINESS: Sandee McLain’s resignation – Mayor Combs briefed the commission that Sandee McLain, from the Planning and Zoning Board, submitted her resignation. There is a resident on Mande Court, Mickey Clements, that’s interested in taking her place. Commissioner McCallister moved to bring Mickey Clements on as a Planning and Zoning Board Member. Commissioner Garcia seconded the motion and it passed unanimously.

TOWN RESIDENTS’ TIME: There were no residents present.

TOWN ATTORNEY’S REPORT: Attorney Chesser read through the basic engineering contract and iterated his additions. The Engineering representative stated that he had no issues with the alterations.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JULY 21, 2005 SPECIAL MEETING
   – Commissioner Wagner moved to approve the minutes from the
July 21, 2005 meeting with one change. Commissioner Garcia seconded the motion and it passed unanimously.

II. ENGINEER PRESENTATION – After the engineering presentation, Manager Burns stated that another engineering firm, Polyengineering, is also interested in becoming the town’s engineering firm. Commissioner McCallister moved to authorize Town Manager Tom Burns and Mayor Combs to meet with Polyengineering, work on a contract, and bring the information to the commission. Commissioner Wagner seconded the motion and it passed unanimously.

NEW BUSINESS:

I. STORAGE FEE FOR BLUE TRUCK – Chief John Cash briefed that the owner may get his truck back. If this happens, Manager Burns wants the Commission to agree on a daily storage rate that the town would charge him. The Commission agreed on a $10 per day rate, which is about average for the area.

II. ROB HARREL’S PROPERTY – Manager Burns reported that he called Rob Harrel to find out if Mr. Harrel had an appraiser in mind. Mr. Harrel is supposed to call Manager Burns back with the appraiser’s name.

MAYOR COMBS’ REPORT: The Okaloosa County League of Cities and Okaloosa County are working on a possible 1-cent sales tax referendum for the November 2006 ballot.

COMMISSIONER GARCIA’S REPORT: Commissioner Garcia had nothing to report.

COMMISSIONER MCCALLISTER’S REPORT: Due to Hurricane Dennis, the town paid for debris cleanup out of this years’ budget but won’t be reimbursed from FEMA for approximately 6 weeks (after this fiscal year ends). Because of this, there is not a lot of leftover money in the budget for this fiscal year.

Also, if the town decides to buy Mr. Harrel’s 3 adjoining lots, the commission will likely have to amend next year’s budget.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken was not present.
COMMISSIONER WAGNER’S REPORT: Commissioner Wagner had nothing to report.

POLICE REPORT: The police report is attached. The police department wrote 60 tickets from July 25 through August 5.

TOWN MANAGER UPDATE –
- Chief Cash will be in a Florida League of Cities promotion commercial
- The Fairfield Inn sign has been approved and they are planning on a February opening
- The school zone sign should be up next week
- The Hwy. 85 turning lane arrow (onto Old Ferry Road) is now working but it is automatic, not activated by a car sitting on the line
- Fritz tree service doctored the trees on Gardner Drive

ANNOUNCEMENTS:

AUGUST 31, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.

SEPTEMBER 13, 2005 – TOWN COMMISSION MEETING, 6:00 P.M.

Mayor Combs discussed the Shalimar Yacht Basin condominium plans with the Commission. Because Shalimar is a boater friendly community, he suggested that the board add a clause to the Developers contract that would require the marina to keep their haul out facility. Manager Burns will talk to the Planning and Zoning Board and Attorney Chesser.

ADJOURNMENT: Commissioner Wagner moved to adjourn at 7:34 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.

___________________________________________________________ 09/13/2005
Tina Smith, Secretary  Date Approved
CALL TO ORDER: The meeting was called to order by Chairman Tucker at 6:02 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
   Chairman Gene Tucker – present
   Member/Co-Chairman Brad Gable – present
   Member/Secretary Sally Henderson – present
   Member Johann Behnken – absent
   Member Sandra Dove-McLain – absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, owners of 903 Sunset Bay Court, and Mr. Holt.

OLD BUSINESS: A motion was made by Member Gable to approve the minutes of the June 29th meeting. Member Henderson seconded the motion and it was passed unanimously.

NEW BUSINESS:
1. The owners of 903 Sunset Bay Court requested a water setback variance. Due to flooding, they plan to demolish their present home and rebuild it on a raised foundation at 28.1 ft. from the water. A motion was made by Member Henderson to allow the variance at 28.1 ft. Member Gable seconded the motion and it was passed unanimously.
2. Chairman Tucker and Members Gable and Henderson shared their issues to be considered in the Comprehensive Development Plan. (attachment) It was agreed that input is needed from all town residents. Therefore, an announcement will be placed in the next “Tidbits” inviting the public to attend the September 28th P&Z meeting to share their vision of changes needed in the town. Manager Burns presented additional issues for consideration (included in attachment) and discussed the procedure to be followed in the
categorization and definition of those issues to be addressed before speaking to county governmental agencies.

ANNOUNCEMENTS:

1. Manager Burns stated that he would contact Member McLain to request a letter of resignation from her so that the Town Commissioners could vote to replace her with Mr. Clements at the meeting on August 9, 2005.

ADJOURNMENT: **A motion was made by Member Gable at 6:27 to adjourn the meeting. Member Henderson seconded the motion and it passed unanimously.**

____________________________________________________
___ ___
Gene Tucker, Chairman Thomas A. Burns, Town Manager

Identification of Major Issues to be considered for Inclusion in the 2007 Town of Shalimar Comprehensive Plan

1. Annexation of property on the east side of Old Ferry Road.
2. Provide underground utilities throughout the town.
3. Widen Snug Harbour Drive and create a beach park with a boat lunch on the western point.
4. Provide right turn lanes off of Eglin Parkway at the Cherokee and Old Ferry intersections.
5. Provide additional left turn lanes at Cherokee and Old Ferry intersections thereby redesigning the intersection to better facilitate traffic flow.
6. Close Gardner Drive at Eglin Parkway intersection for safety and cosmetic reasons. Continue the green area, plant trees and put in a sidewalk/bike path from the foot of the Shalimar Bridge to the Cherokee Park entrance. Continue path to Snug Harbour Drive with connection to Old Ferry sidewalk.
7. Provide a raised cross-over foot path in the vicinity of the Courthouse Annex to provide safe passage for students, residents, and courthouse visitors across Eglin Parkway thereby connecting the two sides of our town.
8. Eliminate substandard housing on Cherokee Drive and acquire the land for town development and recreation.
9. Tax people living aboard their boats at Shalimar Yacht Basin or enforce ordinance 62-63.
10. Correct drainage problems on Eglin Parkway and other areas within the town and provide fences around retention ponds.
11. Re-look at current and future signs within the town.
12. Provide a nicer marquee for the town.
13. Protect our coastal skyline and eco-system.
15. Maintain Shalimar Yacht Basin as a marina facility.
16. Protect and preserve our trees.
17. Provide for re-development of housing and businesses.
18. Provide a secured area for RVs and boats.
19. Place statutes concerning manufactured housing in the code book.
20. Provide Okaloosa County with the direction the residents of the Town of Shalimar would like to see them take concerning the court house annex.
CALL TO ORDER – Mayor Gary Combs called the special meeting to order at 5:58 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: absent
Commissioner Ricardo Garcia: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Gulf Power Representatives Scott Jordan, Wayne Barrow and Sandy Sims, Daily News Representative Wendy Victora, and Residents Annie Reid, Al and Melissa Wemyss, Arthur Johanson, Courtney Gable, and Gloria Kane.

OLD BUSINESS:

I. APPROVE MINUTES FROM THE JUNE 14, 2005 REGULAR TOWN COMMISSION MEETING

II. APPROVE MINUTES FROM THE JUNE 21, 2005 AND JUNE 23, 2005 BUDGET MEETINGS

III. APPROVE MINUTES FROM THE JULY 12, 2005 REGULAR TOWN COMMISSION MEETING

Commissioner McCallister moved to approve the minutes from the June 14, 2005 Regular Town Commission Meeting, the June 21, 2005 and June 23, 2005 Budget Meeting, and the July 12, 2005 Regular Town Commission Meeting as written. Commissioner Garcia seconded the motion and it passed unanimously.
NEW BUSINESS:

I. GULF POWER DISCUSSION

- GENERAL REVIEW OF CURRENT GULF POWER RIGHT-OF-WAY MAINTENANCE POLICIES – Sandy Sims briefed that the normal tree trimming policies during storm restoration is to do 2 sweeps; first they go through and remove all burning lines and the second sweep is when they go through and cut the limbs back from the lines 5-10 feet. During storm restoration they leave the debris for the town to clean up.

- GARDNER DRIVE ISSUES – In an effort to appease Gardner Drive residents, Gulf Power hired a company to remove the debris. Manager Burns asked for a good Point of Contact phone number because he was unable to contact anyone in charge while the tree trimming was taking place. The representatives from Gulf Power will leave a business card with Manager Burns.

- ADEQUACY OF FRANCHISE AGREEMENT RIGHT-OF-WAY MAINTENANCE LANGUAGE – Sandy Sims agreed that Gulf Power will purchase a permit from the town any time they are going to be trimming trees in the town. She also stated that she would send an arborist to talk to Manager Burns. The arborist will also fix those trees that may have been cut incorrectly.

II. STATUS OF DEBRIS REMOVAL – Manager Burns explained that he signed a contract with DRC who will start removing storm debris at the beginning of next week.

ANNOUNCEMENTS:

JULY 27, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.

AUGUST 9, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Garcia moved to adjourn the meeting at 6:37 p.m. The motion was seconded by Commissioner McCallister and passed unanimously.

______________________________ 08/09/2005 _________________
Tina Smith, Secretary Date Approved
CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs : present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Ricardo Garcia: present
Commissioner Glenn Wagner: absent

Others in attendance: Town Manager Tom Burns, Police Chief John Cash, and Planning and Zoning Member Johann Behnken.

PLANNING AND ZONING BUSINESS: There were no Planning and Zoning Recommendations to approve.

TOWN RESIDENTS' TIME: There were no residents present.

TOWN ATTORNEY'S REPORT: Attorney Chesser was not present.

OLD BUSINESS:

I. NEW POLICE CAR DISCUSSION – Manager Burns relayed that they found a car for $14,500. **Commissioner Garcia moved to authorize Manager Burns to write a check for the new vintage police car for $14,500. Commissioner McCallister seconded the motion and it passed unanimously.**

NEW BUSINESS:
I. POST HURRICANE DISCUSSION – The Commission agreed that the storm debris and emergency overtime should be handled like it was last year after Hurricane Ivan. **Commissioner Garcia moved to authorize Mayor Combs to sign a Waste Management debris contract. Commissioner Behnken seconded the motion and it passed unanimously.**

POLICE REPORT: There was some discussion about purchasing a new generator. **Commissioner McCallister moved to authorize Mayor Combs $4,000 to purchase a new generator for town hall. Commissioner Behnken seconded the motion and it passed unanimously.**

ANNOUNCEMENTS:

    JULY 27, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.

    AUGUST 9, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT:

_________________________________________  _________________________________________
Gary Combs, Mayor                          Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Chairman Tucker at 6:05 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
Chairman Gene Tucker – present
Member/Co-Chairman Brad Gable – present
Member/Secretary Sally Henderson – present
Member Johann Behnken – present
Member Sandra Dove-McLain – absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns

OLD BUSINESS: A motion was made by Member Gable to approve the minutes of the May 25th meeting. Member Behnken seconded the motion and it was passed unanimously.

NEW BUSINESS:
1. A variance request was made by residents at 8 Plew Avenue for a permanent accessory building, with no plumbing or electric, on the rear side of their yard. Shalimar Code 82-149 was discussed which requires a 5’X5’ variance on each side of a structure. A motion was made by Member Gable to allow the variance permitting the structure only if there is a 5’X5’ variance as required by Shalimar Code. Member Behnken seconded the motion and it was passed unanimously.

2. The Comprehensive Plan timeline was presented by Manager Burns. He suggested that the EAR handout would be a good table of contents for the report. It was further explained that we would be required to hold three public hearings over the next 15 months. The first meeting will require the major issues to be addressed and then set. The final draft of the Comp Plan will be completed at the second public hearing and approval of the plan will be accomplished at the third and final public meeting.

ANNOUNCEMENTS:
1. Manager Burns informed the board to anticipate a zoning change from the residents of #11 Plew Ave. and a building permit from Joe Wood on Sunset Bay Court at the July 27th Planning and Zoning Meeting.

2. The Shalimar Yacht Harbor Redevelopment Corp. is holding a Neighborhood Traffic Calming Concept Development meeting on July 21, 2005. The Commission was advised to not speak with one another at this meeting so any conflict with the Sunshine Laws would be prevented.

ADJOURNMENT: A motion was made by Member Behnken at 7:00 to adjourn the meeting. Member Gable seconded the motion and it passed unanimously.

___________________________    ______________________________
Gene Tucker, P&Z Chairman        Thomas A. Burns, Town Manager
MINUTES

TOWN OF SHALIMAR

Budget Workshop 2

June 23, 2005

CALL TO ORDER: Mayor Gary Combs called the second Budget Workshop of the Shalimar Town Commission to order at 5:31 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Ursel Behnken – present
Commissioner Jerry McCallister – present
Commissioner Glenn Wagner – absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, and Police Sergeant John Spohn.

PURPOSE OF BUDGET WORKSHOP 2: Establish a preliminary budget and propose a tentative millage rate for the upcoming fiscal year.

PURPOSE OF BUDGET WORKSHOP 2: To review historical fiscal data. Estimate income, expenses and tentative millage rate for the upcoming fiscal year.

Manager Burns reviewed the changes that were discussed at the first Budget Meeting. He also briefed the Commission that Chief John Cash was offered the family medical coverage in lieu of getting a large raise when he took over as chief. The coverage hasn’t started yet so Manager Burns suggested to the Commission that the town compensate Chief Cash for the months of not having family medical coverage. He suggested giving Chief Cash a check for $1500 right now which is approximately 6 months of what he would have been making had he received the raise.

Commissioner Behnken moved to give Chief Cash an incentive bonus of
$1500 out of this year’s budget. Commissioner Garcia seconded the motion and it passed unanimously.

Commissioner Behnken moved to set the tentative millage rate at 2.4 mils. Commissioner Garcia seconded the motion and it passed unanimously. 2.4 mils is slightly lower than the rollback rate.

ANNOUNCEMENTS:

   June 29, 2005 – 6:00 p.m. – Planning and Zoning Meeting
   July 12, 2005 – 6:00 p.m. – Town Commission Meeting

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 5:57 p.m. Commissioner Garcia seconded the motion and it passed unanimously.

_________________________________________  07/21/2005
Tina Smith, Secretary  Date Approved
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MINUTES

TOWN OF SHALIMAR

Budget Workshop 1

June 21, 2005

CALL TO ORDER: Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 5:34 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Ricardo Garcia – present
Commissioner Ursel Behnken – present
Commissioner Jerry McCallister – present
Commissioner Glenn Wagner – absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Police Sergeant John Spohn and a representative from the Economic Development Council (EDC).

PURPOSE OF BUDGET WORKSHOP 1: To review historical fiscal data. Estimate income, expenses and tentative millage rate for the upcoming fiscal year. The Commission agreed to give the EDC the same amount as last year. There was some discussion about lowering the millage rate to 2.4 mils. Manager Burns went through the proposed budget with the Commission making minor changes along the way. The next budget workshop will be on June 23, 2005 at 5:30 p.m.

ANNOUNCEMENTS:

   June 23, 2005 – 5:30 – Budget Workshop 2
   June 29, 2005 – 6:00 – Planning and Zoning Meeting

ADJOURNMENT:
Commissioner Behnken moved to adjourn the First Budget Workshop at 6:54 p.m. It was seconded by Commissioner Garcia and passed unanimously.

_________________________  07/21/2005

Tina Smith, Secretary  Date Approved
CALL TO ORDER – Mayor Combs called the regularly scheduled meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present

Commissioner Jerry McCallister: present

Commissioner Ursel Behnken: present

Commissioner Ricardo Garcia: present

Commissioner Glenn Wagner: absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Planning and Zoning Board member Johann Behnken, and Residents Bertha Evans, Penn Gagnon, Sriphon Pegues, Noah Evans, Virginia Rapp, Candis Carrillo, Joe Bell, and Waste Management representative Rory Cassedy.

PLANNING AND ZONING BUSINESS: The issue on the Planning and Zoning agenda was tabled by the applicant. Manager Burns discussed a timeline for the Comp. Plan with the P&Z Board.

TOWN RESIDENTS' TIME: The residents present questioned the Commission about the drainage issues. Manager Burns explained that he placed the ad for an engineering firm but received no responses. He will now have to call individual firms. Mayor Combs stated to the residents that if they have any ideas about what may help mitigate some of the drainage issues, discuss them with Manager Burns. Manager Burns stated that he will order some sand bags and sand and advertise it in the June Tidbits.

TOWN ATTORNEY'S REPORT:

Attorney Chesser was asked to brief the Commission on Eminent Domain procedures. He suggested that Manager Burns draft up a letter to Rob Harrell, make him a viable offer and mention Eminent Domain as a future possibility.
OLD BUSINESS:

I. APPROVE MINUTES OF THE MAY 10, 2005 TOWN COMMISSION MEETING – Commissioner Garcia moved to approve the minutes from the May 10, 2005 meeting as written. Commissioner McCallister seconded the motion and it passed unanimously.

NEW BUSINESS:

I. WASTE MANAGEMENT REQUEST FOR CPI INCREASE – Mayor Combs asked Mr. Cassedy if any of the other cities have approved the increase. No other city has approved it but Waste Management is in negotiations with The City of Destin. Mayor Combs stated to Mr. Cassedy that is unhappy with the service and that the high gas prices are not a good enough reason for the town to agree with an increase because the town is only has 4.7 miles of roads.

II. RESOLUTION 2005-06 – LMS PLAN ADOPTION – Commissioner McCallister moved to approve Resolution 2005-06. Commissioner Garcia seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT:

I. TIDBITS REMINDER – Anyone interested in writing a Tidbits article need to have it to Deputy Clerk Tina Smith within the week.

COMMISSIONER GARCIA’S REPORT: Everything’s pretty quiet.

COMMISSIONER MCCALLISTER’S REPORT:

I. SET DATES FOR JUNE BUDGET MEETINGS – Everyone agreed that June 21, 2005 and June 23, 2005 at 5:30 p.m. would be good.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken left the meeting.

COMMISSIONER WAGNER’S REPORT: Commissioner Wagner was not present.
POLICE REPORT: Officer William Curtis is done with his training. Also, the department got a video camera and a lap top for their “click it or ticket” involvement.

TOWN MANAGER UPDATE: Manager Burns noted a complaint letter in everyone’s packets regarding the house at 10 Cherokee Road. He stated that he talked to the property owner and was told that the house would be habitable within 90 days. Manager Burns will write a letter to that effect and send it to the property owner. The Commission would also like to add that the house should be secure (windows, doors, clean up outside) within the next 30 days.

ANNOUNCEMENTS:

JUNE 29, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.

JULY 12, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 6:37 p.m. Commissioner Garcia seconded the motion and it passed unanimously.

_________________________________________  07/21/2005
Tina Smith, Secretary  Date Approved
CALL TO ORDER: The meeting was called to order by Chairman Tucker at 6:01 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:
- Chairman Gene Tucker – present
- Member/Co-Chairman Brad Gable – present
- Member/Secretary Sally Henderson – present
- Member Johann Behnken – present
- Member Sandra Dove-McLain – absent

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Kate Nixon of Choctaw Engineering, John Dowd Jr., Attorney for Brent Acree, Brent Acree, owner of lot between Shalimar Yacht Basin and Snug Harbor.

Member Henderson volunteered to serve as Secretary as Member Gable now serves as Co-Chairman.

OLD BUSINESS: A motion was made by Member Gable to approve the minutes of the April 27, 2005 meeting. Member Behnken seconded the motion and it was passed unanimously.

NEW BUSINESS:
1. Kate Nixon of Choctaw Engineering requested that the council table the request for a zoning change for the lot between Shalimar Yacht Basin and Sung Harbor until her firm was certain of what the council had requested.

The plan provided by CEI was discussed and the firm was informed that a more detailed site plan would be required before considering the re-zoning request. The request for a zoning change was tabled for one month.
2. Manager Burns presented an overview of the process for preparing the Shalimar Comprehensive Plan. This Evaluation and Appraisal Report must be submitted to the Department of Community Affairs by July 1, 2007. He further explained that because Okaloosa County was revising their comprehensive plan under the same requirements as Shalimar, it would be to our advantage to be involved in their plan and acquire required data from them.

Manager Burns suggested that P & Z members review the material included in the notebook to become familiar with the requirements and consider changes to be made. He further stated that he would provide a proposed timeline for our adoption at the next meeting on June 29, 2005.

**ANNOUNCEMENTS:**

1. Manager Burns informed the P&Z members that Mayor Combs had sent an Annexation Survey to homeowners on Old Ferry and Karl Brandt. This was his first attempt to inform residents of the benefits of annexation and provide them with the correct information regarding Shalimar taxes. Investigation into annexation of Old Ferry and Karl Brandt will continue.

**ADJOURNMENT:** A motion was made by Member Gable at 7:10 to adjourn the meeting. Member Henderson seconded the motion and it passed unanimously.

____________________________________
Gene Tucker, P&Z Chairman

____________________________________
Thomas A. Burns, Town Manager
CALL TO ORDER – Mayor Pro-Tem Ricardo Garcia 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: absent  
Commissioner Jerry McCallister: present  
Commissioner Ursel Behnken: present  
Commissioner Ricardo Garcia: present  
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Planning and Zoning Board members Gene Tucker, Brad Gable and Johann Behnken, Business owners Steve and Paulette Peterson, and residents Herb Reid and Virginia Rapp.

PLANNING AND ZONING BUSINESS: There were no Planning and Zoning Recommendations to approve.

TOWN RESIDENTS’ TIME: Mr. Reid from Avalon Lane asked about the status of the Palm Tree. Manager Burns stated that someone wanted it and was willing to pull it up. If she doesn’t do it soon, the town will either remove it or have it removed.

Ms. Rapp asked about the drainage issue that was discussed at the last meeting, particularly on Barron Court. Manager Burns explained that he will be going out with an ad for proposal bids for engineering services.

Gene Tucker, Planning and Zoning Board Chairman, asked Chief Cash to advise the department to spend a little more time enforcing the new speed limits on Old Ferry Road.
TOWN ATTORNEY’S REPORT:
Billboard Lawsuit Update – Manager Burns received a letter from Leslie Sheekley from Attorney Chesser’s office. Action Outdoor Advertising did not submit an appeal within the 30 day window so the dismissal of the case in our favor is complete.

OLD BUSINESS:

I. APPROVE MINUTES OF THE APRIL 12, 2005 TOWN COMMISSION MEETING
– Commissioner Behnken moved to approve the minutes of the April 12, 2005 Town Commission Meeting as written. The motion was seconded by Commissioner Wagner and passed unanimously.

NEW BUSINESS:

I. ACTION OUTDOOR APPEAL – APPEALING MANAGER BURNS’ DECISION ON BUILDING PERMIT (Cancellation request attached)

II. GREG HOWLAND APPEAL – APPEALING MANAGER BURNS’ DECISION TO REVOKE ANY PREVIOUSLY ISSUED PERMITS FOR SIGNAGE AT SPIFFY WASH – Mr. Howland’s attorney, David Simpson, asked that this issue be postponed until the next Commission Meeting.

III. RESOLUTION 2005-05 – SUPPORT FOR THE CITY OF DESTIN FOR FEDERAL FUNDING FOR DREDGING – Commissioner Behnken moved that pass Resolution 2005-05. Commissioner Wagner seconded the motion and it passed unanimously.

IV. PLANNING AND ZONING CHAIRMAN, GENE TUCKER, PRESENTATION – Chairman Tucker reported that the owner of the property between Shalimar Yacht Basin and Snug Harbor has asked the town for a zoning change. After some discussion at the last Planning and Zoning Meeting, the board asked the applicant for more information. The board feels that there may be a problem for big trucks turning around with a new building on that lot. Chairman Tucker stated that the board decided to ask the Commission to set up a meeting with the owner of the property and see if he’d be willing to sell it to the town for Fair Market Value. The Commission directed Manager Burns to attempt to make contact with the owner and see if he is agreeable. Eminent Domain will possibly be used as a last resort. Attorney Chesser was directed, before this meeting, to prepare a briefing for the next Commission Meeting explaining stipulations, procedure, etc. on the Eminent Domain process.

- Steve Peterson briefed that the American Business Women’s Association (ABWA) sponsored Poker Run would be held on Saturday. The after-party will be at the Shalimar Yacht Basin and everyone is invited.
- On Tuesday, May 17, Shalimar Yacht Basin will be designated as a Clean Marina from the Department of Environmental Protection (DEP). There will be a recognition ceremony at 2:00 at the Yacht Basin and everyone is invited.

- Also, August 12-19 is Boat Week. There will be many events throughout the week ending with the big Poker Run. Mr. Peterson would like to have a 50 ft. movie screen on one of the docks, facing out at boaters. They will show boaters’ safety films then move on to a boater-related movie. All boaters watching the movie will listen through their AM radio. He will show a movie every night of boat week ending at approximately 10:00 p.m. every night. He also stated that he’s open to suggestions if anyone had an issue with this. Commissioner Garcia asked that Steve draft up a letter with specifics for the board to look over. Manager Burns mentioned to the Police Department that some of the customers will have to park on the right-of-way. Commissioner Garcia stated to Chief Cash to allow Mr. Peterson’s customers to park on the right-of-way for the 3 above mentioned events but that they might want to direct some of the parking to accommodate more cars.

**MAYOR COMBS’ REPORT:** Mayor Combs was not present.

**COMMISSIONER GARCIA’S REPORT:** Commissioner Garcia had nothing to report.

**COMMISSIONER McCALLISTER’S REPORT:** Commissioner McCallister had nothing to report.

**COMMISSIONER BEHNKEN’S REPORT:** Commissioner Behnken asked Manager Burns about the hole in the middle of Clifford Drive. Manager Burns explained that some contractors hit a utility pipe which damaged the road. He has made numerous calls to the contractor and the county to find out who was going to repave the road but hasn’t received any answers yet. He is still pursuing the issue.

**COMMISSIONER WAGNER’S REPORT:** Commissioner Wagner had nothing to report.

**POLICE REPORT –**

- There was a robbery at the Waffle House on Mother’s Day. The Police Department is working with 2 other agencies to catch the 2 suspects. They should have an arrest by Friday.

- Chief Cash is looking into a sort of Reserve Program, similar to the Okaloosa County Sheriff’s Department Posse Program or Fort Walton Beach’s Cadet Program. This would be a volunteer program for the Police Department. Each volunteer would always be
with a Shalimar officer. Also, each volunteer would have to pay for their gear, guns, etc.

- The insurance company made some minor modifications to the form that needs to be completed for the ride-along program.

Planning and Zoning Chairman, Gene Tucker, asked if Chief Cash would talk to the department and have the officers enforce the new speed limit on Old Ferry Road.

**TOWN MANAGER UPDATE:** Manager Burns had nothing to report.

**ANNOUNCEMENTS:**

- APRIL 27, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.
- MAY 10, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

**ADJOURNMENT:** Commissioner McCallister moved to adjourn at 6:44 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

Tina Smith, Secretary

Date Approved 06/14/2005
CALL TO ORDER: The meeting was called to order by Chairman Tucker at 6:03 p.m. He led the “Pledge of Allegiance”.

ROLL CALL FOR THE RECORD:

Chairman Gene Tucker – present
Member Sally Henderson – present
Member/Secretary Sandra Dove-McLain – present
Member Johann Behnken – present
Member Brad Gable – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Kate Nixon with Choctaw Engineering, and Shalimar Yacht Basin owners, Randy Longenbach and Steve Peterson.

Sally Henderson is sworn in by Chairman Gene Tucker.

Member Gable volunteers to serve as Co-Chairman since Glenn Wagner has moved to the City Commission.

A motion was made by Member Behnken to appoint Member Gable to the position of Co-Chairman. Member Henderson seconded the motion and it was passed unanimously.

OLD BUSINESS: A motion was made by Member Behnken to approve the minutes of the March 30 meeting minutes. Member Gable seconded the motion and it was passed unanimously.

NEW BUSINESS:

1. REVIEW ZONING CHANGE REQUEST FOR THE LOT BETWEEN SHALIMAR YACHT BASIN AND SNUG HARBOR.
Member Behnken makes a motion to approve the zoning request. There was no second.

Member Gable made a motion to request the petitioner to provide a preliminary site plan showing the footprint of the buildings, building height, driveways, etc. and have the drawing submitted at least 1 week prior to the next meeting. Member Behnken seconded the motion and it passed unanimously.

Member Behnken made a motion that the board recommend to the Commission that the town purchase this lot. Member Henderson seconded the motion. The motion passed unanimously.

2. Manager Burns asks the board to discuss removing the palm tree at the entrance of Avalon Lane.

Member Behnken made a motion to allow the palm tree at the beginning of Avalon Lane to be removed in a way that it can be transplanted. Member Dove-McLain seconded the motion. The motion passed unanimously.

ANNOUNCEMENTS:

Steve Peterson of the Shalimar Yacht Basin announced that they will host the annual Poker Run to benefit the American Business Woman's Association (ABWA) on May 14th and that the Clean Marina Designation ceremony will be held at 2:00 p.m. on the 17th of May.

May 10, 2005 6:00 p.m. – Next Town Commission Meeting
May 25, 2005 6:00 p.m. – Next Planning and Zoning Meeting

ADJOURNMENT: A motion was made by Member Dove-McLain to adjourn the meeting. Member Henderson seconded the motion and it passed unanimously.
Town of Shalimar

Town Commission Meeting Minutes

April 12, 2005

CALL TO ORDER – Mayor Combs called the regularly scheduled Town Commission meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

Roads and Grounds Commissioner, Kevin Reeves, was given a plaque by the Mayor.

The elections were on March 8, 2005. Ricardo Garcia qualified to run and Commissioner Reeves did not so Ricardo Garcia ran uncontested. After Commissioner Larson passed away there was another opening. Mayor Combs stated that Glenn Wagner, from the Planning and Zoning Board, showed interest in accepting a position on the Commission. The Commission agreed that Glenn Wagner would be a good replacement for Commissioner Larson. Glenn Wagner was so appointed. Mayor Combs, Commissioner Behnken, Ricardo Garcia, and Glenn Wagner were all sworn in by Town Attorney Mike Chesser.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Commissioner Jerry McCallister: present
Commissioner Ursel Behnken: present
Commissioner Ricardo Garcia: present
Commissioner Glenn Wagner: present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Police Sergeant John Spohn, Al and Melissa Wemyss, Johann Behnken, Joe Bailey, Kathy Mills, Bobby McCann, Virginia King, Chuck Heiges, Jesus Flores, Brian McMahon, Brad Gable, Jim Monte, Joey Crews, Frank Stephens, Paul Nelson, Marylou Mackin, Norma Henson, Gene and Elaine Tucker, Felix Mamani, Lourdes Garcia, Kevin Sutton, and Joe Brewster (with Cox Cable).

Mayor Combs thanked Commissioner Garcia for replacing the plants in Cherokee Park.
PLANNING AND ZONING BUSINESS: There is no Planning and Zoning Recommendations to approve.

TOWN RESIDENTS' TIME: Most of the residents in attendance came to discuss with the Commission the need for a drainage solution. Mayor Combs directed Manager Burns to start the process for hiring an Engineering firm to research the problem.

TOWN ATTORNEY'S REPORT:
Billboard Lawsuit Update – The lawsuit has been dismissed in favor of the town.

OLD BUSINESS:

I. APPROVE MINUTES OF THE MARCH 8, 2005 TOWN COMMISSION MEETING – Commissioner McCallister moved to approve the minutes of the March 8, 2005 meeting as written. Commissioner Behnken seconded the motion and it passed unanimously.

II. SECOND READING OF ORDINANCE 2005-03 COX COMMUNICATIONS AGREEMENT – Commissioner Garcia moved to approve the second reading of Ordinance 2005-03 Cox Communications Agreement. The motion was seconded by Commissioner McCallister and passed unanimously.

NEW BUSINESS:

I. HUGH PARKER TERMINATION – Manager Burns explained that Hugh Parker was leaving to work with his son.

II. NEW MAINTENANCE SUPERVISOR HIRE – Manager Burns stated that he had a possible replacement for Mr. Parker’s position. Commissioner Behnken moved to hire Kent Beck for the new Maintenance Supervisor contingent upon the findings of an internal background check. Commissioner Wagner seconded the motion and it passed unanimously. Jack Williams will continue on as the town’s part time help.

III. VEHICLE “SALES” – SEALED BID DISCUSSION/DECISIONS ON HONDA CRV AND FORD CROWN VICTORIA – The bids for each vehicle were opened on the afternoon of April 11th. Before receiving a bid spread sheet, the commission decided on the minimum price (goal) they would accept for each vehicle. They agreed on $4,000 minimum for the red Honda CRV and $750 minimum for the white Ford Police Vehicle. The top bids were $4,700.00 for the Honda and $2,200.99 for the Ford. Commissioner McCallister moved that the town sell the 2 vehicles to the top bidders. If the top bidder on either vehicle doesn’t pay, the Honda will
be re-advertised but the Chevy will be sold to the second place bidder for $1,801.00. Commissioner Behnken seconded the motion and it passed unanimously.

IV. PERSONNEL POLICY RESOLUTION 2005-04 – After discussing the personnel policy change, Commissioner Garcia moved to approve the Personnel Policy Resolution 2005-04 as written. Commissioner Wagner seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT: Mayor Combs asked Ricardo Garcia to be the Police Commissioner and Mayor Pro-Tem because he has time during the day to meet with the staff, etc. The Commission agreed with appointing Commissioner Garcia as Mayor Pro-Tem.

COMMISSIONER McCALLISTER’S REPORT: Commissioner McCallister passed out the new budget and the Commission went over the new figures. Commissioner Behnken moved to approve the adjusted budget for the second half of this fiscal year. Commissioner Garcia seconded the motion and it passed unanimously.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report.

COMMISSIONER GARCIA’S REPORT: Commissioner Garcia stated that he had nothing to report but that he was glad to be back.

COMMISSIONER WAGNER’S REPORT: Commissioner Wagner had nothing to report.

POLICE REPORT: Chief Cash reported that he hired a new part-time officer, William Curtis. He is currently an SP on Eglin A.F.B. Also, Chief Cash applied for a grant for a bullet proof vest.

TOWN MANAGER UPDATE: Manager Burns had nothing to report but stated that he would run an advertisement for accepting bids on the engineering for Shalimar Drive and Mande/Brande Courts.

Mayor Combs instructed Manager Burns to buy speed limit signs for Old Ferry Road, Gardner Drive, and Cherokee Road lowering the speed limit on each street by 5 MPH. He would like letters with surveys to go out to all of the people that live on the
periphery of Shalimar but not actually in the town limits. Also, he asked that the police department hand out flyers to all of the residents that live on those 3 streets informing them of the speed limit changes.

ANNOUNCEMENTS:

   APRIL 27, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.

   MAY 10, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT:  Commissioner McCallister moved to adjourn at 8:25 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

____________________________________  05/10/2005
Tina Smith, Secretary               Date Approved
Meeting began at 11:15 a.m.

Town Manager Tom Burns, Police Chief John Cash, Sergeant John Spohn, and Deputy Clerk Tina Smith were in attendance.

Bid details are below:

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The Meeting ended at 11:30.
CALL TO ORDER: The meeting was called to order by Vice Chairman Wagner at 6:04 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: Vice Chairman Wagner led the reciting of the Pledge Of Allegiance

ROLL CALL FOR THE RECORD:

Chairman Gene Tucker – absent
Member/Vice Chairman Glenn Wagner – present
Member/Secretary Sandra Dove-McLain – absent
Member Johann Behnken – present
Member Brad Gable – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Residents Darrin Habel, Jesus and Sylvia Ortega, and Dave Meadows.

OLD BUSINESS: A motion was made by Member Behnken to approve the minutes of the February 23, 2005 meeting. Member Gable seconded the motion and it was passed unanimously.

18 SHALIMAR DRIVE REQUESTS:

3. The owner of 18 Shalimar Drive is requested a variance to install a 2 foot high landscaping wall in the right-of-way along Shalimar Drive.

Member Behnken made a motion to allow a 2’ high wall to be built at the owner’s expense (and removed at the owner’s expense should access to the right-of-way be needed) and the building materials be similar to those used on the house and visually pleasing. Member Gable seconded the motion. The motion passed unanimously.
4. The owner of 18 Shalimar Drive is requested a variance to allow new impervious surface area ratio of approximately 68%.

   Member Behnken made a motion to allow a pool to be built with a maximum of 400sf of surface area. The decking around the pool should meet the minimum requirements not to exceed a maximum of 3’. The rest of the pool decking should be some type of pervious material to extend no closer than 18” to the property line which is to be used as landscaping space. The rest of the requirements in section 82-235 should be met minus the provision for the pool equipment setbacks. Member Gable seconded the motion. The motion passed unanimously.

5. The owner of 18 Shalimar Drive is requested a variance to allow a pool enclosure to be built with zero lot line setbacks.

   Member Behnken made a motion to allow the pool enclosure to be built up to the property line in a color that is aesthetically pleasing. Member Gable seconded the motion. The motion passed unanimously.

   Member Behnken made a motion to allow the Town Manager to remove the leaning Cedar Tree on town property. Member Gable seconded the motion. The motion passed unanimously.

ANNOUNCEMENTS:
   April 12, 2005 6:00 p.m. – Next Town Commission Meeting
   April 27, 2005 6:00 p.m. – Next Planning and Zoning Meeting

ADJOURNMENT: A motion was made by Member Behnken to adjourn the meeting at 7:10 p.m. Member Gable seconded the motion and it was passed unanimously.
____________________  __________________
Gene Tucker, P&Z Chairman  Thomas A. Burns, Town Manager
Mayor Combs appointed Commissioner Kevin Reeves as Mayor Pro-Tem while he is away.

CALL TO ORDER – Commissioner Kevin Reeves called the regularly scheduled Town Commission meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
   Mayor Gary Combs: absent
   Mayor Pro-Tem Rik Larson: absent
   Commissioner Ursel Behnken: present
   Commissioner Kevin Reeves: present
   Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Al and Melissa Wemyss, Herb and Annie Reid, Johann Behnken, J.H. Ortega, Rick Garcia and Joe Brewster (with Cox Cable).

PLANNING AND ZONING BUSINESS: There is no Planning and Zoning Recommendations to approve. There was a meeting where the board discussed a variance for a resident to remove an Oak Tree.

TOWN RESIDENTS' TIME: Resident Melissa Wemyss inquired about the Gulf Power bill for her street light. The Town Commission decided at the last meeting that the town would pay this bill. Manager Burns explained that he called Gulf Power to have the accounts switched over but it probably just hadn’t switched at the time that Gulf Power printed out their bills.
TOWN ATTORNEY’S REPORT:
Billboard Lawsuit Update – There are no new updates on the lawsuit.

OLD BUSINESS:

I. APPROVE MINUTES OF THE FEBRUARY 8, 2005 TOWN COMMISSION MEETING – Commissioner Behnken moved that the Commission approve the minutes of the February 8, 2005 Town Commission Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. FIRST READING OF ORDINANCE 2005-03 COX COMMUNICATIONS AGREEMENT – Commissioner Behnken moved to approve the first reading of Ordinance 2005-03 Cox Communications Agreement as written. The motion was seconded by Commissioner McCallister and passed unanimously.

NEW BUSINESS:

I. APRIL MEETING GET TOGETHER – Deputy Clerk Tina Smith explained that there will be a small get together/ceremony before the next meeting and confirmed that Commissioner Reeves would be there.

II. TIDBITS – The March Tidbits will be going out at the end of March. If anyone would like to submit an article, please e-mail it to Deputy Clerk Smith some time in the next couple of weeks.

MAYOR COMBS’ REPORT: Mayor Combs was not present.

COMMISSIONER LARSON’S REPORT: A moment of silence was called for Commissioner Larson.

COMMISSIONER REEVES’ REPORT: Commissioner Reeves had nothing to report.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report but wanted to thank everyone that helped out with Commissioner Larson’s Reception.
COMMISSIONER McCALLISTER’S REPORT: Commissioner McCallister explained that the Commission will go over the 6 month line item changes at the next meeting.

POLICE REPORT:

I. APPOINT CHIEF CASH TO FLORIDA MUNICIPAL PENSION TRUST FUND BOARD – Commissioner Behnken moved to appoint Ricardo Garcia to the FMPTF board. Commissioner McCallister seconded the motion and it passed unanimously.

II. LAPTOP COMPUTER PURCHASE DISCUSSION – Chief Cash explained that he was able to find laptops for $549 apiece and the monthly charge per car will be $29.99. No decisions will be made on the police car computers until after Commissioner McCallister does the line item adjustments.

The issue of the ride-along program was questioned by Attorney Chesser. Chief Cash and Manager Burns explained that the residents that ride have to sign a disclaimer but Attorney Chesser is concerned that the town’s insurance company will not cover residents riding in the town’s vehicles and that the disclaimer might not be enough to hold up in court. Manager Burns will call the insurance company.

TOWN MANAGER UPDATE:
Manager Burns briefed that the billboard company appealed his rejections of the last 2 billboard application and will come before the Commission soon.

Also, the owner of the house between Snug Harbor and Shalimar Yacht Basin has agreed to remove the building by March 18.

ANNOUNCEMENTS:

MARCH 30, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.

APRIL 12, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: There was no further business so the meeting adjourned at 6:29 p.m.
Gary Combs, Mayor

Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Chairman Gene Tucker at 6:01 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: Chairman Tucker led the reciting of the “Pledge Of Allegiance”.

MOMENT OF SILENCE: Chairman Tucker asked everyone in attendance to remain standing for a Moment of Silence in honor of Commissioner Rik Larson.

ROLL CALL FOR THE RECORD:

Chairman Gene Tucker – present
Member/Vice Chairman Glenn Wagner – present
Member/Secretary Sandra Dove-McLain – present
Member Johann Behnken – present
Member Brad Gable – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns and Residents Jesus Ortega, Richard Hoffert, Annie Reid, Melissa Wemyss and Darrin Habel.

OLD BUSINESS: A motion was made by Member Wagner to approve the minutes of the January 12, 2005 meeting. Member Gable seconded the motion and it was passed unanimously.

TREE VARIANCE FOR 18 SHALIMAR DRIVE: The owner of 18 Shalimar Drive is requesting a variance to have a protected Oak tree that was damaged by Hurricane Ivan removed from his front yard. A large portion of the tree was removed because of wind damage and now the homeowner is concerned that the remaining portion of the tree presents a safety hazard to his children and home. Member Behnken made a motion that the tree not be removed until an arborist can evaluate the tree to
satisfy the interest of the town and the applicant. Member Gable seconded
the motion and it passed unanimously.

ANNOUNCEMENTS:

March 8, 2005 at 6:00 p.m. – Next Town Commission Meeting
March 30, 2005 at 6:00 p.m. – Next Planning and Zoning Meeting

ADJOURNMENT: Vice-Chairman Wagner moved to adjourn the meeting at 6:45
p.m. Member Dove-McLain seconded the motion and it passed unanimously.

____________________________________  ___________________________________
Glenn Wagner, P&Z Vice-Chairman        Thomas A. Burns, Town Manager
Town of Shalimar
Town Commission Meeting Minutes
February 8, 2005

CALL TO ORDER – Mayor Gary Combs called the regularly scheduled Town Commission meeting to order at 6:03 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: absent
Commissioner Ursel Behnken: present
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Al and Melissa Wemyss, Herb and Annie Reid, Johann Behnken, and Joe Brewster (with Cox Cable).

PLANNING AND ZONING BUSINESS: There is no Planning and Zoning Recommendations to approve.

TOWN RESIDENTS’ TIME: The town residents had nothing to discuss.

TOWN ATTORNEY’S REPORT:
Billboard Lawsuit Update – There are no new updates on the lawsuit.

OLD BUSINESS:

I. APPROVE MINUTES OF THE JANUARY 11, 2005 TOWN COMMISSION MEETING AND JANUARY 24, 2005 SPECIAL TOWN COMMISSION MEETING – Commissioner Behnken moved to
approve the minutes of the January 11, 2005 Town Commission Meeting and the January 24, 2005 Special Town Commission Meeting as written. The motion was seconded by Commissioner Reeves and passed unanimously.

NEW BUSINESS:

I. RESOLUTION 2005-03 – URGING LEGISLATORS TO SUPPORT GROWTH MANAGEMENT ISSUES – Commissioner Behnken moved to pass Resolution 2005-03 as written. Commissioner Reeves seconded the motion and it passed unanimously.

II. COX CABLE ORDINANCE – Joe Brewster briefed the board. It was noted that there will be a first reading of this ordinance at the next Commission Meeting.

MAYOR COMBS’ REPORT: Mayor Combs briefed the Commission that Manager Burns has had several disagreements with the owner of Spiffy Car Wash because of non-permitted sign activity. At present, the car wash owner has placed a painted wood sign in front of his store and, while Manager Burns was on vacation, a moving marquee sign was parked in the parking lot. Manager Burns has already sent a certified letter to the owner but Mayor Combs directed Manager Burns to start fining him the maximum amount possible and to draft up another letter to inform him of the Commission’s decision.

Mayor Combs inquired about the house between Shalimar Yacht Basin and Snug Harbor. Manager Burns stated that he sent the owner a certified letter notifying him that the Town Commission authorized Manager Burns to demolish the house if nothing was done by March 1.

COMMISSIONER LARSON’S REPORT: Commissioner Larson was not present. Town Manager Burns briefed that Commissioner Larson was presently in ICU. He had an aneurysm on Sunday and was taken to the hospital. It appears that he may be there for a while though the doctor is not expecting to operate. Commissioner Larson is paralyzed on his right side, he can’t eat, and not speaking. Manager Burns has the visitation schedule for anyone interested.

COMMISSIONER REEVES’ REPORT: Next month’s meeting was supposed to be Commissioner Reeves’ last meeting but he stated that he is able to stand in for Commissioner Larson until his return. We will be installing one new Commissioner, Ricardo Garcia, at the April Meeting.
COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report.

COMMISSIONER McCALLISTER’S REPORT: Commissioner McCallister was not present. Town Manager, Tom Burns, asked if the commission would authorize another $100,000 CD. The rates are slightly higher than the quote given at last month’s meeting. Commissioner Behnken moved to authorize Manager Burns to purchase another $100,000 CD for the town. Commissioner Reeves seconded the motion and it passed unanimously.

POLICE REPORT: Chief Cash stated that he has been talking with a car dealership about trading 2 of the old police cars, the Honda CRV and possibly another vehicle for a new police car. Chief Cash is supposed to talk to the dealer some time tomorrow for more information. Mayor Combs suggested that they sell all of the vehicles outright and keep the blue Dodge truck for the town. Manager Burns stated that the easiest way to sell the vehicles would be by sealed bids. Commissioner Behnken moved to authorize Manager Burns to sell all of the vehicles as soon as the town owns them and she moved to authorize Manager Burns and Mayor Combs will set a minimum price that will not be advertised. Commissioner Reeves seconded the motion and it passed unanimously.

Chief Cash reported that he received a demo laptop computer for his car. He would like to get more of these computers for the other officers. Mayor Combs asked that Chief Cash and Manager Burns meet before the next meeting and draft up an executive summary.

Mayor Combs would like Chief Cash to start the Monthly Activity Reports again. If necessary, he can print them out and put them in the boxes.

TOWN MANAGER UPDATE:
Mayor Combs asked Manager Burns to inquire about the Municipal Service Tax to Danielle Slaterpryce at Okaloosa County.

One resident in attendance inquired about Homeowner’s Associations. She also stated that she pays the Gulf Power bill for a street light in her subdivision on Avalon Lane. The Commission agreed that the town would start paying this bill.

ANNOUNCEMENTS:
FEBRUARY 23, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.

MARCH 8, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Behnken moved to adjourn the meeting at 7:27 p.m. Commissioner Reeves seconded the motion and it passed unanimously.

____________________________________  __________________________________
Kevin Reeves, Appointed Mayor Pro-Tem  Tina Smith, Deputy Town Clerk
CALL TO ORDER – Mayor Gary Combs called the special Town Commission meeting to order at 6:05 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: present
Commissioner Ursel Behnken: present
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Police Chief John Cash, Police Officer Michael Woll, Planning and Zoning Board Members Brad Gable, Glenn Wagner, and Johann Behnken, Applicants Steve Peterson, Randy Logenbach, Dana Matthews, Residents Frank and Gloria Kane, Elaine Tucker, Tony Simpson, Richard and Helen Hoffert, Mack Kirkland, John and Sally Henderson, Beverly and Gary Hall and County Residents Jan Clements, Todd Hancock, Kevin Sherman, Elaine and Rod Wilson, Judy Pope, Hulda and Dick Mahlum, Marijo Strauss and Jon Sheperd.

6:00-6:30 -- Introductory Comments – Attorney Chesser – Attorney Chesser explained that the proceedings are Quasi-Judicial which means it is not a democratic process. Everyone will have a chance to give their input but not to vote how they feel. He then asked everyone that plans on giving testimony at the meeting to stand up and be sworn in.

Introductory Comments – Mayor Combs – Mayor Combs went through the slides pertaining to recurring resident complaints and parking concerns in the area of the Shalimar Yacht Basin.
6:30-6:45 -- Presentation/Summary of Mrs. Grey’s Report to P&Z Board – Mrs. Grey went over her report. There was some discussion regarding landscaping. Since the PUD section doesn’t address the nature of landscaping, the developers will use the standards that are regulated elsewhere in the code.

Mayor Combs asked about the Stormwater retention issue. Dana Matthews stated that the Stormwater plan has yet to be developed but will meet all requirements of the code.

6:45-7:15 -- Shalimar Yacht Basin Presentation – Dana Matthews briefed the Commission on the history of the process the applicants have gone through stating that the Planning and Zoning Board agreed to approve the Master Concept Plan (density, height, parking requirements, and setbacks) along with the zoning change in order to give the developers some parameters. He iterated that the Development Order Process will be much more comprehensive. The applicant have updated the plans, taking into consideration the recommendations made by the Planning and Zoning Board.

Dana Matthews asked that all reports and other documents be added to the record and filed with the minutes. Attorney Chesser added that Wendy Grey’s resume and report should also be filed with the minutes.

Lee Goodson showed pictures of the original plans. He stated that all intersections will be part of the traffic study during the Development Order process. Mr. Goodson handed out copies of the revised plan which Dana Matthews asked to be added to the record.

Attorney Chesser asked if a traffic concurrency study should be done before anything is approved to save everyone time and money. Wendy Grey briefed that the concurrency study is not critical at this time. The developers know that they are doing all of this “up front” stuff at their own risk.

7:15-7:30 -- Review P&Z Board’s Recommendation to Commission -- Before reviewing the recommendations, Attorney Chesser asked the Planning and Zoning Board Members present if their draft minutes reflected what they felt happened at the meeting. Planning and Zoning Board Members Gable and Wagner both agreed that they felt the attached minutes are a good summary of what took place at the meeting. Mayor Combs briefly ran through slide #15 which summarized the 5 recommendations made by the Planning and Zoning Board.

(At 7:50, Mayor Combs called for a brief intermission).

7:30-8:00 -- Citizen Input – The main concerns brought up by residents were compatibility with the neighborhood, density, height, setbacks, traffic, utilities, and drainage.

8:00-8:15 – Break – taken earlier

8:15-9:15 -- Commission Plan of Action –

RECOMMENDATION #1 – ALLOW BUILDING HEIGHTS OF 45 FEET TALL TO 60 FEET TALL, STAGGERING THE HEIGHTS FROM BUILDING A THROUGH
BUILDING D. Commissioner Behnken moved to accept the Planning and Zoning Board’s recommendation as written. Mayor Combs passed the gavel to Commissioner/Mayor Pro-Tem Larson and seconded the motion. Commissioner Reeves amended the motion to accept a 50 foot maximum height with staggering of building heights not required. Mayor Combs seconded the motion. The amendment passed 3-2 and the amended motion passed 3-2 with Commissioner Larson and Commissioner McCallister voting nay on both.

RECOMMENDATION #2 – LIMIT THE DENSITY TO A MAXIMUM OF 35 UNITS PER ACRE. Commissioner Behnken moved to accept the Planning and Zoning Board’s recommendation. Commissioner Reeves asked Commissioner Behnken if she would consider amending her motion to accept 25 units per acre. Commissioner Behnken agreed to the amendment and Commissioner Reeves seconded the amended motion and it passed unanimously.

RECOMMENDATION #3 – REQUIRE 2 PARKING SPACES PER UNIT, 1 PARKING SPACE PER EVERY 5 WET SLIPS, 1 PARKING SPACE PER EVERY 1,000 SQUARE FEET OF BOAT SHOWROOM SPACE.COMMERCIAL FACILITY, AND 1 PARKING SPACE PER EVERY 300 SQUARE FEET OF OTHER PERMITTED COMMERCIAL USES. – Commissioner Larson moved to require 2 parking spaces per unit, 1 parking space per every 3 wet slips, 1 parking space per every 1,000 square feet of boat showroom space/commercial facility, and 1 parking space per every 300 square feet of other permitted commercial uses. Commissioner Behnken seconded the motion. Commissioner McCallister clarified that the only change to the Planning and Zoning Board’s recommendation was to the wet slip parking. The motion passed unanimously.

RECOMMENDATION #4 – ALLOW SETBACKS OF AT LEAST 15 FEET (WHICH IS THE REQUIREMENT FOR THE LANDSCAPED SEPARATION) FROM THE WATER AND 15 FEET FROM THE RIGHT OF WAY BUT A REQUIREMENT OF 50 FEET FROM THE 2 END PROPERTY LINES – Commissioner Behnken moved to accept recommendations as written. Commissioner Larson seconded the motion and it passed unanimously.

Other restrictions discussed that were not covered in the Planning and Zoning recommendations included:

SIGNS – The recommendation from Manager Burns was to allow the same amount of signage as other commercial establishments which is a 200 sq. ft. maximum in copy area. He also recommended no pole sign and no internally lighted signs. Commissioner Behnken moved to accept the recommendation allowing a 200 sq. ft. maximum copy area, no pole signs, and no internally lighted signs. The motion was seconded by Commissioner Larson and passed unanimously.
MINIMUM FLOOR SPACE PER UNIT – Commissioner Behnken moved to allow nothing smaller than 1200 sq. ft. units. This motion was withdrawn. Commissioner Larson moved to allow nothing smaller than 1400 sq. ft. units. Commissioner McCallister seconded the motion and it passed unanimously.

MINIMUM GREEN AREA – The recommendation from Manager Burns was a minimum of 15% green area taken right from the code book.

There was some concern by the Commission that once the property is zoned commercial, the applicant would be able to use it for whatever commercial activity that is allowed in the code book.

Commissioner Behnken moved to limit the commercial activity to boat sales, retail sales of marine-related items and convenience goods. Any other future use of the commercial property would require the applicant to come before the Commission for approval irrespective of the types of activities allowed in the Shalimar Code Book. The motion was seconded by Commissioner Reeves and passed unanimously.

RECOMMENDATION #5 – RECOMMEND THAT THE TOWN COMMISSION APPROVE THE ZONING CHANGE FROM INDUSTRIAL TO PLANNED DEVELOPMENT PROJECT WITH THE STIPULATION THAT ALL MOTIONS MADE AT TONIGHT’S MEETING WILL BE INCLUDED IN THE DEVELOPMENT PLAN AND THAT THE RECOMMENDATIONS BY MRS. GREY BE TAKEN INTO CONSIDERATION AS GUIDELINES – Commissioner Behnken moved to accept the recommendation that they approve the zoning change from Industrial to Planned Development Project with the stipulation that all motions made at TONIGHT’S meeting will be included in the development plan and that the recommendations by Mrs. Grey be taken into consideration as guidelines in the Development Order. The motion was seconded by Commissioner Reeves and passed unanimously.

Commissioner Behnken moved to add the condition to the approval that traffic concurrency will be determined by an outside expert and, in addition, the operational sufficiency of Gardner Drive and Old Ferry Road will be presented to this board during the Development Order Process. Commissioner Reeves seconded the motion and it passed unanimously.

Mayor Combs stated that changing the code of ordinances to reflect the restrictions from tonight’s meeting is his number one priority for the year so that neither of his boards will have to go through this process again and welcomed any input from the Planning and Zoning Board.
According to our codes, the developer has one year from today to submit a Development Order to the Town otherwise the zoning will revert back to Industrial.

ANNOUNCEMENTS:

FEBRUARY 8, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn the meeting at 9:56 p.m. Commissioner McCallister seconded the motion and it passed unanimously.

____________________________________  02/08/2005
Tina Smith, Secretary                  Date Approved
CALL TO ORDER: The meeting was called to order by Chairman Gene Tucker at 6:07 p.m.

ROLL CALL FOR THE RECORD:
Chairman Gene Tucker – present
Member/Vice Chairman Glenn Wagner – present
Member/Secretary Sandra Dove-McLain – absent
Member Johann Behnken – present
Member Brad Gable – present

OTHERS IN ATTENDANCE: Town Attorney Mike Chesser, Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Land Planning Expert Wendy Grey, Applicants Randy Logenbach and Steve Peterson, Dana Matthews, Residents Mack Kirkland, James and Susan Czekanski, Richard and Helen Hoffert, John and Sally Henderson, Frank and Gloria Kane, Amy Davis, Pat Dulian, Bertha Burns and County Residents Kevin Sherman, Hulda Mahlum, Marijo and Bob Strauss, Jan and Rick Clements, Jim and Mary Thompson, Judy Pope, and Rod and Elaine Wilson.

OLD BUSINESS:

I. REVIEW AND APPROVE MINUTES FROM THE NOVEMBER 17, 2004 MEETING AND THE NOVEMBER 30, 2004 WORKSHOP – Member Brad Gable moved to approve the minutes of the November 17, 2004 Board Meeting as written. The motion was seconded by Member Glenn Wagner and it passed unanimously.
Member Gable moved to approve the minutes of the November 30, 2004 Workshop as written. The motion was seconded by Member Johann Behnken and it passed unanimously.
II. **SHALIMAR YACHT BASIN REZONING PETITION** – Attorney Mike Chesser stated that this is a quasi-judicial proceeding and all parties that wish to speak must be sworn in. He clarified that there was a recording taken of the meeting and asked Chairman Gene Tucker which board member would be filling in as secretary for the meeting since Member Sandra Dove-McLain was absent. Chairman Tucker stated that Member Gable will be taking the minutes at this meeting.

Land Planner Wendy Grey briefed her resume and began reporting her findings. (A copy of Mrs. Grey's resume and report will be included in the record). She went over 4 options under the current code of ordinances and stated that her recommendation was to follow Schedule E in section 82, using the General Commercial standards. She chose General Commercial based on the fact that the property is currently zoned Industrial and the existing Marina business will remain with a few downgrades to the services provided. Also, she feels that the General Commercial Guidelines are slightly more restrictive on setbacks, landscaped separation, etc. while allowing a higher building height.

Schedule E establishes a 50 foot setback from all projected property lines, 35 foot setback from street right-of-way lines, 5-story building height and a 15 foot landscape separation.

Mrs. Grey suggested that the board reconsider parking requirements allowed by the current code book. She suggests 2 parking spaces per unit, 1 parking space per 3 wet slips, 1 parking space per 1,000 square feet of boat showroom space, and 1 parking space per 300 square feet for other permitted commercial uses.

It was also recommended in the report that the board take into account other restrictions to be included. Some suggestions were that all structured ground parking be fully screened from the public right-of-way, all mechanicals should not be visible from the public right-of-way, all lighting shall be designated to minimize off-site impacts, etc.
When Mrs. Grey completed her report, Chairman Tucker called for questions from the audience and the Developer. Some of the concerns voiced by the residents had to do with traffic, setbacks from the water line and height. Attorney Dana Matthews stated to the board that he did not have the final copy of the report and asked if they could set up a meeting in 2-3 weeks, after they had the opportunity to go over the report and, possibly, meet with the Town Manager, Town Attorney, and someone appointed from the board. Attorney Chesser suggested that nothing new has been brought up in Mrs. Grey’s report. Also, given that the applicants missed 2 previous meetings and in fairness to the public, he recommended proceeding. Member Wagner welcomed the submission from the attorney and stated that he felt he had enough information to start discussing numbers with the board.

Chairman Tucker confirmed to Attorney Matthews that he would not be voting.

Resident, Richard Hoffert, queried Attorney Chesser about a possible conflict of interest with Member Wagner and his current job as a Realtor. Attorney Chesser assured Resident Hoffert and everyone else that, in this instance, there will be no conflict if Member Wagner votes.

Member Gable implored the board to take into account the fact that the decisions that this board makes tonight will have a lasting impact on the town and its current code. He feels that they must be careful because they will be setting a precedent.

**Member Gable moved to limit the building height to 45 feet.**  
**Member Behnken seconded the motion.** Member Wagner suggested a staggered approach; starting with building A (by Snug Harbor) at 45 feet, stepping building B up 5 to 10 feet, stepping building C up to 5 to 6 stories and ending with building D at 70 to 75 feet. Member Behnken agreed with the staggering approach but felt that 75 feet was too high. He would agree with up to 60 feet. Member Wagner addressed the fact that building D would be pushed back off of Gardner Drive 100 feet so it wouldn’t look as big from the road as the current 55 foot boat storage building that’s almost to the street.  
**Member Behnken amended the original motion to allow building heights of 45 feet tall to 60 feet**
tall, staggering the heights from building A through building D. Member Wagner seconded the motion. A vote to amend the original motion was passed 2 to 1 and the motion as amended was voted on and passed 2 to 1.

Member Wagner moved to limit the density to a maximum of 35 units per acre. Member Behnken seconded the motion and it passed unanimously.

Member Wagner moved to require 2 parking spaces per unit, 1 parking space per every 10 wet slips, 1 parking space per every 3,000 square feet of boat showroom space/commercial facility, and 1 parking space per every 300 square feet of other permitted commercial uses. Member Behnken seconded the motion. Showing concern with big holiday/boat weekends, Member Gable suggested that the board accept Mrs. Grey’s recommendation of 1 parking space per 3 wet slips but would agree to 1 parking space per 5 wet slips. Member Gable amended the original motion to require 2 parking spaces per unit, 1 parking space per every 5 wet slips, 1 parking space per every 1,000 square feet of boat showroom space/commercial facility, and 1 parking space per every 300 square feet of other permitted commercial uses. Member Behnken seconded the motion. A vote to accept the amendment passed unanimously. A second vote of the original motion as amended passed unanimously.

Member Wagner clarified that the on-street parking will not count towards the parking requirement.

Member Behnken moved to use the setbacks in accordance with Schedule E using the General Commercial Guidelines. Member Wagner seconded the motion. The guidelines for General Commercial require a 50 foot setback from all projected property lines and 35 foot setback from all street right-of-way lines. Attorney Chesser clarified that the property line ends at the mean high tide line. Member Wagner felt that 35 feet is too much but that the 10 feet shown in the plans is too close to property lines. All members agreed that 50 feet is excessive. Member Wagner amended the motion to allow setbacks of at least 15 feet (which is the requirement for the landscaped separation)
from the water and 15 feet from the right of way but a requirement of 50 feet from the 2 end property lines. Member Behnken seconded the motion and the amendment passed unanimously. A second vote unanimously passed the amended motion.

Member Wagner moved to approve the zoning change from Industrial to Planned Development Project with the stipulation that all motions made at tonight’s meeting will be included in the Development Plan. Member Behnken seconded the motion.

For the record, Attorney Chesser stated that the zoning change will revert back to Industrial if no development is done within one year.

Member Behnken amended the motion to include that the recommendations by Mrs. Grey be taken into consideration as guidelines. Member Wagner seconded the motion and the amendment passed unanimously. Member Behnken moved to correct the original motion to change the words “...moved to approve the zoning change...” to “...moved to recommend that the town commission approve of the zoning change...”. Member Wagner seconded this amendment/correction passed unanimously. A final vote on Member Wagner’s motion as amended passed unanimously.

NEW BUSINESS: There was no new business.

ANNOUNCEMENTS:
January 24, 2005, 6:00 p.m. – Special Town Commission Meeting (if necessary)
February 8, 2005, 6:00 p.m. – Next Town Commission Meeting
February 23, 2005, 6:00 p.m. – Next Planning and Zoning Meeting

The Town Commission selected a date that they are all available to have a special meeting in the event the board made any recommendations at tonight’s meeting. The next Special Town Commission Meeting will be held on January 24, 2005 at 6:00 p.m.
ADJOURNMENT: Member Wagner moved to adjourn the meeting at 8:56 p.m. Member Behnken seconded the motion and it passed unanimously.

____________________________________  ______________________________________
Gene Tucker, P&Z Chairman                Thomas A. Burns, Town Manager
CALL TO ORDER – Mayor Gary Combs called the regularly scheduled Town Commission meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

166.0 ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: present
Commissioner Ursel Behnken: present
Commissioner Kevin Reeves: absent
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief John Cash, Ricardo Garcia, Johann Behnken, Mack Kirkland, and Angela Balent from O’Sullivan Creel.

PLANNING AND ZONING BUSINESS: There was no Planning and Zoning Meeting in December. There is a Special Planning and Zoning meeting on January 12, 2005 at 6:00 p.m. – The 9 page summary prepared by the land planning expert, Wendy Grey, was sent out to all of the Planning and Zoning Board Members and will be e-mailed to the Commission. Manager Burns will organize a packet before the next meeting for all of the Commissioners that will include reports and documentation from the Planning and Zoning Meetings.

TOWN RESIDENTS' TIME: The town residents had nothing to discuss.

TOWN ATTORNEY’S REPORT:

Billboard Lawsuit Update – Manager Burns reported that the status on the lawsuit is the same as last month. Also, the original applicants submitted 2 new sign permit applications today but changed the use to “Billboard promoting non-commercial speech”. Manager Burns will draft up the letters to disapprove the new applications.

OLD BUSINESS:

I. APPROVE MINUTES OF THE DECEMBER 14, 2004 TOWN COMMISSION MEETING – Commissioner Larson moved to approve the minutes of the December 14, 2004 Town Commission Meeting as written.
The motion was seconded by Commissioner Behnken and passed unanimously.

NEW BUSINESS:

I. AUDIT REPORT -- O'SULLIVAN CREEL – Angela Balent passed out draft copies of the report to the Commission and briefed them on the audit. She stated that the town is in a very healthy financial position.

II. 2005 GOALS LIST – Mayor Combs included a 2005 Goals List and asked the Commissioners to look at the new list and e-mail any changes to Tina and she will post the new list to the web site.

III. POLICE DEPARTMENT UPDATE – Mayor Combs informed everyone of the recent change in the Police Department. Due to personal reasons, Chief Self resigned as Chief and went to work at the Sheriff’s Department. John Cash is now the new Chief and John Spohn has been promoted to Sergeant. Mayor Combs explained that, with Charles’ severance package, he’d be unable to ask for raises for John Cash and John Spohn at the moment but suggested that the town compensate the Police Department for their personal cell phones. Mayor Combs requested $20 for Chief Cash and $10 for everyone else. Commissioner Larson feels that the amounts given are too low. The Commission agreed that they’d try out those numbers for now and see how it works out. They also agreed that this arrangement could be extended to everyone (not just the Police Department). Commissioner Larson moved to follow the guidelines set up by Mayor Combs and give $20 to Chief Cash per month and $10 per month to the other officers and employees of the town to help compensate their cell phones. Commissioner Behnken seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT: The next OCLOC Dinner Meeting will be on January 27, 2005 at Two Trees.

COMMISSIONER LARSON’S REPORT: Commissioner Larson took Chief Cash over to the Sheriff’s Department to introduce him as the new Chief.

COMMISSIONER REEVES’ REPORT: Commissioner Reeves was not present.
COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report.

COMMISSIONER McCALLISTER’S REPORT: Charles Self received all of the money owed to him from the town except the FMPTF retirement. Also, there are lights in his car that he paid for that he’d like to be reimbursed for.

POLICE REPORT: Right now the town has 3 seized vehicles; a black car that should legally belong to the town around February 2, a red Honda CRV that will belong to the town after 30 days, and a blue Dodge truck. Manager Burns would like to keep the truck as a back up utility vehicle for the Maintenance Department. The new police car should be here by January 14th and Sam Roberts will drive it.

Mayor Combs reported that the Police Department has a new database that will allow Chief Cash to do reports better than the old ones were.

TOWN MANAGER UPDATE:

The $100,000 12-month CD has been completed at 2.85%. This rate is a little higher than originally quoted.

The Town has received its insurance plan if anyone is interested at looking at it. It went up almost 20%.

Manager Burns will get the letters out to the property owners of the burned up house on Cherokee and the little house between Shalimar Yacht Basin and Snug Harbor, Brent Acree.

Mayor Combs asked that everyone agree on a date for a Special Commission Meeting in the event that the Planning and Zoning Board makes recommendations during their meeting tomorrow night. The board agreed on January 24, 2005 as the tentative date.

The election is in March and the dates for qualifying are coming soon. Mayor Combs, Commissioner Behnken, and Commissioner Reeves all need to qualify before the deadline.

ANNOUNCEMENTS:

JANUARY 12, 2005 -- PLANNING AND ZONING MEETING, 6:00 P.M.

FEBRUARY 8, 2005 -- TOWN COMMISSION MEETING, 6:00 P.M.
Commissioner Larson added that there will be a MADD candlelight dinner on January 21 and everyone is invited to attend. All three of Shalimar’s officers will be receiving awards.

**ADJOURNMENT:** Commissioner Larson moved to adjourn the meeting at 7:28 p.m. Commissioner McCallister seconded the motion and it passed unanimously.

_________________________________ 02/08/2005
Tina Smith, Secretary Date Approved
CALL TO ORDER – Mayor Gary Combs called the regularly scheduled Town Commission meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
   Mayor Gary Combs: present
   Mayor Pro-Tem Rik Larson: present
   Commissioner Ursel Behnken: present
   Commissioner Kevin Reeves: present
   Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Police Chief Charles Self, Ricardo Garcia, Scott Funchess, Johann Behnken, Louis Long, Bernard and Lois Johnson and Monique Larson.

PLANNING AND ZONING BUSINESS: At the Planning and Zoning Workshop, Town Attorney Chesser recommended that the Board hire a land development expert to do a compatibility study. Manager Burns submitted the Letter of Engagement from the land planning expert, Wendy Grey, to the Commission.

Commissioner McCallister moved that the Commission authorize Mayor Combs to sign the letter and negotiate a contract that would limit the fees paid to Wendy Grey to $7,500. Commissioner Behnken seconded the motion and it passed unanimously.

TOWN RESIDENTS’ TIME: The town residents had nothing to discuss.

TOWN ATTORNEY’S REPORT:

Billboard Lawsuit Update – The Federal Judge has heard arguments from both sides and, if a trial is necessary, the judge will be able to open some time in March.

OLD BUSINESS:

I. APPROVE MINUTES OF THE NOVEMBER 9, 2004 TOWN COMMISSION MEETING – Commissioner Behnken moved to approve the minutes of the November 9, 2004 Town Commission Meeting as written. The motion was seconded by Commissioner Larson and it passed unanimously.

NEW BUSINESS:

I. AUTHORIZATION TO PURCHASE CD – Manager Burns has been researching current CD rates and received a “Special CD proposal” from AmSouth Bank which is a one year CD for $100,000 at 2.65% with “a one
time penalty free withdrawal”. **Commissioner Larson moved that the town accept AmSouth’s offer. Commissioner Behnken seconded the motion and it passed unanimously.**

**MAYOR COMBS’ REPORT:**

I. **OKALOOSA COUNTY LEAGUE OF CITIES REPORT** – No major issues were discussed at the recent OCLOC lunch.

Mayor Combs informed the Commission that he spoke with Steve Peterson from Shalimar Yacht Basin. If the Planning and Zoning Board makes a recommendation in early January, Mayor Combs and Mr. Peterson discussed the possibility of the Town Commission having a special meeting shortly after the Planning and Zoning Meeting to discuss and, possibly, vote on the recommendation.

**COMMISSIONER LARSON’S REPORT:** Commissioner Larson had nothing to report.

**COMMISSIONER REEVES’ REPORT:** Commissioner Reeves had nothing to report.

**COMMISSIONER BEHNKEN’S REPORT:** Commissioner Behnken had nothing to report. She did, however, thank Manager Burns and Clerk Smith for all the work they did on the Christmas Parade and after-party.

**COMMISSIONER McCALLISTER’S REPORT:**

I. **BUDGET REPORT** – Commissioner McCallister updated the Commission that the auditor would be at the January Meeting to brief the FY 03-04 audit summary.

**POLICE REPORT:** Chief Self reported that all of the officers went shooting yesterday and are all qualified.

**TOWN MANAGER UPDATE:** Manager Burns had nothing to report.

**ANNOUNCEMENTS:**

JANUARY 12, 2005 – SPECIAL PLANNING AND ZONING MEETING, 6:00 P.M.

FEBRUARY 8, 2005 – TOWN COMMISSION MEETING, 6:00 P.M.

**ADJOURNMENT:** **Commissioner Behnken moved to adjourn the meeting at 6:20 p.m. Commissioner Larson seconded the motion and it passed unanimously.**

_________________________________  __________________________________
Gary Combs, Mayor                     Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Chairman Gene Tucker at 5:05 p.m.

ROLL CALL FOR THE RECORD:
Chairman Gene Tucker – present
Member/Vice Chairman Glenn Wagner – present
Member/Secretary Sandra Dove-McLain – present
Member Johann Behnken – present
Member Brad Gable – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Town Attorney Mike Chesser, Applicants Steve Peterson and Randy Logenbach, Jon Sheperd, Kevin Sherman, Richard Hoffert, Hulda Mahlum, and Apafi Russell.

NEW BUSINESS: Reconcile the perceived discrepancies in the Shalimar Code of Ordinances. The board met with the town attorney to obtain clarification for the proposed Shalimar Yacht Basin project. After agreeing that the procedures should be followed using Article VI of the Code of Ordinances Mike recommended that the board also seek the help of an expert land planner to help determine the issue of compatibility. Three resumes were submitted to the board for review. The board authorized the Town Manager to contact Wendy Grey so she can begin working on the project.

Since the work performed by the land planner would not be complete prior to the next scheduled meeting the board agreed to postpone the next meeting and schedule it for ASAP once the land planners report was available.

ANNOUNCEMENTS:
December 14, 6:00 p.m. – Christmas Parade, Christmas get together and Next Town Commission Meeting

ADJOURNMENT: A motion was made by Member Behnken to adjourn the meeting. Vice Chairman Wagner seconded the motion and it was passed unanimously. The meeting was adjourned at 6:36 p.m.

____________________________________  ____________________________________
Gene Tucker, P&Z Chairman          Thomas A. Burns, Town Manager
CALL TO ORDER: The meeting was called to order by Chairman Gene Tucker at 6:04 p.m.

ROLL CALL FOR THE RECORD:
  Chairman Gene Tucker – present
  Member/Vice Chairman Glenn Wagner – present
  Member/Secretary Sandra Dove-McLain – absent
  Member Johann Behnken – present
  Member Brad Gable – present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Dana Matthews, Applicants Steve and Paulette Peterson, Residents Elaine Tucker, Frank and Gloria Kane, Tony Simpson, Beverly Hall, Bob and Mary Strauss, Patrick Fitzgerald, Kathie Sheperd, Jon Sheperd, Deborah Dickerson, Kristi Jens, TL Goodson, Jim and Susan Czekanski, Beverly Wilusz, Judy Pope, Richard and Helen Hoffert, Kevin Sherman, Amy Davis, Bertha Burns, Richard and Hulda Mahlum, and Howard Bush (Eglin AFB representative)

OLD BUSINESS: A motion was made by Member Behnken to approve the minutes of the September 29 and October 27 meeting as written. Vice Chairman Wagner seconded the motion and it was passed unanimously.

SHALIMAR YACHT BASIN REZONING PETITION – Vice Chairman Wagner provides a recap of the October 27 meeting for the members who were not present. Dana Matthews addressed the board to recap his issues.

Glenn Coyne addressed the board to provide feedback on how the developer has interpreted the Shalimar ordinances and codes and why they believe they meet the existing codes. The town residents were given an opportunity to state their concerns to the board as well.

Member Behnken makes a motion to hire an expert to help the board with the interpretation of the codes. He then withdraws the motion.

Vice Chairman Wagner makes a motion to have a workshop with the town attorney to help with the interpretation of the codes. Member Behnken seconded the motion and it was passed unanimously.

Chairman Tucker requests the Vice Chairman Wagner compile a list of the questions to be addressed by the town attorney. He also requests that the workshop be held at a time when 3 voting members can be present.
ANNOUNCEMENTS:
December 14, 6:00 p.m. – Christmas Parade, Christmas get together and Next Town Commission Meeting
December 29, 2004, 6:00 p.m. – Next Planning and Zoning Meeting

ADJOURNMENT: A motion was made by Vice Chairman Wagner to adjourn the meeting. Member Behnken seconded the motion and it was passed unanimously. The meeting was adjourned at 8:10 p.m.

____________________________________  ______________________________________
Gene Tucker, P&Z Chairman                        Thomas A. Burns, Town Manager
CALL TO ORDER – Mayor Gary Combs called the regularly scheduled Town Commission meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: present
Commissioner Ursel Behnken: present
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Police Chief Charles Self.

PLANNING AND ZONING BUSINESS: There were no recommendations made at the last Planning and Zoning Meeting that require approval. The Shalimar Yacht Basin zoning change request was discussed at the October 27, 2004 meeting. – The Town Commission reviewed the attached Planning and Zoning Minutes.

TOWN RESIDENTS' TIME: The town residents had nothing to discuss.

TOWN ATTORNEY'S REPORT:

Billboard Lawsuit Update – Town Attorney Mike Chesser briefed that the case is still pending. Right now the Federal Court is in the process of reviewing all of the paperwork. Attorney Chesser stated that the judge could decide the case based on the documentation alone, or, she could also decide that she doesn’t have enough information on paper and require both parties to go to court. The town should be notified soon what the decision is.

OLD BUSINESS:

I. APPROVE MINUTES OF THE SEPTEMBER 28, 2004 FINAL BUDGET HEARING

II. APPROVE MINUTES OF THE OCTOBER 12, 2004 TOWN COMMISSION MEETING – Commissioner Larson moved to approve the minutes of the September 28, 2004 Final Budget Hearing and the minutes of the October 12, 2004 Town Commission Meeting as written. Commissioner McCallister seconded the motion and it passed unanimously.
III. MARQUEE UPDATE – TOM BURNS – Manager Burns briefed that the marquee is up and running. There was an initial problem with the modems not “talking” to each other.

IV. PETITION FOR SNUG HARBOR DRIVE FROM SNUG HARBOR PROPERTY OWNERS UPDATE – MIKE CHESSER – Mr. Starks explained that he would like a use and maintenance agreement with the town similar to Mr. Tassin’s. There was some discussion about whether Mr. Stark’s petition had been signed by everyone. Manager Burns stated that he had discussed the petition with Greg Creel and didn’t feel as though Mr. Creel was comfortable with the idea of having to deal with the Snug Harbor Homeowner’s Association. Mr. Starks asked that the commission table this issue until after he speaks with Mr. Creel.

NEW BUSINESS:

I. CHRISTMAS PLANS – It was decided that the town have its 2nd annual Christmas parade before the next Commission Meeting on December 14 and a small get together afterward. Manager Burns will talk to the Shalimar Yacht Basin about getting a boat to use, Commissioner Behnken will donate the Santa Suit and Commissioner McCallister will wear the Santa suit. Deputy Clerk Smith will get the goody bags, food and drinks. Also, the Tidbits will need to go out early in December.

II. RESIDENT MORRIS BLUMENTHAL – Mayor Combs reviewed Mr. Blumenthal’s request to be exempt from garbage pick up. Mayor Combs suggested that he didn’t want to set precedence by allowing Mr. Blumenthal to not pay his garbage bill. Manager Burns will draft a letter to Mr. Blumenthal that will be signed by Mayor Combs informing Mr. Blumenthal of the Commission’s decision.

III. RESOLUTION – Commissioner Larson moved to pass Resolution 2005-02 as written. Commissioner Behnken seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – Mayor Combs did not attend the last League of Cities lunch. Deputy Clerk Smith attended and informed everyone that the board didn’t have a quorum so there were no decisions made. Mayor Combs suggested to the board that they decide on Christmas bonuses. Commissioner McCallister moved that each full-time employee receive $400 and Jack Williams, as the part-timer will receive $100. Commissioner Larson seconded the motion and it passed unanimously.
COMMISSIONER LARSON’S REPORT – Commissioner Larson reported that the new police car is on order and should be here in 3 weeks. He received a private tour of the new airport and reported that it is first class.

COMMISSIONER REEVES’ REPORT – Commissioner Reeves had nothing to report. Commissioner McCallister asked Manager Burns about a couple of potholes on Sara Drive. Manager Burns stated that the town has filled in some of the potholes.

COMMISSIONER BEHNKEN’S REPORT – Commissioner Behnken had nothing to report.

COMMISSIONER McCALLISTER’S REPORT:

I. BUDGET REPORT – Commissioner McCallister reported that the auditor came by for the in-brief. They should be done with the audit and be able to brief the Commission at the January Meeting.

POLICE REPORT – Mayor Combs asked the Commission if they looked at the Monthly police report. If any of them still wanted to view the report, Chief Self would continue to do it. Otherwise, the Weekly Activity Reports e-mailed to everyone will suffice. Everyone agreed that they don’t think it’s necessary to have a Monthly Activity Report.

TOWN MANAGER UPDATE –

- The town has a base representative appointed for Planning and Zoning purposes.
- Manager Burns called the League of Cities for names of Land Planners and received 3 resumes. He will have the numbers for the Planning and Zoning Board on November 17, which is the next meeting.
- There is a sign posted at the site of the new hotel that needs to be permitted. The developers are in the process of finalizing the plans.

ANNOUNCEMENTS:

NOVEMBER 17, 2004 – RESCHEDULED PLANNING AND ZONING MEETING, 6:00 P.M.

DECEMBER 14, 2004 – TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn the meeting at 7:17 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

_________________________  ___________________________
Gary Combs, Mayor          Tina Smith, Deputy Town Clerk
CALL TO ORDER: The meeting was called to order by Member Glenn Wagner at 6:03 p.m.

ROLL CALL FOR THE RECORD:

New Member, Brad Gable, was sworn in by the Town Attorney, D. Michael Chesser, at the last regularly scheduled Town Commission on October 12, 2004. Gene Tucker was appointed as the new Chairman.

Chairman Gene Tucker - absent
Member/Vice Chairman Glenn Wagner - present
Member/Secretary Sandra Dove-McLain - absent
Member Johann Behnken - present
Member Brad Gable - present

OTHERS IN ATTENDANCE: Town Manager Tom Burns, Town Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Mike Richardson, Dana Matthews, Ken Parmer, Applicants Steve and Paulette Peterson and Randy Longenbach, Residents Rik Larson, Franklin Burdette, Roger Goodman, Ruby Monte, Melanie and Joe Wood, Elaine Tucker, Emily Guest, Frank and Gloria Kane, Amy Davis, Beverly Hall, Pat Dulian, Joan Nance, Sheldon Williams, and County Residents Charlotte Hoover, Dr. Manny Martinez, Deborah Dickerson, Chris Larson, Robert Larson, Jon Sheperd, Bob and Mary Strauss, Hulda Mahlum, Nicole Todd, Cindy Fuller, David and Kay Mulvahile

NEW BUSINESS:

I. APPOINT NEW VICE CHAIRMAN – Member Behnken moved to elect Member Glenn Wagner as the new Planning and Zoning Vice Chairman. The motion was seconded by Member Gable and passed unanimously.

II. APPROVE MINUTES FROM THE SEPTEMBER 29, 2004 PLANNING AND ZONING MEETING – The minutes from the September Meeting were not included in the packet. There was no business regarding the Shalimar Yacht Basin rezoning at the September Meeting. This item will be tabled and placed on the November agenda.

III. SHALIMAR YACHT BASIN REZONING PETITION – Vice Chairman Wagner started the meeting off by reiterating what took place
Representatives for the developer described their proposed project. The planned project includes 200 condominiums, 439 parking spaces and 145 boat slips. After the presentation, the residents in attendance voiced their concerns and asked questions about issues such as traffic, stormwater runoff, density and overall compatibility with the surrounding neighborhood.

There was some discussion regarding some of the numbers that were in the proposed plan and where these numbers were addressed in the code book. Vice Chairman Wagner noted that the provided drawing indicated no dimensional measurements. He requested the petitioner to provide site dimensions for the next meeting. The Planning and Zoning Board decided that they would each review their code books and bring their interpretations to the next meeting. The next scheduled meeting will fall on the Wednesday before Thanksgiving.

**Member Gable moved to reschedule the next meeting to November 17, 2004 at 6:00 p.m. The motion was seconded by Member Behnken and passed unanimously.**

Attorney Chesser briefed the Planning and Zoning Members that the code book states that the board can move to hire an outside planner. This outside planner could review the code book and advise the board. Dana Matthews stated that the code book wasn’t specific on what the petitioners would have to pay for and would like to see some quotes before his clients agreed to provide funding. It was suggested by Attorney Chesser that Town Manager Tom Burns research available land development experts.

**ANNOUNCEMENTS:**

November 9, 6:00 p.m. – Next Town Commission Meeting  
November 24, 2004, 6:00 p.m. – Next Planning and Zoning Meeting  

**ADJOURNMENT:** A motion was made by Member Gable to adjourn the meeting. Member Behnken seconded the motion and it was passed unanimously. The meeting was adjourned at 9:17 p.m.

__________________________________
Gene Tucker, P&Z Chairman

__________________________________
Thomas A. Burns, Town Manager
Town of Shalimar
Commission Meeting
October 12, 2004

CALL TO ORDER – Mayor Gary Combs and Mayor Pro-Tem Rik Larson were both absent from the meeting. Commissioner Ursel Behnken was appointed by Mayor Combs as interim Mayor Pro-Tem. Commissioner Behnken called the regularly scheduled Town Commission meeting to order at 6:00 p.m. in Town Hall chambers. She led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: absent
Mayor Pro-Tem Rik Larson: absent
Commissioner Ursel Behnken: present
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Police Chief Charles Self, Dr. John Rogacki, Resident Rick Garcia, Resident Brad Gable, and Planning and Zoning member Johann Behnken.

PLANNING AND ZONING BUSINESS: There were no recommendations that required approval. One swimming pool variance was granted. The Shalimar Yacht Basin zoning change request was postponed.

Manager Burns briefed that the letters have been sent out and the sign at the Shalimar Yacht Basin has been changed to indicate the date of the October meeting. Attorney Mike Chesser stated that he has plans to be out of town the night of the meeting but if Manager Burns and the Commission feel he is more needed at the meeting, he will change his plans. Manager Burns iterated that Attorney Chesser can go out of town but needs to send someone in his place.

Swear in the new Planning and Zoning member, Brad Gable, and appoint someone from the Planning and Zoning Board as the new Chairman. (Jimmy Jones’ resignation is attached).

Attorney Chesser installed the new Planning and Zoning member, Brad Gable. Commissioner Reeves made a motion to nominate Gene Tucker as the new Chairman for the Planning and Zoning Board. Commissioner McCallister seconded the motion and it passed unanimously. The new Vice Chairman will be appointed by the Planning and Zoning Board. That will need to be one of the first things on the Planning and Zoning agenda because the new Chairman, Member Gene Tucker, will be out of town for the October meeting.

TOWN RESIDENTS’ TIME: There was no business from the residents.
TOWN ATTORNEY’S REPORT:

Billboard Lawsuit Update – Attorney Chesser related that we are now waiting for the Federal Judge to take action. Everything has been submitted to her. We are now awaiting a decision on whether or not she wants an oral argument. If she does not want an oral argument, she will make the decision based on the documentation and we will be notified by mail.

OLD BUSINESS:

I. APPROVE MINUTES OF THE SEPTEMBER 14, 2004 TOWN COMMISSION MEETING – Commissioner McCallister made a motion to approve the minutes of the September 14, 2004 Town Commission Meeting as written. The motion was seconded by Commissioner Reeves and passed unanimously.

III. MARQUEE UPDATE – TOM BURNS – Manager Burns briefed that the marquee was ordered 6 weeks ago so we are expecting it any time now. He also mentioned that he was able to make a claim on the half of the marquee that Hurricane Ivan damaged.

V. PETITION FOR SNUG HARBOR DRIVE FROM SNUG HARBOR PROPERTY OWNERS UPDATE – MIKE CHESSER – Attorney Chesser will work on a draft of an agreement with questions outlined.

NEW BUSINESS:

I. DR. ROGACKI (DIRECTORY OF U of F’S GRADUATE ENGINEERING AND RESEARCH CENTER) MEET AND GREET – Dr. Rogacki introduced himself and gave a brief description of the courses offered.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – Mayor Combs was not present.

COMMISSIONER LARSON’S REPORT: Commissioner Larson was not present.

COMMISSIONER REEVES’ REPORT: Commissioner Reeves had nothing to report.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report.

COMMISSIONER McCALLISTER’S REPORT:

I. BUDGET REPORT – Commissioner McCallister reported that the Audit in-brief will be on October 18.

POLICE REPORT: Chief Self stated that all of the officers will be working on Halloween.
TOWN MANAGER UPDATE: Manager Burns briefed the Commission on the FEMA reimbursements. Also, the town was approximately $60,000 under budget before the Hurricane Ivan expenditures.

The Luke Savini memorial will be held at Cherokee Park on Saturday, October 30 and everyone is invited.

ANNOUNCEMENTS:

   OCTOBER 21, 2004 – OCLOC DINNER @ HARRY T’S, 6:00 P.M.
   
   OCTOBER 27, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.
   
   NOVEMBER 9, 2004 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner McCallister moved to adjourn at 6:48 p.m. The motion was seconded by Commissioner Reeves and it passed unanimously.

_________________________________  ___________________________________
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Gary Combs, Mayor                  Tina Smith, Deputy Town Clerk
Roll Call for the Record:

Chairman Jimmy Jones - absent
Member / Co-Chairman Gene Tucker - present
Member Glenn Wagner - present
Member / Secretary Sandra Dove-McLain - present
Member Johann Behnken - absent

Others present: Town Manager Tom Burns, planning board member designee Brad Gable, and variance requester German Maranon

Old Business:

I. APPROVE MINUTES FROM August 29, 2004 – Member Wagner moved to approve the minutes as written. The was motion was seconded by Sandra Dove-McLain and passed unanimously.

New Business:

I. POOL SETBACK VARIANCE – Mr. German Maranon (owner, 859 Mande Court)

Vice chairman Tucker briefed the request and it was reviewed and discussed. the variance appeared to basically apply to the pool enclosure itself, and the owner said the pool stairs would be located to the right side of the pool, opposite of the stairs depicted on the presented drawing. Member Wagner moved to recommend approval of the variance request. The motion was seconded by Sandra Dove-McLain and it passed unanimously.

Adjournment: Gene Tucker moved to adjourn at 6:34 p.m. The motion was seconded by Sandra Dove-McLain and it passed unanimously.
THIS MEETING WAS ORIGINALLY SCHEDULED FOR SEPTEMBER 23, 2004 BUT HAD TO BE RESCHEDULED BECAUSE OF HURRICANE IVAN.

MINUTES

TOWN OF SHALIMAR

FINAL BUDGET HEARING, FY 2004-2005

166.1 September 28, 2004

CALL TO ORDER: Mayor Pro-Tem Rik Larson called the final budget hearing to order at 5:33 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: absent
Mayor Pro-Tem Rik Larson: present
Commissioner Ursel Behnken: absent
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns and Deputy Clerk Tina Smith.

PURPOSE OF THE HEARING: To present the second and final readings of the proposed millage rate and budget ordinances for fiscal year 2004-2005.

HEARING ITEMS:

1. APPROVE MINUTES FROM TENTATIVE BUDGET MEETING OF SEPTEMBER 14, 2004 - Commissioner McCallister moved to the minutes of the September 14, 2004 Tentative Budget Meeting as written. The motion was seconded by Commissioner Reeves and it passed unanimously.

2. BUDGET DISCUSSION -- There was no discussion on the budget.

3. SECOND PUBLIC READING OF ORDINANCE 2005-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2004-2005 – Mayor Pro-Tem Rik Larson presented the second reading of Ordinance 2005-01. Commissioner Reeves moved to approve Ordinance 2005-01 as written. The motion was seconded by Commissioner McCallister and it passed unanimously.

4. SECOND PUBLIC READING OF ORDINANCE 2005-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2004-2005 – Mayor Pro-Tem Rik Larson
presented the second reading of Ordinance 2005-02. **Commissioner McCallister moved to approve Ordinance 2005-02 as written. The motion was seconded by Commissioner Reeves and it passed unanimously.**

5. **RESOLUTION 2005-01 – AMENDMENT TO PERSONNEL POLICY 2003** – Manager Burns briefed that due to the fact that John Cash’s wife was pregnant and unable to work because her doctor put her on bed rest, he was in need of money. The Mayor suggested allowing him to sell some of his leave to the town. Manager Burns also explained that he had “use or lose” leave that he had planned on using during September but with Hurricane Ivan was unable to. He told the board that he has 65 hours that he is going to lose at the end of September and asked if he, too, could sell his leave. **Commissioner Reeves moved to pass Resolution 2005-01 as written. Commissioner McCallister seconded the motion and it passed unanimously.**

Commissioner McCallister than moved that Tom Burns be paid for his 65 hours instead of losing it, effective 1 October, 2004. Commissioner Reeves seconded the motion and it passed unanimously.

Manager Burns updated the Commission on the hurricane clean up status. He then discussed the tentative dates for the audit.

**ADJOURNMENT:** Commissioner McCallister moved to adjourn at 6:07 p.m. The motion was seconded by Commissioner Reeves and it passed unanimously.

_________________________________  ______________________________
Gary Combs, Mayor                    Thomas A. Burns, Town Manager
CALL TO ORDER – Mayor Gary Combs called the regularly scheduled Town Commission meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: absent
Commissioner Ursel Behnken: absent
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns

PLANNING AND ZONING BUSINESS – There were no recommendations that required approval.

TOWN RESIDENTS’ TIME – There were no town residents present.

TOWN ATTORNEY’S REPORT – The Town Attorney was not present.

OLD BUSINESS:

I. APPROVE MINUTES OF THE AUGUST 10, 2004 TOWN COMMISSION MEETING – Commissioner Reeves moved to approve the minutes of the August 10, 2004 meeting. Commissioner McCallister seconded the motion and it passed unanimously.

II. TREE TRIMMING IN SHALIMAR COMMONS UPDATE – This issue was tabled

III. GUST RESOLUTION – NOT READ AT THIS TIME. WILL BE PUT ON NEXT MONTH’S AGENDA.

IV. MARQUEE UPDATE – There is nothing new to update about the marquee.

V. PETITION FOR SNUG HARBOR DRIVE FROM SNUG HARBOR PROPERTY OWNERS UPDATE – The Town Attorney was not present.

NEW BUSINESS:
I. PROCLAMATION 2005-01 – CONSTITUTION WEEK – Commissioner Reeves moved to proclaim September 17, 2004-September 23, 2004 Constitution week. The motion was seconded by Commissioner McCallister and it passed unanimously.

MAYOR COMBS’ REPORT:
I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT -- Mayor Combs had nothing to report regarding the League of Cities.

COMMISSIONER LARSON’S REPORT: Commissioner Larson was not present.

COMMISSIONER REEVES’ REPORT: Commissioner Reeves had nothing to report.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken was not present.

COMMISSIONER MCCALLISTER’S REPORT:
I. BUDGET REPORT – Commissioner McCallister had nothing to report because the first budget meeting was held prior to this meeting.

POLICE REPORT: Mayor Combs updated the Commission on the Police Department.

TOWN MANAGER UPDATE: The Town Manager had nothing to report.

ANNOUNCEMENTS:
    SEPTEMBER 23, 2004 -- BUDGET MEETING II, 5:30 P.M.
    SEPTEMBER 29, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.
    OCTOBER 12, 2004 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Reeves moved to adjourn the meeting at 6:52 p.m. Commissioner McCallister seconded the motion and it passed unanimously.

____________________________________  __________________________
Tina Smith, Secretary                   Date Approved
MINUTES
TOWN OF SHALIMAR

TENTATIVE BUDGET HEARING, FY 2004-2005
166.2      SEPTEMBER 14, 2004

CALL TO ORDER: Mayor Gary Combs called the first Tentative Budget hearing to order at 5:33 p.m. in Town Hall.

ROLL CALL FOR THE RECORD:
Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: absent
Commissioner Ursel Behnken: absent
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns.

PURPOSE OF THE HEARING: To present the first readings of the proposed millage rate and budget ordinances for fiscal year 2004-2005.

HEARING ITEMS:

1. FIRST PUBLIC READING OF ORDINANCE 2005-01 SETTING MILLAGE RATE FOR FISCAL YEAR 2004-2005 – Mayor Gary Combs presented the first reading of Ordinance 2005-01. **Commissioner McCallister moved to approve Ordinance 2005-01. The motion was seconded by Commissioner Reeves and it passed unanimously.**

2. FIRST PUBLIC READING OF ORDINANCE 2005-02 ESTABLISHING THE BUDGET FOR FISCAL YEAR 2004-2005 – Mayor Gary Combs presented the first reading of Ordinance 2005-02. **Commissioner McCallister moved to approve Ordinance 2004-02 as read. The motion was seconded by Commissioner Reeves and it passed unanimously.**

Announcements:

Final Budget Hearing – SEPTEMBER 23, 2004 at 5:30 p.m.

ADJOURNMENT: **Commissioner McCallister moved to adjourn at 5:36 p.m. The motion was seconded by Commissioner Reeves and it passed unanimously.**

_________________________________  ________________________________
Rik Larson, Mayor Pro-Tem                Thomas A. Burns, Town Manager
The meeting was called to order by the Board Chairman Jimmy Jones at 6:01 p.m.

ROLL CALL FOR THE RECORD:

Chairman Jimmy Jones - present
Member / Co-Chairman Gene Tucker - absent
Member Glenn Wagner - present
Member Sandra Dove-McLain - present
Member Johann Behnken - present


OLD BUSINESS:

I. APPROVE MINUTES FROM July 8, 2004 special meeting: A motion was made by Member Dove-McLain to approve the minutes of the July 28, 2004 meeting as written. The motion was seconded by Member Wagner and passed unanimously.

NEW BUSINESS:
I. PUBLIC HEARING - ZONING CHANGE PETITION: Chairman Jones asked Manager Burns to read the letter from Choctaw Engineering. The letter basically stated that the petitioner asked to delay the zoning change request again. In addition to Manager Burns reading the letter, Chairman Jones pointed out a few key notes to the audience as follows:

- The planning and zoning positions are voluntary, not paid positions.
- The planning and zoning board makes recommendations to the elected town commissioners.
- All documents presented before the board are public documents, they may be reviewed at any time once they have been presented to the board.
- The zoning change meetings will be a quasi-judicial forum, and all testimony presented will be sworn. People that are not members of the town, but are affected, are allowed to present testimony. Testimony should be precise and can be registered through Manager Burns. Testimony time may be limited if a very large number of people wish to speak. Those who do not register with Manager Burns will speak last.
- All roads surrounding the Shalimar Yacht Basin are owned by the Town of Shalimar.
- According to the town codes, the planning and zoning board may request a preliminary development plan.

**Member Behnken made a motion to recommend that the planning and zoning board send a letter to the petitioner and require them to make a submission according to section 82-28 to the planning and zoning commission. Member Wagner seconded the motion and it was passed unanimously.**

Chairman Jones also stated that we should recommend that the petitioner have a preliminary development plan to submit at the next meeting so the board and the public may have time to prepare their testimony.

**Member Behnken amended his motion to recommend that the planning and zoning board send a letter to the petitioner and require them to make a preliminary development plan to include section 82-28 and to submit a preliminary development plan two weeks prior to the next scheduled planning and zoning meeting. Member Wagner seconded the motion and it was passed unanimously.**

Chairman Jones also noted that the preliminary development plan should also include section 82-187 and chapter 58 of the town codes.
Member Behnken amended his motion to recommend that the planning and zoning board send a letter to the petitioner and require them to make a submission to include section 82-28 and to submit a preliminary development plan two weeks prior to the next scheduled planning and zoning meeting. The preliminary development plan should also include section 82-187 and chapter 58 of the town ordinance codes. Member Wagner seconded the motion and it was passed unanimously.

Manager Burns read the original zoning change request to the audience, and advised that if any person would like a copy of the zoning change request, he would provide them. Chairman Jones provided an opportunity for the audience to make comments (not testimony) about the information that was given at the meeting.

**ADJOURNMENT: A motion was made by Member Dove-McLain to adjourn the meeting. Member Behnken seconded the motion and it was passed unanimously.** The meeting was adjourned at 6:13 p.m.
CALL TO ORDER – Mayor Gary Combs called the regularly scheduled Town Commission meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: present
Commissioner Ursel Behnken: absent
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief Charles Self, Ame LeMay from Choctaw Engineering, Fairfield Inn Developer Vince Bruner, Steve Norton with Impact Graphics, County Resident Judy Pope, and Town residents Brad Gable, Ricardo Garcia, Mack Kirkland, Ray Starks and Ray Morgan.

PLANNING AND ZONING BUSINESS – The Planning and Zoning Board made a recommendation about the hotel. A copy of the draft minutes from the July 28, 2004 meeting was looked over and the board’s motion was read. One error was pointed out and will be corrected before the minutes are approved by the Planning and Zoning Board. **Commissioner Larson moved to accept the Planning and Zoning Board’s recommendation with one correction. Commissioner McCallister seconded the motion and it passed unanimously.**

TOWN RESIDENTS’ TIME – Resident Brad Gable stated that the sign at the Shalimar Yacht Basin, as of yesterday, still posted the old meeting dates. Manager Burns confirmed that the sign was changed this morning and that the update from Choctaw Engineering as of this afternoon was that they were planning on having things ready for the August 25, 2004 meeting. In addition to the sign being changed, all of the property owner letters will be resent.

TOWN ATTORNEY’S REPORT – Billboard Lawsuit Update – Attorney Chesser was not present but Tom Manager Tom Burns was updated before the meeting. Manager Burns relayed that the Summary Judgment Hearing is expected in September. This hearing will inform the town as to whether we will go to trial or the case will be dismissed.

OLD BUSINESS:

I. **APPROVE MINUTES OF THE JULY 13, 2004 TOWN COMMISSION MEETING – Commissioner Larson moved to accept the minutes of the July 13, 2004 Town Commission Meeting as written. Commissioner Reeves seconded the motion and it passed unanimously.**
II. TREE TRIMMING IN SHALIMAR COMMONS – Manager Burns reported that he had a call in to Brad Davis, who works for Mr. Bonezzi. Commissioner McCallister stated that some of the trees have already been trimmed.

III. GUST RESOLUTION – Manager Burns briefed that this resolution is not ready for approval and he will have it ready for the September 14, 2004 Commission Meeting.

NEW BUSINESS:

I. MARQUEE BIDS – The Town of Shalimar received 2 bids for a new marquee; the first bid was for $17,245 from Impact Graphics and the second was for a little more than $34,000 from Ad System. **Commissioner Larson moved to accept the bid from Impact Graphics for $17,245. Commissioner Reeves seconded the motion and it passed unanimously.** Placement of the new electronic marquee will be on the town hall side of the current marquee.

II. PETITION FOR SNUG HARBOR DRIVE FROM SNUG HARBOR PROPERTY OWNERS – Snug Harbor Residents Ray Starks and Ray Morgan submitted a petition on behalf of the Snug Harbor homeowners asking for an exclusive use and maintenance agreement for the portion of Snug Harbor Drive that runs westerly toward the West end of Porpoise Point (lots 7 through 26). This agreement will be similar to Mr. Tassin’s agreement with the town (Resolution 2003-04, approved at the meeting on January 14, 2003). Mr. Tassin’s original agreement (dated February 1991) states that the town can rescind the agreement but requires a 30-day notice. Mr. Starks asked the town for the new agreement to be changed to require a 90-day notice because they will be putting in a gate and will need time to disassemble it. Mayor Combs asked Manager Burns to speak with Attorney Chesser and ask him to draft up an agreement to be presented at the next Commission Meeting.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – Mayor Combs briefed that nothing significant took place at the last lunch meeting.

Mayor Combs then iterated that he has met with all employees of the town individually and some things in each department will be changing.

COMMISSIONER LARSON’S REPORT: Commissioner Larson stated that the Shalimar Police Department did a great job during the President’s brief visit through the town today. Commissioner McCallister concurred.

COMMISSIONER REEVES’ REPORT: Commissioner Reeves had nothing to report.
COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken was not in attendance.

COMMISSIONER McCALLISTER’S REPORT:

I. BUDGET REPORT – Commissioner McCallister reported that the 3rd quarter budget report will be in the next meeting’s packet. Manager Burns will include the deduction of the electronic marquee monies in the report.

POLICE REPORT: Chief Self had nothing to report.

TOWN MANAGER UPDATE:

- The tree limbs requiring trimming on Eglin Pkwy. are tagged and ready to be cut.
- A resident of the town has asked to be exempted from paying for garbage service because he claims that he has no house waste and his yard waste gets taken away by his landscaping company. Mayor Combs asked Manager Burns to talk to Attorney Chesser.
- There were no permits pulled on the gravel pit property but Manager Burns received a letter that stated that Mr. Maxon didn’t need a permit.
- The Mini Storage developer is starting the building process so the property behind AmSouth should be cleaned up soon.
- The Tentative Budget Meeting has been scheduled for September 14, 2004 at 5:30 (right before the next Commission Meeting.) The second Tentative Budget Meeting is scheduled for September 23, 2004 at 5:30.
- The Sprinkler System at the Marquee Park is acting up and if Maintenance Supervisor, Hugh Parker can’t figure out the problem, the town will have to hire a company to come in and look at it.
- With Tropical Storm Bonnie in the gulf, the generator has been looked at and Manager Burns’ briefed that, currently, his wind limit is 75 MPH for putting up the storm shutters, and the Commission agreed that is acceptable.
- The County has a contract with a company (DRC) for hurricane debris removal. Mayor Combs suggested that Manager Burns ask Waste Management if they would be able to get 2-4 dumpsters to Shalimar and allow the residents to clean up their own debris. Manager Burns will still attend the meeting with DRC to get the information.
- Mayor Combs would like Manager Burns to find out what the deadline is for the grant paperwork to be submitted. Manager Burns stated that he is now waiting for the “as built” survey and will inquire about the deadline date and relay that information to Mayor Combs.

Mayor Combs explained the process for the Zoning Change to the remaining residents.

ANNOUNCEMENTS:

AUGUST 25, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.
SEPTEMBER 14, 2004 -- TENTATIVE BUDGET MEETING, 5:30 P.M.
SEPTEMBER 14, 2004 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn the regularly scheduled Town Commission Meeting at 6:55 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.

__________________________________________
Tina Smith, Secretary

__________________________________________
Date Approved
Town of Shalimar
Planning and Zoning Board Minutes
July 28, 2004

The meeting was called to order by the Board Chairman Jimmy Jones at 6:03 p.m.

ROLL CALL FOR THE RECORD:

Chairman Jimmy Jones - present
Member / Co-Chairman Gene Tucker - present
Member Glenn Wagner - present
Member Sandra Dove-McLain - present
Member Johann Behnken - absent

Others present: Town Manager Tom Burns, Resident LaTeresa Brice, Jim Savage, Grace Pritchard, Richard and Helen Hoffert, Rik Larson, Beverly Hall, Ruby Monte, Courtney Gable, Franklin Burdette, Pat Dulian, Frank and Gloria Kane, Amy Davis, Tony Simpson, Scott Wooley, Lois Johnson, Bertha Burns, Albert Shultz, Herb Perales, Sherry and Ron Kochersperger, non-residents Patti Tiemeyer, Jeremy Pope, Johnny Pope, Darrell Bable, Erik Stanley, Ben Corbin, Hotel developer Vince Bruner and Ame LeMay from Choctaw Engineering.

OLD BUSINESS:

I. APPROVE MINUTES FROM July 8, 2004 special meeting: A motion was made by Member Tucker to approve the minutes of the July 8, 2004 special meeting as written. The motion was seconded by Member Wagner and passed unanimously.

I. APPROVE MINUTES FROM July 20 2004 planning and zoning workshop: A motion was made by Member Tucker to approve the minutes of the July 20, 2004 special meeting as written. The motion was seconded by Member Wagner and passed unanimously.

NEW BUSINESS:

I. PUBLIC HEARING - ZONING CHANGE PETITION: The petitioner asked to delay the zoning change request. The petition will be added to
the agenda for the August 25, 2004 Planning and Zoning meeting. All of the required announcements will be recompleted before the next meeting. Chairman Jones had a comment on the application for the zoning change. Chairman Jones stated that the request letter would need to specify that the request is for a zoning change from Industrial to was a planned development project, not mixed use. Chairman Jones commented that "mixed use" was concerned primarily with the land use, not for the zoning. He requested that the appropriate change be made. Resident from 36 Old Ferry Road, stated that the requirements for the sign of the rezoning was not acceptable according to the codes. Chairman Jones excused residents that did not want to stay for the rest of the meeting which pertained to the Hotel Plans.

II. REVIEW HOTEL PLANS: Member Tucker lead the review of the hotel plans. The hotel plans changed from having 86 units to 92 units on the hotel. The pool and the spa appeared to be too close to the property line on the plans that were presented. Member Tucker suggested that they move the pool and spa location. There was also discussion about the traffic and the turn lane on Eglin Parkway. As of this time there is no requirement for a "right turn only" lane at the Eglin Parkway intersection according to the DOT. If a problem arises they will consider placing a sign in this location. There was also discussion on the traffic problems on Richburg, to include the existing problems on this road during the school year. It was agreed that extending Richburg to 100 feet and including a 150 foot left hand turn lane on Richburg at the Eglin intersection would solve this problem. A motion was made by Member Dove-McLain to approve new hotel plans with the following changes: 1. Revise the pool and spa area to meet ordinance setbacks, 2. Provide a center left-turn lane to service the Richbourg Avenue entrance/exit if desired by the town at a future date, 3. Extend the right hand turn lane on Richburg at the Eglin intersection to 150 feet. The motion was seconded by Member Tucker and passed unanimously.

ADJOURNMENT: A motion was made by Member Wagner to adjourn the meeting. Member Dove-McLain seconded the motion and passed unanimously. The meeting was adjourned at 6:35 p.m.

Jimmy Jones, P&Z Chairman

Thomas A. Burns, Town Manager
This was a informal, public workshop to discuss the codes and ordinances pertinent to a zoning change in the town of Shalimar.

ROLL CALL FOR THE RECORD:

Chairman Jimmy Jones - absent
Member Glenn Wagner - absent
Member Gene Tucker - present
Member Sandra Dove-McLain - present
Member Johann Behnken - present

Others present: Town Manager Tom Burns, Town Attorney Mike Chesser, Lee Goodson, Richard Mahlum, Commissioner Ursel Behnken, and Residents Joe Wood and Brad Gable.

NEW BUSINESS:

I. Town Manager Tom Burns started the discussion on the Code of Ordinances that would pertain to a zoning change in the town of Shalimar. Manager Burns outlined Section 58 and Section 82 in the Code of Ordinances, and established the significance of these two chapters and gave us a basic understanding of their meaning. There was an informal discussion on these two chapters and the procedures for submission and guidelines as per the regulations of a zoning change.

Questions were presented to Town Attorney Mike Chesser by the board members to include: Future Land use, conflicts of interest, quasi-judicial proceedings, and Planned Development Projects. The members of the workshop were advised to review the Code of Ordinances and become familiar with Sections 58 and 82.
CALL TO ORDER – Mayor Gary Combs called the regularly scheduled Town Commission meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD
  Mayor Gary Combs: present
  Mayor Pro-Tem Rik Larson: present
  Commissioner Ursel Behnken: present
  Commissioner Kevin Reeves: absent
  Commissioner Jerry McCallister: absent

Others in attendance: Town Manager Tom Burns, Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Police Chief Charles Self, Steve and Paulette Peterson from Shalimar Yacht Basin, James Murray from SunQuest, Sherri Gregory, Paul Croft, Latisha Creel, and residents Pat Dulian, Ruby Monte, Brad Gable and Rick Garcia.

PLANNING AND ZONING BUSINESS – There was a Special Planning and Zoning Meeting on July 8, 2004. There were no recommendations to approve.

TOWN RESIDENTS' TIME – Shalimar Yacht Basin owner, Steve Peterson, relayed to the commission his possible solution to the parking issue. He stated that he believes the parking problem is more of a control issue. He proposed that he install nautical rope guides to define the parking slots but asked the commission if it would be possible to angle the parking spaces at a 45 degree angle instead of requiring the patrons to Parallel Park. Mayor Combs pointed out that these parking spaces would still require the patrons to park on the right-of-way which is not allowed. The commission agreed that parking on the right-of-way would not be allowed. Mr. Peterson would need to come up with another solution.

Commissioner Behnken suggested hiring a valet service to park the vehicles. Mr. Peterson stated that he and SunQuest vessel owner, James Murray, had discussed this option but decided against it because of the time it would take to get the patrons to their vehicles after the cruise is over.

Unfortunately parking tickets will continue until the issue is resolved.
TOWN ATTORNEY'S REPORT – Billboard Lawsuit Update – Attorney Chesser stated that there has been no new news on the Billboard Lawsuit issue. We are still awaiting the court date.

OLD BUSINESS:

I. APPROVE MINUTES OF THE JUNE 8, 2004 BUDGET WORKSHOP 1 – Commissioner Larson moved to approve the minutes of the June 8, 2004 Budget Workshop 1 as written. Commissioner Behnken seconded the motion and it passed unanimously.

II. APPROVE MINUTES OF THE JUNE 8, 2004 TOWN COMMISSION MEETING – See next agenda item.

III. APPROVE MINUTES OF THE JUNE 15, 2004 BUDGET WORKSHOP 2 – Commissioner Larson moved to approve the minutes of the June 8, 2004 Town Commission Meeting and the June 15, 2004 Budget Workshop 2 as written. Commissioner Behnken seconded the motion and it passed unanimously.

IV. FY2004 CAPITAL IMPROVEMENTS LIST – The Commission went through the attached Capital Improvements List. Manager Burns stated that there is enough money in the town’s current fiscal year budget (without going into the reserves) to purchase the new electronic marquee and the pavement striping. Mayor Combs suggested putting the town hall drainage/parking plan and the vehicle/equipment shed on hold until we find out whether or not Mr. Harrell will sell his property. Mayor Combs then asked Manager Burns if he had completed the new letter to Mr. Harrell. Manager Burns stated that he had a draft that he would e-mail to the mayor for approval. Repaving Richbourg Avenue will possibly get done in conjunction with the new hotel going in and the 2004 Police Vehicle is already included in next year’s budget. Mayor Combs suggested that Manager Burns start talking to vendors about a new marquee. **Commissioner Larson moved that the town purchase a new electronic marquee and paint striping this year. The motion was seconded by Commissioner Behnken and passed unanimously.**

NEW BUSINESS:

I. TREE TRIMMING IN SHALIMAR COMMONS – Manager Burns explained that he received an e-mail from the President of Shalimar Commons Homeowner’s Association requesting information about
the trees that are now hanging over some of their fences. Commissioner Behnken recalled that a deal was made with Mr. Bonezzi that he would take care of that particular strip of land. Manager Burns asked Attorney Chesser if the residents could cut the trees that hang into their property and Attorney Chesser stated that they could. The Commission asked that Manager Burns call Mr. Bonezzi about the trees and get the fence at the end of Brande Court taken care of also.

The e-mail also referenced the Brande Court Park and possible playground equipment. Mayor Combs stated that the town would buy the equipment when the home owners inform the town what sort of equipment they would like placed there.

II. GUST RESOLUTION – The Commission reviewed the Florida Municipal Pension Trust Fund Amendment Resolution and found quite a few errors and one section that they had a question about. The Commission decided to table the resolution and Manager Burns will review it, ask Paul Shamoun (who is with the Florida League of Cities) about the questionable section, and bring the corrected resolution back to the next meeting.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – The Okaloosa County League of Cities quarterly dinner will be on July 22, 2004 in Crestview.

Cherokee Park updates:
- Manager Burns informed the Commission that the Grant closeout package should be completed by the end of next week.
- Mayor Combs stated to Manager Burns that he would like the Cherokee Park sign to be installed as soon as possible because there have been a lot of people in the park after dark.
- Manager Burns reported that he did order the park equipment but does not have a delivery date yet.
- Mayor Combs briefed that there has been minor vandalism in the park.
- There is a community service worker pulling weeds in the park.
COMMISSIONER LARSON'S REPORT: Commissioner Larson briefed that there will be a Clean Water Initiative Workshop here at the Shalimar Town Hall on July 20, 2004 at 11:30.

COMMISSIONER REEVES' REPORT: Commissioner Reeves was not present.

COMMISSIONER BEHNKEN'S REPORT: Commissioner Behnken had nothing to report.

COMMISSIONER McCALLISTER’S REPORT:

I. BUDGET REPORT – Commissioner McCallister was not present. Mayor Combs mentioned to Manager Burns that he would like to talk to a representative from the sign company before the town actually buys anything. He would also like to know of, at least, one company and a contact person to talk to that has purchased an electronic marquee so that he can find out how much maintenance has been required. Manager Burns stated that the town would have to go out for bids so the whole process is going to take about a month. Manager Burns also stated that he could ask someone to come to the next Commission Meeting and talk to the commission.

POLICE REPORT: Chief Self had nothing to report.

TOWN MANAGER UPDATE: Manager Burns briefed that he had received the formal zoning change request for the Shalimar Yacht Basin property. There will be a workshop on July 20, 2004 at 6:00 p.m. so that The Planning and Zoning Board can research and review all of the requirements for a zoning change within the town. Manager Burns asked Attorney Chesser if he would be able to attend. Attorney Chesser suggested that Manager call Gail Easley, who is a planning expert. Manager Burns also relayed to the Commission that the first public hearing for the zoning change will be at the Planning and Zoning Meeting on July 28, 2004.

Mayor Combs briefed Attorney Chesser about the meeting that took place with the Shalimar Yacht Basin condos. Attorney Chesser again referenced Gail Easley and stated that the town might be able to charge the applicant for her fees. Manager Burns will give Ms. Easley a call and see if she could make it up here in time for the July 20, 2004 workshop and, if not, for the July 28, 2004 Planning and Zoning Meeting.
Manager Burns briefed Attorney Chesser that the applicant sent out certified letters to everyone within 150 feet. Recipients will include many people that don’t live in the Town Limits. Manager Burns asked what rights they will have at the upcoming meetings. Also, should the county be informed and will they have any involvement? Attorney Chesser will research both of these questions and get the answers to Manager Burns.

ANNOUNCEMENTS:

   JULY 22, 2004 -- OCLOC QUARTERLY DINNER MEETING, 6:00 P.M.

   JULY 28, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.

   AUGUST 10, 2004 -- TOWN COMMISSION MEETING, 6:00 P.M.

Commissioner Behnken informed everyone that she will not be in town for the August 10, 2004 Commission Meeting.

ADJOURNMENT: Commissioner Larson moved to adjourn the regularly scheduled Town Commission Meeting at 7:41 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

__________________________________  ______________________________
  Tina Smith, Secretary                 Date Approved
The meeting was called to order by the Board Chairman Jimmy Jones at 6:05 p.m.

ROLL CALL FOR THE RECORD:

Chairman Jimmy Jones - present
Member Glenn Wagner - absent
Member Gene Tucker - present
Member Sandra Dove-McLain - present
Member Johann Behnken - present

Others present: Town Manager Tom Burns, Residents Ruby Monte, Pat Dulian and Brad Gable and Commissioners Ursel Behnken and Rik Larson.

OLD BUSINESS:

I. APPROVE MINUTES FROM April 28, 2004: A motion was made by Member Behnken to approve the minutes of the March 31, 2004 meeting as written. The motion was seconded by Member Tucker and passed unanimously.

NEW BUSINESS:

I. Shalimar Hotel Site. The plans for the Hotel Site were not completed in time for the Planning and Zoning meeting. The developer was not present at the meeting, but apologized for the delay in the plans. The plans are expected to be ready for the Planning and Zoning meeting that is scheduled for July 28, 2004.
II. The Planning and Zoning Board discussed having a workshop for the possibility of a zoning change in the town of Shalimar. The meeting is planned to be held on July 20, 2004 with the town attorney, Mike Chesser present. The board decided to have questions for Mr. Chesser to review before the meeting on any concerns that we may have about a zoning change.

ADJOURNMENT: A motion was made by Member Tucker to adjourn the Planning and Zoning meeting. The motion was seconded by Member Dove-McLain and passed unanimously. The meeting was adjourned at 6:29 p.m.

____________________________________  __________________________________
Jimmy Jones, P&Z Chairman              Thomas A. Burns, Town Manager
MINUTES

TOWN OF SHALIMAR
Budget Workshop 2
June 15, 2004

CALL TO ORDER: Mayor Gary Combs called the second Budget Workshop of the Shalimar Town Commission to order at 5:05 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs – present
Mayor Pro-Tem Rik Larson – present
Commissioner Ursel Behnken – present
Commissioner Jerry McCallister – present (arrived at 5:08)
Commissioner Kevin Reeves – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief Charles Self, Amsouth Bank Representatives Mike Rogers and Rachelle Graves, Wise Equipment Representative Scott Kearney and Town resident Arthur Johanson.

PURPOSE OF BUDGET WORKSHOP 2: Establish a preliminary budget and propose a tentative millage rate for the upcoming fiscal year.

Manager Burns reported to the Commission that there will be approximately $550,000 in the bank after the park reimbursement check is received and the auditors like to see at least 6 months worth of reserves. He asked the new Amsouth Bank Representative to come in and speak with the Commission about different investment options.

Amsouth Bank Representative – Amsouth Representative Mike Rogers passed out the current CD rates for Amsouth. The Commission expressed their concern with putting money into a CD and not having the access to it until the CD matured. Manager Burns inquired about the penalty for early withdrawal. Mr. Rogers stated that it is normally 1% but that he may be able to get that waived for the town. Manager Burns asked if
he could get that in writing. Mr. Rogers said that he could print out a coupon for 1
waived penalty. The Commission then agreed that it was well worth moving money
into a CD with the penalty waived. Though there were no decisions made, there was
much information discussed.

Wise Equipment Representative – Wise Equipment Representative, Scott Kearney went
over some of the differences between Kubota and John Deere Tractors. He suggested
that the town purchase a Kubota. Commissioner Reeves brought feedback with some
of the builders he works with and they all use Kubotas also. Mr. Kearney gave the
Commission a quote of $17,999 for the 3830 HST tractor and LA723 loader. After
looking over the town’s current tractor, Mr. Kearney offered the town $1,500 to $2,000
for it. Mayor Combs proposed offering Wise Equipment $17,999 for the new tractor
with $2,500 for a trade in. Mr. Kearney stated that he could not give $2,500 for the old
tractor. After some negotiations, Commissioner McCallister moved to buy the
new tractor 3830 HST with a LA723 loader installed for $17,999 and receive
$2,200 for the old tractor. Commissioner Larson seconded the motion. When
asked about including the first 50-hour service, Mr. Kearney declined and stated that it
would have been easier to give the town $2,500 for the trade in because this service
routinely costs about $450 when brought to Wise Equipment. After more negotiations,
Commissioner McCallister moved that the town pay $17,999 for a new 3830
HST tractor with a LA723 loader installed, the 50-hour service, and a tech
manual and the town will receive $2,000 for the trade in of the old John
Deere Tractor. The motion was seconded by Commissioner Larson and it
passed unanimously. Mr. Kearney accepted this offer.

The Town of Shalimar received a proposal from the State Public Defender which is
attached. It proposes that Shalimar enter into a contract with them which would cost
$50 per hour if the town ever needed their services. Under such agreement the Public
Defender’s Office would agree to represent the defendant in an ordinance violation that
is punishable by incarceration and not ancillary to a state charge. The understanding
from the letter is that this contract would cost the town nothing unless Shalimar uses
the services. Commissioner Larson moved to enter into a contract with the
Public Defender’s Office. Commissioner Behnken seconded the motion and it
passed unanimously.

1. Finance Commissioner Comments/Discussion. Workshop 1 review as
required. The Commission went line by line through the budget making all necessary
changes. Manager Burns reported that he included a $500 donation to the EDC which
the Commission will be approving when they approve the budget.
2. Capital Improvement/Equipment Discussion. Mayor Combs suggested that Manager Burns inquire about the new electronic marquee using the current year’s budget. Mayor Combs also expressed concern with purchasing 2 electronic marquees at one time. He would rather only purchase one and keep the old one as a back up until he is comfortable that we won’t have recurring problems with the new one. Manager Burns will report available marquee funds after the tractor purchase.

The Maintenance Department is also in need of a new lawn mower and Manager Burns would also like to budget money for a road stripe painter.

Mayor Combs would also like to move forward on attempting to purchase the 3 lots next to town hall. Manager Burns was tasked to send Mr. Harrell a certified letter. It was also suggested, since Mr. Harrell seems to think the lots are worth so much, to send a courtesy copy of this letter to the Property Appraiser’s Office. Mayor Combs asked Manager Burns to confirm with Attorney Mike Chesser that this effort would be legal.

The Millage Rate for Fiscal Year 2005 will be 2.7 mils, down .1 mils from last year. Mayor Combs asked Manager Burns to make a Capital Improvements list for next year and, possibly, the rest of this year.

ANNOUNCEMENTS:

June 30, 2004 – 6:00 p.m. – Regular Planning and Zoning Meeting
July 8, 2004 – 6:00 p.m. – Special Planning and Zoning Meeting
July 13, 2004 – 6:00 p.m. – Town Commission Meeting

ADJOURNMENT: Commissioner Larson moved to adjourn the meeting at 7:55 p.m. Commissioner Behnken seconded the motion and it passed unanimously.

______________________________  _______________________________
Gary Combs, Mayor            Tina Smith, Deputy Town Clerk
CALL TO ORDER – The budget meeting scheduled for 5:00 ran a little long. A break was taken from 6:00 – 6:15. Mayor Gary Combs called the regularly scheduled Town Commission meeting to order at 6:15 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

  Mayor Gary Combs:  present
  Mayor Pro-Tem Rik Larson:  present
  Commissioner Ursel Behnken:  present
  Commissioner Kevin Reeves:  present
  Commissioner Jerry McCallister:  present

Others in attendance:  Town Manager Tom Burns, Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Police Chief Charles Self, Planning and Zoning Member Johann Behnken and Larry McCurdy representing Action Outdoor Advertising.

PLANNING AND ZONING BUSINESS – There is no new Planning and Zoning Business. There was no May Planning and Zoning Meeting.

TOWN RESIDENTS' TIME – No town residents were present.

TOWN ATTORNEY'S REPORT – Billboard Lawsuit Update – Attorney Chesser reported the outcome of the mediation that occurred on May 25, 2004 at his office. There were 2 proposals from the Billboard Company to the town. The first offer was for the town to allow the company to only put up one double-sided billboard on the Shell property. The billboard company would work with the town on what content could be put on the sign. In return, the billboard company would work with the town to help
rewrite the sign ordinance. The second offer was for the town to allow the billboard company to put up 2 double-sided billboards, one at the Shell Station and one at the Exprezit Station. These signs would be triple vision signs and the billboard company is offering one side on each of the billboards for the Town’s use, free of charge. Attorney Chesser offered his recommendation of not accepting either of the proposals and to go along with the lawsuit. Commissioner Larson moved to not accept either of the proposals given to the town by the Billboard Company. Commissioner Behnken seconded the motion and it passed unanimously. Attorney Chesser will advise the mediator that the Town Commission went with neither choice. Manager Burns also notified the Commission that the town’s insurance company will pay the attorney’s fees up to $100,000 though he has not heard whether or not any damages will be covered.

OLD BUSINESS:

I. APPROVE MINUTES OF THE MAY 11, 2004 COMMISSION MEETING – Commissioner Behnken moved to approve the minutes of the May 11, 2004 Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.

II. RESOLUTION 2004-05 (OCLOC SSN SUPPORT) – Deputy Clerk Tina Smith explained that the City of Fort Walton Beach passed a resolution asking the Florida League of Cities to work with the Legislature to change the laws governing some public records which include residents’ social security numbers. Commissioner Larson moved to approve Resolution 2004-05 as written. Commissioner Behnken seconded the motion and it passed unanimously.

NEW BUSINESS:

I. CURRENT INVESTMENT REPORT – Manager Burns explained that the current Certificate of Deposit (CD) held by the town at People’s First Bank will mature on June 10 and he called around for percentage rates. The percentage rate on the current money market account is 1.6% which is more than the current CD rate. Commissioner Larson moved to close out the CD account at People’s First Bank and move the money into the AmSouth Money Market account. The motion was seconded by Commissioner Behnken and it passed unanimously.
Manager Burns proposed that the town purchase a new tractor for the Maintenance Department this fiscal year. Mayor Combs asked Manager Burns to bring an expert to Tuesday’s Budget Workshop to explain the differences in the different brands of tractors. Attorney Chesser asked if the town’s current Workmen’s Compensation Insurance covers the Maintenance Supervisor if he gets hurt on the tractor. Manager Burns was pretty confident that it would cover him but will check into it just to make sure.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – Mayor Combs briefed that a representative from the Northwest Florida Water Management District came to the Executive Board lunch and gave a briefing about the future of water in Okaloosa County. Mayor Combs explained that the County is working on the problem and they have until approximately 2020 before there is a shortage.

Mayor Combs asked Manager Burns to draft up a letter to Rob Harrell about the 3 lots next door. Manager Burns explained that he had already done that so Mayor Combs asked him to draft up another letter and offer him $150,000 for the lots so that he will know that the town is serious about purchasing them. **Commissioner McCallister moved to authorize Town Manager Tom Burns to write Rob Harrell, the owner of the 3 lots adjacent to the Town Hall, and offer him $150,000 for the 3 lots. Commissioner Larson seconded the motion and it passed unanimously.** Mayor Combs asked Manager Burns to clear the letter and offer with Attorney Chesser before he sends it. It was also suggested that Manager Burns offer letters to the owners of the lot behind PK’s and the library.

COMMISSIONER LARSON’S REPORT: Commissioner Larson reported that there will be a FMPTF meeting tomorrow at 3:00 p.m. with Paul Shamoun from the Florida League of Cities where they will discuss the Extra Benefits redefinition that just passed in the State of Florida.

Resident Behnken iterated that the police car sitting at the end of Gardner Drive is killing the grass. Manager Burns will work on a solution and present it at the next meeting.

COMMISSIONER REEVES’ REPORT: Commission Reeves had nothing to report.
COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken raved about the current condition of the park. Also, she stated that she attended the last EDC Roundtable Breakfast and learned a lot from the speaker, Susan Story.

COMMISSIONER McCALLISTER’S REPORT:

I. BUDGET REPORT – Commissioner McCallister reminded everyone of the second Budget Workshop which will be held next Tuesday, June 15, 2004, at 5:00 p.m.

POLICE REPORT: Chief Self had nothing to report.

TOWN MANAGER UPDATE: Manager Burns stated that after the rocks are put in the Cherokee Park parking lot, he will start working on closing out the grant. It was then suggested that the Maintenance Department rent a tractor to complete this job.

Mayor Combs has received 2 complaints about the big boat at Shalimar Yacht Basin running its generator constantly. Also, there was some discussion about drafting up an ordinance that would require any new homes built in a residential area to retain continuity with the rest of the neighborhood. Manager Burns will contact Attorney Chesser about rewriting the ordinance.

ANNOUNCEMENTS:

JUNE 15, 2004 -- BUDGET WORKSHOP II, 5:00 P.M.

JUNE 30, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.

JULY 13, 2004 -- TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn the regularly scheduled Town Commission Meeting at 7:59 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.

________________________________________  ________________________________
Gary Combs, Mayor                             Tina Smith, Deputy Town Clerk
CALL TO ORDER: Mayor Gary Combs called the first Budget Workshop of the Shalimar Town Commission to order at 5:00 p.m. in Town Hall chambers. He led the “Pledge of Allegiance” to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs -- present
Mayor Pro-Tem Rik Larson – present
Commissioner Ursel Behnken – present
Commissioner Jerry McCallister – present
Commissioner Kevin Reeves – present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Police Chief Charles Self and Town resident Arthur Johanson.

PURPOSE OF BUDGET WORKSHOP 1: To review historical fiscal data. Estimate income, expenses and tentative millage rate for the upcoming fiscal year. Manager Burns was unavailable for the beginning of the meeting so Finance Commissioner McCallister went over some of the errors he found. The Commission decided to start the meeting with the proposed employee raises. Mayor Combs explained that he wanted the two lowest paid employees to get the biggest raises. There was some discussion and he then stated that he would agree to a 5% raise for everyone across the board. He stated that the bottom line number would remain the same and the difference between his salary increase number and Manager Burns’ proposed numbers should be put into a “bonus fund” for incentive and/or Christmas bonuses. Commissioner Larson asked that the Commission give everyone a 6% raise. Mayor Combs stated that he would agree with the 6% raise but he would, then, not agree to any bonuses later. Mayor Combs also proposed raising the Town’s IRA matching fund percentage from 3% to 5%. The major concern is when the large raises will end. Manager Burns’ input was that the raises will either end when the town can’t fund the raises or the salaries are comparable to other towns of the same size.
Commissioner Behnken moved to use Manager Burns’ raise percentage proposals and deal with next year’s raises next year. The motion was seconded by Commissioner Larson. There was some discussion. The motion did not pass as the remaining 3 Commissioners voted nay.

Commissioner Reeves moved to give the 2 Supervisors (Manager Burns and Chief Self) a 7% raise, give everyone else a 5% raise, and keep the bottom line number the same so that the difference could be put into a bonus fund. Mayor Combs seconded the motion and it passed unanimously. Mayor Combs then stated that he would not vote for a bonus to be given to those that received a 7% raise but the Commission decided that the bonus decisions don’t have to be made at this meeting.

There was a little discussion regarding the millage rate. Mayor Combs explained to the Commission about the rollback rate. Manager Burns explained that once the tentative millage rate is finalized, it can be lowered but it can’t be raised. It was then decided that the millage rate, for now, will stay at 2.8 mils.

ANNOUNCEMENTS:

- June 8, 2004 – 6:00 – Town Commission Meeting
- June 15, 2004 – 5:00 – Budget Workshop 2

ADJOURNMENT:

Commissioner McCallister moved to adjourn the First Budget Workshop at 6:03 p.m. It was seconded by Commissioner Larson and passed unanimously.

__________________________________  ______________________________________
Gary Combs, Mayor                   Tina Smith, Deputy Town Clerk
CALL TO ORDER: Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: present
Commissioner Ursel Behnken: present
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Attorney Mike Chesser, Deputy Town Clerk Tina Smith, Planning and Zoning Member Johann Behnken, Resident Kenneth Holt.

PLANNING AND ZONING BUSINESS: There is no new Planning and Zoning Business.

TOWN RESIDENTS' TIME: Kenneth Holt was present in the event that something came up about his dogs. Manager Burns stated that, when the 50 people were working in the park on April 16, he didn’t notice any neighborhood dogs barking. There has been resident complaint within the last couple of days and the resident was told to complete the PAWS dog barking chart.

TOWN ATTORNEY'S REPORT:
• Attorney Chesser briefed that he went over the garbage contract and has no changes. It is ready to be signed by both the Mayor and a representative from Waste Management.
• Manager Burns asked about changing the place of the Billboard lawsuit Mediation to Shalimar and if the mediation can be advertised as a public meeting with The Commission in attendance. Attorney Chesser stated that this is all possible as long as the other side agrees to it. Otherwise the mediation will be for information only and no decisions will be made. He also reported that his office would check on the possible changes and relay the information to the town hall some time this week.
• Manager Burns asked if the attorney’s billing department had heard from The Town’s insurance company. Attorney Chesser stated that he would call someone at his office and report his findings to The Commission within 10 minutes.

• After Attorney Chesser spoke with his office, he informed everyone that The Town’s insurance company has paid all bills sent to them regarding the billboard lawsuit.

Mayor Combs asked Resident, Kenneth Holt, who the owner of 7 Cherokee is because the owner on the tax records is his father, William Holt. Resident Holt said that the lady that is going to buy the house is living in it right now. Manager Burns stated that he would send her a letter regarding the shed in the backyard.

OLD BUSINESS:

I. APPROVE MINUTES OF THE APRIL 29, 2004 SPECIAL COMMISSION MEETING – Commissioner Larson moved to accept the minutes of the April 29, 2004 Special Commission Meeting as written. Commissioner Behnken seconded the motion and it passed unanimously.

NEW BUSINESS: Manager Burns asked that the 2 Budget Workshops be scheduled. The suggested dates were June 8 at 5:00 p.m. (right before the next Commission Meeting) and June 15 at 5:00 p.m. Everyone agreed with these dates and times.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – Mayor Combs was unable to attend the Executive Board Meeting so Manager Burns sat in for him. Manager Burns had nothing to report about the meeting. Deputy Clerk Tina Smith reminded Manager Burns and Commissioner Larson about the Summer Dinner on Friday. Mayor Combs stated that the annexation legislation change that the Florida League of Cities was
working on did not pass the senate and Manager Burns reported that the redefinition of Extra Benefits was passed.

**COMMISSIONER LARSON’S REPORT:** Commissioner Larson had nothing to report.

**COMMISSIONER REEVES’ REPORT:** Commissioner Reeves had nothing to report.

**COMMISSIONER BEHNKEN’S REPORT:** Commissioner Behnken had nothing to report.

**COMMISSIONER McCALLISTER’S REPORT:**

I. **BUDGET REPORT** - Manager Burns briefed the Commission on some of the issues that will need to be evaluated at the Budget Workshops. The tractor is in need of repair and there is money to buy a new one or the money could go to a new marquee. Mayor Combs asked Manager Burns to get some proposals for a new tractor. It might be possible to buy a tractor and do something about the marquee with the leftover money. Manager Burns will call around for quotes on new tractors. Mayor Combs would like to purchase a projection system for the conference room. Manager Burns also mentioned the possibility of getting a new police car.

**POLICE REPORT:** Chief Self was not present at The Commission Meeting. Mayor Combs asked that the Chief be told that there needs to be more presence in the park because the landscaping plants are constantly being pulled up. He also asked Commissioner Larson to inform the Police Department that the ABWA Poker Run will be this coming Saturday so there will be a lot of cars at the Shalimar Yacht Basin and a lot of traffic on Gardner Drive.

**TOWN MANAGER UPDATE:**

- On April 16, Mayor Combs’ squadron came over and did a lot of work in the park.
- Mr. Bruner, the landowner of lot where the hotel will be built, is inquiring about purchasing the doctor’s office lot (the lot behind the hotel lot) also. If this happens, the plans will also possibly change so that the hotel will not be as tall and will be more spread out. He still wants to break ground some time in June.
- The Waffle House “Closed for Renovation” sign is up. Attorney Chesser asked if they were required to change the size of their sign. He believes that once someone changes their building they have to conform with the sign ordinance. Manager Burns
stated that he measured the sign and the Waffle House is lessening the size of the
signs on the building.
• Someone from Sonic has called and they are also ready to start working on their
minor renovations.

The Commission appointed Brad Gable as the next new Planning and Zoning Board
Member. **Commissioner Larson moved to accept Brad Gable on the Planning
and Zoning Board. Commissioner Behnken seconded the motion and it
passed unanimously.**

**ANNOUNCEMENTS:**

**MAY 26, 2004** -- PLANNING AND ZONING MEETING, 6:00 P.M.

**JUNE 8, 2004** -- NEXT TOWN COMMISSION MEETING, 6:00 P.M.

**ADJOURNMENT:** Commissioner Larson moved to adjourn at 6:37 p.m. The
motion was seconded by Commissioner McCallister and passed unanimously.

_________________________________  ________________________________
Gary Combs, Mayor  Tina Smith, Deputy Town Clerk
CALL TO ORDER: Mayor Gary Combs called the special meeting to order at 5:30 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

   Mayor Gary Combs: present
   Mayor Pro-Tem Rik Larson: present
   Commissioner Ursel Behnken: present
   Commissioner Kevin Reeves: present
   Commissioner Jerry McCallister: absent

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith, Gail and Jim Murray with SunQuest, and residents Brad and Courtney Gable.

PLANNING AND ZONING BUSINESS: Review of the Planning and Zoning Meeting minutes and SunQuest Recommendation. Commissioner Larson briefed The Commission on the previous night’s Planning and Zoning Meeting. Manager Burns went over the stipulations mentioned in the Planning and Zoning Board’s recommendation. One of the stipulations limits the boat to 2 special events per calendar month allowing it to stay out later than 10:00 p.m. Mayor Combs asked Jim Murray if 2 special events per month would be sufficient. Mr. Murray stated that he didn’t anticipate anything running later than 10:00 p.m. so 2 per month will be enough. Commissioner Larson moved to accept the Planning and Zoning Board recommendation, Commissioner Behnken seconded the motion and it passed unanimously.

OLD BUSINESS:
I. APPROVE MINUTES OF THE APRIL 13, 2004 COMMISSION MEETING –
Commissioner Behnken moved to accept the minutes of the April 13, 2004 meeting as written. Commissioner Larson seconded the motion and it passed unanimously.

ANNOUNCEMENTS:

MAY 11, 2004 -- NEXT TOWN COMMISSION MEETING, 6:00 P.M.
MAY 26, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn at 5:42 p.m. The motion was seconded by Commissioner Reeves and passed unanimously.

_________________________________  ____________________________________
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Gary Combs, Mayor             Tina Smith, Deputy Town Clerk
The meeting was called to order by the Board Chairman Jimmy Jones at 6:05 p.m.

ROLL CALL FOR THE RECORD:

Chairman Jimmy Jones - present
Member Glenn Wagner - present
Member Gene Tucker - absent
Member Sandra Dove-McLain - present
Member Johann Behnken - present

Others present: Police Commissioner Rik Larson, Town Manager Tom Burns, Steve Peterson (Owner of Shalimar Yacht Basin), James Murray (Owners of SunQuest Cruises), Brad Gable (Resident), Richard and Helen Hoffert (Resident), and Mark Fortune.

OLD BUSINESS:

I. APPROVE MINUTES FROM March 31, 2004: A motion was made by Member Behnken to approve the minutes of the March 31, 2004 meeting as written. The motion was seconded by Member Wagner and passed unanimously.

NEW BUSINESS:

I. SUNQUEST SPECIAL EXCEPTION RECOMMENDATION: Chairman Jones reviewed previous recommendations on granting an occupational license to SunQuest Yacht Charters for operating a 150 passenger charter vessel based at the Shalimar Yacht Basin (SYB). He related that the Town Attorney, Mike Chesser, had advised the Shalimar Town Commission that the granting of a license to SunQuest requires the Planning and Zoning Board to first make a recommendation on a Special Use Exception for this vessel to operate as a "public transportation terminal" as required by Shalimar Ordinance. Chairman Jones led an open discussion of issues related to the vessels planned operations at SYB. A motion was made by Chairman Jones to
recommend approval of a Special Use Exception for the operation of the SunQuest vessel at SYB with the following stipulations:

A. This Special Use Exception to operate a public transportation terminal at SYB would apply only to the SunQuest vessel.

B. Parking facilities at SYB for vehicles utilizing the SunQuest vessel would remain adequate as described in the drawing presented by SYB and be designated as SunQuest Yacht Charter parking areas.

C. The normal operating hours (commencement of passenger loading till completion of passenger unloading) would be between the hours of 11 a.m. and 10 p.m. The vessel would be allowed to schedule and complete up to two "special" charter events per calendar month that terminate at an hour later than 10 p.m.

D. SunQuest Yacht Charters will to promote access to the vessel via Old Ferry Road and strive to minimize access traffic on Gardner Drive.

The motion was seconded by member Wagner. Discussion included the reading of two resident inputs received by town staff. The motion passed unanimously.

ADJOURNMENT: The meeting was adjourned at 6:21 p.m.

____________________________________
Jimmy Jones, P&Z Chairman

____________________________________
Thomas A. Burns, Town Manager
CALL TO ORDER: Mayor Gary Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

   Mayor Gary Combs: present
   Mayor Pro-Tem Rik Larson: present
   Commissioner Ursel Behnken: present
   Commissioner Kevin Reeves: present
   Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Police Chief Charles Self, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Rory Cassedy with Waste Management, Ray Boyd with BFI, Mack Kirkland (resident), Pat McLain (resident), Gail Murray, Jim Murray, and James Murray with SunQuest, and Planning and Zoning member Sandra Dove-McLain.

PLANNING AND ZONING BUSINESS: Review of the Planning and Zoning Meeting minutes and SunQuest Recommendation – Mayor Combs briefed the commission on the discussions of the Planning and Zoning Board. Attorney Chesser stated that, because the business is being designated as a Public Transportation Terminal, he feels the issue should be treated as a Special Exception and will require advertisement, certified letters, and a special meeting. The code book doesn’t address businesses associated with marinas so there are no guidelines for the town to go by. The parking plans for a restaurant were used because they are the most stringent. The Planning and Zoning Board will make a decision on this Special Exception at the next Planning and Zoning Board meeting on April 28 and there will be a Special Meeting of the Town Commission the following day (April 29) at 5:30 p.m.
The Town Commission agreed to a fee schedule for the Occupational Licenses being issued to charter-type boats and will be written into a Resolution to be reviewed at the next Commission Meeting. The fees are:

<table>
<thead>
<tr>
<th>Vessel Length</th>
<th>Fee</th>
</tr>
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<tbody>
<tr>
<td>0 – 60 feet</td>
<td>$50</td>
</tr>
<tr>
<td>61 – 80 feet</td>
<td>$150</td>
</tr>
<tr>
<td>81 – 100 feet</td>
<td>$250</td>
</tr>
<tr>
<td>101 – 150 feet</td>
<td>$350</td>
</tr>
</tbody>
</table>

Commissioner McCallister moved to accept the new occupational license fee schedule. The motion was seconded by Commissioner Larson and passed unanimously.

TOWN RESIDENTS’ TIME: There were no issues mentioned during this time.

TOWN ATTORNEY’S REPORT: Attorney Chesser reported that a mediation session has been scheduled and it can take place in either Pensacola or Shalimar. Whatever takes place at the mediation session will have to be brought before the Town Commission. Town Manager Tom Burns stated that the meeting is scheduled for May 25 in Pensacola but Attorney Chesser informed him that the meeting place can still be changed. Attorney Chesser suggested advertising the mediation and holding it as a public meeting. The Commission agreed with public involvement in this meeting.

OLD BUSINESS:

I. APPROVE MINUTES OF THE MARCH 9, 2004 COMMISSION MEETING – Commissioner Larson moved to accept the minutes of the March 9, 2004 meeting as written. Commissioner Behnken seconded the motion and it passed unanimously.

II. GARBAGE CONTRACT – Manager Burns briefed that the two previous garbage contracts the town signed were only done as agreements not as an ordinance or resolution. He stated that in order to renew the current contract The Commission would also need to decide what method they would like to go through; agreement only, agreement now with a resolution later or motion now and 2 readings of an ordinance at 2 special meetings before the end of April.

Mayor Combs asked Mr. Cassedy if it was possible to renegotiate the CPI. Mr. Cassedy explained that a CPI of 2.5% is in the current proposal. If Waste Management’s costs are less than 2.5% (for
example, last year they were only 1.6%), the residents would only get charged an additional 1.6% but if it was more than 2.5%, Waste Management would have to come to the Commission to explain that their costs exceeded 2.5% and ask for a comparable adjustment to be made. If the contract was only for 1 year, Waste Management would not be required to ask the Commission for an adjustment, it would just be figured in the new contract. Mr. Cassedy stated that he could bump the 2.5% CPI down to 2%. **Commissioner Larson moved to accept the Waste Management proposal and run a contract for 3 years with a rate change of no more than 2% CPI with an option of 2 additional 1 year renewals. The motion was approved by all except Commissioner Behnken voting nay citing that she is happy with the current service.**

The Commission decided that an agreement between Waste Management and the Town of Shalimar would be the method. **Commissioner McCallister moved to give Mayor Combs the authority to sign the contract after it is approved by Manager Burns and Attorney Chesser. Commissioner Reeves seconded the motion and it passed unanimously.**

Mayor Combs asked Mr. Cassedy if he would mail out letters to the commercial customers informing them of the change and that the dumpsters would be changed out. Mr. Cassedy stated that he would get with Manager Burns and get those letters out.

**NEW BUSINESS:**

I. **COMP PLAN** – The Town of Shalimar Comp Plan is old and needs to be updated. The Institute of Senior Professionals has offered free help rewrite the Comp Plan with the Planning and Zoning Board. **Commissioner Behnken moved that the Town of Shalimar supports the Planning and Zoning Board’s update of the current Comp Plan. Commissioner Larson seconded the motion and it passed unanimously.**

II. **CIRCLE K GAS WELL REQUEST** – As part of an on-going environmental assessment of the property, under the authority of the Florida Department of Environmental Protection and Escambia County Health Department, ATC Associates, Inc. has requested monitoring wells be installed along Richbourg Avenue on the town’s right-of-way. Manager Burns spoke with Vince Bruner (owner of the property just off the right-of-way) and Mr. Bruner informed Manager Burns that he is looking at changing the Hampton Inn plans to coincide with a possible property purchase adjacent to the existing lot. He doesn’t have any issue with
the wells going in. ATC Associates, Inc. can either hold off on the installation until Mr. Bruner’s new plans have been finalized or install them now but take the chance that they will have to be capped off and reinstalled in another location. **Commissioner Larson moved to accept the installation of the wells that will be put in according to the attached map. Commissioner McCallister seconded the motion and it passed unanimously.** The Shalimar Commission authorized Manager Burns to draft up a letter to ATC Associates, Inc. informing them that the Commission has approved the installation of the wells but if the hotel plans change, the wells may need to be moved. Mayor Combs informed Manager Burns that he wanted to see the letter before it went out.

**MAYOR COMBS’ REPORT:**

I. **OKALOOSA COUNTY LEAGUE OF CITIES REPORT** – Nothing new happened at the April Executive Board lunch. Mayor Combs reminded everyone that April 16 is the big Community Service Project and everyone is invited to come out and help finish up the park.

**COMMISSIONER LARSON’S REPORT:** Commissioner Larson had nothing to report.

**COMMISSIONER REEVES’ REPORT:** Commissioner Reeves had nothing to report.

**COMMISSIONER BEHNKEN’S REPORT:** Commissioner Behnken stated that she went through the park today and has noticed that it is being used a lot.

**COMMISSIONER McCALLISTER’S REPORT:**

I. **BUDGET REPORT - 6 MONTH LINE ITEM REVIEW** – Commissioner McCallister went over the line item changes with the Commission. **Commissioner Larson moved to accept the 6 Month Line Item Review as presented. Commissioner Behnken seconded the motion and it passed unanimously.**

**POLICE REPORT:** Chief Self stated that everyone should have the monthly reports. Commissioner Larson briefed that he and Chief Self have had discussions about offering part-time officer Sam Roberts full-time employment. **Commissioner Larson moved to move Sam Roberts from part-time status to full-time status effective June 1. Commissioner Behnken seconded the motion and it passed unanimously.**
TOWN MANAGER UPDATE:

- Manager Burns spoke with the Cherokee Park exercise equipment company today and, according to them, it will be shipped out on April 16.
- Also on April 16 is the big Cherokee Park Project.
- Attorney Chesser has made contact with the insurance company concerning the Action Outdoor lawsuit but we still don’t know how much of the attorney’s fees they are going to pay.

ANNOUNCEMENTS:

APRIL 28, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.

MAY 11, 2004 -- NEXT TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn at 7:48 p.m. The motion was seconded by Commissioner Behnken and passed unanimously.

_________________________________  ________________________________________
Gary Combs, Mayor                        Tina Smith, Deputy Town Clerk
The meeting was called to order by the Board President Jimmy Jones at 6:05 p.m.

ROLL CALL FOR THE RECORD:

   Chairman Jimmy Jones - present  
   Member Glenn Wagner - present  
   Member Gene Tucker - absent  
   Member Sandra Dove-McLain - present  
   Member Johann Behnken - present

Others present: Mayor Gary Combs, Police Commissioner Rik Larson, Town Manager Tom Burns, Steve Peterson (Owner of Shalimar Yacht Basin), Jim Murray, Gail Murray and James Murray (Owners of SunQuest Cruises), Brad Gable (Resident), Mack Kirkland (Resident), Ray Starks (President of Sung Harbor Association), Pat McLain (Resident), Scott Wooley (Resident) and Joe Wood (Resident).

OLD BUSINESS:

I. APPROVE MINUTES FROM February 25, 2004: A motion was made by Sandra Dove-McLain to approve the minutes of the February 25, 2004 meeting as written. The motion was seconded by Johann Behnken and passed unanimously.

NEW BUSINESS:

I. SUNQUEST OCCUPATIONAL LICENSE DISCUSSION:

Mr. Jim Murray started the discussion on the SunQuest occupational license as per the request of Chairman Jones. Mr. Murray stated that the vessel in question is a 125-foot passenger yacht that is 26-feet above the water line with a maximum passenger limit of 150 people. This maximum includes 2 deck hands, a 9-person wait staff and the Captain. The yacht has 3 decks which include the main deck which is enclosed, a second deck which is partially enclosed and the third deck which is an open sun
deck. The Sunquest's purpose is for private charter to include weddings, church groups, school groups, sunset dinner cruises, etc. Mr. Murray stated that the primary hours of operation will be 11:00 a.m. to 10:00 p.m. The SunQuest will not be a seasonal operation, they are planning on it being a year-round business and the boat will be docked there year round. Member Dove-McLain inquired about the service of alcoholic beverages on the vessel. Mr. Murray stated that there will be alcohol served (a "cool-bar" to include beer, wine, mixed drinks, etc.). Chairman Jones asked if the Coast Guard has completed their inspections on the vessel, Mr. Murray stated he had attended some meetings about clean water and pumping water to pump stations. He said that the vessel needed to pump to a pump station, but never stated if the vessel was inspected. Member Dove-McLain asked Mr. Murray why he chose Shalimar as the docking location for the SunQuest. Mr. Murray stated that their initial plan was to dock at The Landing in Fort Walton Beach and stated that "it had it's own set of problems" because it was a city-owned facility, and there was an issue on complaints on the boat and grant money for the boat. He said the process started to get too long and drawn out so they abandoned that idea and decided to look for another location. Mr. Murray then handed out some literature on the boat. Town Manager Burns asked Mr. Murray if there would be anybody living on the boat. Mr. Murray stated that there would not be any people living on the boat.

Chairman Jones asked Mr. Peterson (Owner of the Shalimar Yacht Basin) how many parking spaces there were at the Yacht Basin. Mr. Peterson stated that there are 178 parking spaces. There are 405 boat slips including the barn area. The additional business personnel that operate from the Shalimar Yacht Basin are as follows: 2 people at Quality Rod and Reel, 4 people at Auer Marine Service, 4 people at Tropical Yacht Sales, 3 people at Jack’s Marine Service, 14 employees and 7 people helping at the Shalimar Yacht Basin, and a possible 18 people between the 3 charter boats and the 2 commercial boats at the Shalimar Yacht Basin. Mr. Peterson also gave a detailed description of his history in the boating industry and a history of his dealings in the local area.

Chairman Jones asked Mr. Murray about the boat picking up people at other docks. Mr. Murray stated that there would be a passenger pick up location at Sandestin, Destin Harbor and possibly on Okaloosa Island. It was Chairman Jones' understanding that the boat would pick up passengers at other locations and not solely at the Shalimar Yacht Basin. Mr. Murray agreed. Chairman Jones addressed the traffic problems on Old Ferry Road and Gardner Drive.

Chairman Jones brought up the issue of parking spaces at the Shalimar Yacht Basin. The board was determining how many spaces were allotted for the employees of the above mentioned businesses, the customers of the Shalimar Yacht Basin and the additional parking that would be required for the charter vessel. Chairman Jones also
brought up the issue of people parking on the right-of-way on Gardner Drive. Member Behnken also expressed his concerns with the traffic flow on Gardner Drive and Old Ferry Road. Member Behnken also asked about the pump-out of the SunQuest. Mr. Peterson stated that he does have the facilities at the Shalimar Yacht Basin to pump out the vessel.

Chairman Jones opened the floor for questions.

Manager Burns asked what Mr. Murray's plans were when a Hurricane comes into the area. Mr. Murray stated that they would take the vessel to Freeport. The issue was brought up again by Town Commissioner Larson about the traffic on Old Ferry Road. Mr. Murray speculated that most of the passenger activity would probably be in the other locations that were specified above for passenger boarding. Member Behnken also mentioned that there was a problem with the large amount of boat traffic in the Shalimar Yacht Basin area. Member Behnken also stated that the problem with the boats racing out of the area has decreased tremendously since Mr. Peterson has owned the facility. Manager Burns asked how many trips the SunQuest planned on making out of Shalimar as opposed to the other locations. Mr. Murray speculated again that he feels that the bulk of the passengers and trips will be originated from other locations. Commissioner Larson brought up the possibility of a 6-month trial-basis to make sure that there was not going to be any problems with the issues that were brought up in the discussion. Manager Burns stated that he did not know if that was a possibility to have a time-restricted permit, but it was something that he would check into. Mr. Murray stated that the time-restricted permit was something that he would prefer not to do. Manager Burns also stated that there was a conflict of interest with the Town of Shalimar's attorney and that he may need to seek outside legal council on these matters.

Chairman Jones concluded that to keep the traffic flow off of Gardner Drive and onto Old Ferry Road, the owners of SunQuest should include a map and directions to the Shalimar Yacht Basin in their advertisement.

**A motion was made by Member Wagner to recommend approval to the Shalimar Commission on an Occupational License for the SunQuest vessel. The motion was seconded by Member Dove-McLain. An amendment to the motion was made by Member Behnken that all of the ramifications by Manager Burns be resolved prior to the issuance of the occupational license. The motion was seconded by Member Dove-McLain and passed unanimously.**
ADJOURNMENT: The meeting was adjourned at 6:54 p.m.

____________________________________  ______________________________________
Jimmy Jones, P&Z Chairman              Thomas A. Burns, Town Manager
CALL TO ORDER: Mayor Gary Combs called the meeting to order at 6:00 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: present
Commissioner Ursel Behnken: present
Commissioner Kevin Reeves: present
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Police Chief Charles Self, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Rory Cassedy with Waste Management, Ray Boyd with BFI and Planning and Zoning member Johann Behnken.

PLANNING AND ZONING BUSINESS: Review of the Planning and Zoning Meeting minutes. No approval is required.

TOWN RESIDENTS' TIME: There were no issues mentioned during this time.

TOWN ATTORNEY'S REPORT: Attorney Chesser briefed the Commission of his estimate for the fees involved with the Billboard Lawsuit case. He stated that a good ballpark figure is $30,000 for the course of the lawsuit. He reported that it is his belief that the lawsuit will be over before the end of this Fiscal Year. Both Manager Burns and Attorney Chesser notified the Commission that neither of them has been contacted by the insurance company.
OLD BUSINESS:

I. APPROVE MINUTES OF THE FEBRUARY 10, 2004 COMMISSION MEETING – Commissioner Larson moved to approve the Minutes from the February 10, 2004 meeting as written. The motion was seconded by Commissioner Behnken and it passed unanimously.

II. GOALS FOR SHALIMAR 2004 – Mayor Combs stated that the goals list was accurate and should be posted to the web site.

NEW BUSINESS:

I. REVIEW GARBAGE CONTRACTS – Mayor Combs briefed the Commission on the history of the current garbage contract and Manager Burns reviewed the possible projected timeline in which the new contract will be approved by the Commission. Both garbage company representatives spoke to the Commission and answered questions. Mayor Combs requested that everyone on the Commission contemplate all of the information received and to be prepared to award a contract at the next meeting. Mayor Combs also suggested adding an article in the March Tidbits to inform the residents of the contract status and also that they can view the automated Waste Management receptacles at Town Hall.

II. TRAFFIC SIGNAL MAINTENANCE AGREEMENT – Mayor Combs and Manager Burns briefed the Commission on the County’s request regarding the traffic signal maintenance. At present The Town of Shalimar receives a check from the State of Florida but the town also pays the electric bill and all maintenance bills that come from the County. Okaloosa County would like The Town of Shalimar to continue paying the electric bill but they want the money from The State of Florida to go to them. They would also discontinue sending bills to the town for maintenance done. Commissioner Larson moved to give Okaloosa County all of Shalimar's State maintenance money if the county will also pay the electric bill for our traffic lights. Commissioner Reeves seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – Mayor Combs briefed that there will be a Clean Water Initiative Workshop at the Shalimar Town Hall on March 25 at 11:30. He will be out of town.
Commissioner/Mayor Pro-Tem Larson will attend the Workshop in his place.

COMMISIONER LARSON’S REPORT: Commissioner Larson and Mayor Combs mentioned the “speed trap” complaints. Chief Self will do a Tidbits article referencing the complaints.

COMMISIONER REEVES’ REPORT: Commissioner Reeves stated that there was a downed tree limb on Plew Avenue. Manager Burns reported that he had received a phone call regarding this limb and it has already been removed from the area.

COMMISIONER BEHNKEN’S REPORT: Commissioner Behnken stated that the park is looking good. Mayor Combs briefed that he and Manager Burns met with the landscaper who wants to put in low maintenance landscaping. Mayor Combs asked for approval from the Commission to spend the money for the landscaping. The Commissioners authorized Mayor Combs to spend up to $3,000 for the landscaping.

The grills should be installed by the end of April. The dock is almost done but the Luke Savini Memorial plaque is not on the dock yet. The idea about an Octoberfest is still a possibility.

COMMISIONER McCALLISTER’S REPORT:

I. BUDGET REPORT – Commissioner McCallister and Manager Burns will meet before the April Commission Meeting and will have some lien item change recommendations for the Commission.

POLICE REPORT:

Chief Self reported that a park vandal has been caught and will be coming around Town Hall looking for Community Service projects.

Chief also stated that Mr. Foley has come to him with additional dog barking complaints.

TOWN MANAGER UPDATE: Manager Burns had nothing to report.

ANNOUNCEMENTS:
APRIL 28, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.

MAY 11, 2004 -- NEXT TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn the meeting at 7:48 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.

______________________________  ________________________________
Gary Combs, Mayor              Tina Smith, Deputy Town Clerk
The meeting was called to order by the Board President Jimmy Jones at 6:04 p.m.

ROLL CALL FOR THE RECORD:

   Chairman Jimmy Jones - present
   Member Glenn Wagner - present
   Member Gene Tucker - present
   Member Sandra Dove-McLain - absent
   Member Johann Behnken - present

Others present: Town Manager Tom Burns, Waffle House representatives Ted Kapp and Terry Mahoney (Freeland & Kauffman Engrs.) Note: Mr. Kapp and Mr. Mahoney arrived at approx 7:05pm, after calling and advising of their late arrival at the Pensacola airport. Board member Tucker had to leave at 6:45pm.

OLD BUSINESS:
I. APPROVE MINUTES FROM January 28, 2004: Motion was made by Glenn Wagner to approve minutes as written. Motion seconded by Gene Tucker and passed unanimously.

NEW BUSINESS:
I. WAFFLE HOUSE PLAN MODIFICATION REVIEW:

Manager Burns provided board members copies of recent fax correspondence with Waffle House rep Tedd Kapp, and copies of revised engineering plans provided by Waffle House since the original plans for the renovation were permitted in November 2003. He briefed that the proposed Waffle House changes included revisions to not increase the current impervious surface at the site, not to remove the existing parking lot, and to delete the previously approved stormwater collection system. All members present had previously reviewed the proposed plan changes and also visited the renovation site. President Jones led a discussion of the proposed changes and each
member opined that the drainage situation at the Waffle House road cut onto Old Ferry Road was poor and that nothing should be done to exacerbate the current drainage situation. Member Tucker also noted that if the storm water connection to the existing Old ferry Road storm system was not to be completed, that the old non-functional lift station retention pit should be removed. President Jones led a discussion of possible modifications to the revised plans that would help alleviate the drainage problems onto Old Ferry Road. After his arrival, Mr. Kapp briefed the members on the plan revisions to include details and samples of the pervious concrete proposed for any new paving on the site. President Jones discussed the Boards recommended modifications to the drainage plans, especially as they related to the runoff onto Old Ferry Road. Mr. Kapp and Mr. Mahoney agreed with the Boards proposed changes.

Motion was made by Member Wagner to approve the revised submitted plan with the following changes/requirements:

1. All previously approved new impervious surface area is to be constructed of pervious concrete similar in type to the sample presented by Mr. Kapp. Waffle House must also provide any maintenance required to maintain the constructed concrete's impervious qualities.

2. Delete the previously approved under parking lot stormwater collection and retention system. Provide a trench drain across the parking lot connection with Old Ferry Road, connected to a French drain system installed under the south open area adjacent to the parking lot. This French drain is to be constructed with enough capacity to retain/dissipate the first one inch of stormwater generated by 75% of the existing impervious surface currently present on the site. This drain is also to be connected to the existing Old Ferry Road stormwater system for pop-off after the drain reaches design capacity.

3. The old sanitary lift station components located in the Old Ferry Road right-of-way are to be removed or filled to existing grade. The right-of-way on both sides of the road connection to Old Ferry Road is to be cleaned up and landscaped (sod minimum).

4. The southern parking lot island surrounding an existing oak tree is to be shifted southeast to provide more tree protection. The oak tree at the extreme southeast side of the site is approved for removal. Two additional live oak trees are to be planted to replace this removed oak.

Motion was seconded by Member Behnken and passed unanimously.
Mr. Mahoney told the Board that the agreed upon changes would be incorporated into new engineering drawings and provided to the Town. Manager Burns related that he would investigate any Okaloosa county requirements generated by the agreed upon changes.

**ADJOURNMENT:** Motion to adjourn was made by member Wagner, seconded by member Behnken, and passed unanimously. Meeting was adjourned at 7:38 PM.

____________________________________
Jimmy Jones, P&Z Chairman

____________________________________
Thomas A. Burns, Town Manager
CALL TO ORDER: Mayor Gary Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

- Mayor Gary Combs: present
- Mayor Pro-Tem Rik Larson: present
- Commissioner Ursel Behnken: present
- Commissioner Kevin Reeves: present
- Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Police Chief Charles Self, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Mark Siner with Choctaw Engineering and resident Johann Behnken.

PLANNING AND ZONING BUSINESS: Review of the Planning and Zoning Meeting minutes and proposed hotel recommendations. **Commissioner Behnken moved to approve the proposed hotel recommendations of the Planning and Zoning Board.** Commissioner Larson seconded the motion and it passed unanimously.

TOWN RESIDENTS' TIME: There were no issues mentioned at this time.

TOWN ATTORNEY'S REPORT: The Billboard lawsuit is still cruising on. Attorney Chesser reported that the billboard company was going to amend their complaint to include damages against the Town of Shalimar because they have been precluded from putting their sign up.

OLD BUSINESS:
I. APPROVE MINUTES OF THE JANUARY 13, 2004 COMMISSION MEETING – Commissioner Behnken briefed an error that she found. Commissioner Behnken moved to approve the minutes of the January 13, 2004 Commission Meeting with changes. Commissioner Larson seconded the motion and it passed unanimously.

II. APPROVE MINUTES OF THE JANUARY 28, 2004 SPECIAL COMMISSION MEETING – Commissioner Larson moved to accept the minutes of the January 28, 2004 Special Commission Meeting. Commissioner Behnken seconded the motion and it passed unanimously.

III. CONFERENCE ROOM ADMINISTRATIVE POLICY RESOLUTION 2004-03 – After some discussion, it was decided to add another sentence to this resolution. Commissioner Larson moved to approve the Conference Room Administrative Policy Resolution 2004-03 with the addition. Commissioner McCallister seconded the motion and it passed unanimously.

Mayor Combs asked Attorney Chesser if it was legal to allow a religious group to use the town conference room because it’s a government facility. Attorney Chesser stated that if you treat all organizations the same, there will never be a problem.

NEW BUSINESS:

I. FDOT/SIS RESOLUTION 2004-02 – Commissioner Behnken pointed out one typo in the resolution. Commissioner Larson moved to adopt the FDOT/SIS Resolution 2004-02 with the typo changed. Commissioner Reeves seconded the motion and it passed unanimously.

II. GOALS FOR SHALIMAR 2004 – Mayor Combs stated that if there is anything that any of the Commissioners would like to see as a goal, e-mail it to Deputy Clerk Tina Smith. Also, if there are existing goals that any of the Commissioners would like to start working on, inform someone at Town Hall. The goals will be finalized at the next Commission Meeting and added to the web site once they are finalized.
Commissioner Behnken inquired about Shalimar being a Tree City. Manager Burns stated that he would look up the paperwork from when Commissioner Brown applied years ago.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – Mayor Combs briefed that the Executive Board approved the By-Laws Change to have the quarterly dinners moved back one month. This change will take affect after the March dinner meeting.

Mayor Combs briefly ran down the current state of the Clean Water issue. He informed the Commission that the Clean Water Committee (appointed by the OCLOC) is now looking at possible ways to give boat owners monetary incentives to install a Type I or Type II Coast Guard Certified Marine Sanitation Device.

COMMISSIONER LARSON’S REPORT: Commissioner Larson asked Town Manager Burns if there were any traps available to borrow. Manager Burns stated that they were all lent out to residents and Commissioner Larson but the town could purchase/use another.

COMMISSIONER REEVES’ REPORT: Commissioner Reeves asked if a speed bump sign was going to be put in on Gardner Drive. He was informed that one had been put in within the last couple of days.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken inquired about the proposed grand opening for the park. Manager Burns briefed that he was in contact with a landscape wholesaler who will be coming out to look at the park and make suggestions regarding the types of plants to put in the park. Manager Burns and Mayor Combs are projecting to have the park complete by March.

COMMISSIONER MCCALLISTER’S REPORT:

I. BUDGET REPORT – Manager Burns explained the possibility of another Workmen’s Compensation claim being filed by ex-employee, Jeff Dowda. Attorney Chesser stated that he would like to help Shalimar appeal any future claims.

Manager Burns asked Attorney Chesser if he could project a ballpark figure for upcoming billboard lawsuit fees. Attorney Chesser said that he would get that information to Manager Burns.

POLICE REPORT: Chief Self informed the commission that there are homeless people that have been living under the Shalimar Bridge and bothering residents by fishing from private property. There was some discussion regarding the town limits and whether or not any part of the bridge is in the town. Attorney Chesser recommended pulling the town charter to confirm the specific boundaries.
Mayor Combs briefed the Chief Self on the current complaints and suggested that either he or Chief Self include in their next Tidbits article some clarifications regarding Shalimar being a “speed trap”.

TOWN MANAGER UPDATE: Manager Burns suggested everyone take one last look at the garbage contract specifications that are located on the web site and e-mail their suggestions before he gets the advertisement out.

ANNOUNCEMENTS:

FEBRUARY 25, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.
MARCH 9, 2004 -- NEXT TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn at 7:20 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.

______________________________  ________________________________
Gary Combs, Mayor            Tina Smith, Deputy Town Clerk
CALL TO ORDER: Mayor Gary Combs called the special meeting to order at 5:40 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

Mayor Gary Combs: present
Mayor Pro-Tem Rik Larson: present
Commissioner Ursel Behnken: present
Commissioner Kevin Reeves: absent
Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Deputy Town Clerk Tina Smith.

SPECIAL BUSINESS:

I. Discuss Park Exercise Equipment proposal – Mayor Combs reported that Town Manager, Tom Burns, advertised for bids on the new park exercise equipment. There were no responses. Manager Burns did research on equipment companies and narrowed the possible purchase down to 2 companies. One was chosen out of the 2 with a bid of approximately $8,000 for 4 pieces of equipment and the safety surface. Commissioner Larson moved to accept the bid and have the equipment installed as soon as the company can do it. Commissioner Behnken seconded the motion and it passed unanimously.

II. Back taxes of property listed as unincorporated in error – Manager Burns briefed that he had been working with the Okaloosa County GIS department and found that there is some property that is in the town limits that is not listed on the tax rolls as incorporated. He asked the Commission if they wanted him to initiate the collection of back taxes from these lots. Also, did they want him to collect from all lots not included in the tax rolls. Everyone on the Commission agreed that the town should go after the back taxes and that it would be only fair to collect them from all of the lots involved.

ANNOUNCEMENTS:

JANUARY 28, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.

FEBRUARY 10, 2004 -- NEXT TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn the meeting at 5:50. The motion was seconded by Commissioner McCallister and passed unanimously.
Gary Combs, Mayor

Tina Smith, Deputy Town Clerk
The meeting was called to order by the Board Co-Chairman Gene Tucker at 6:05 p.m. and he led the "Pledge of Allegiance to the Flag".

ROLL CALL FOR THE RECORD:
- Chairman Jimmy Jones - absent
- Member / Co-Chairman Gene Tucker - present
- Member Glenn Wagner - absent
- Member / Secretary Sandra Dove-McLain - present
- Member Johann Behnken - present

Others present: Town Manager Tom Burns, Ame LeMay (Choctaw Engineering), Jody Watts (Cox Pools), and Kenny Poythress (Homeowner requesting variance at 910 Sunset Bay Court).

OLD BUSINESS:
I. APPROVE MINUTES FROM JANUARY 7, 2004 – Johann Behnken moved to approve the minutes as written. The was motion was seconded by Sandra Dove-McLain and passed unanimously.

NEW BUSINESS:
I. PERMEABILITY RATIO VARIANCE REQUEST – Mr. Kenny Poythress (owner, 910 Sunset Bay Court)

Co-Chairman Tucker briefed the request and it was reviewed and discussed. The board members discussed the permeability and the retention area at the back of the property. Mr. Poythress was asked by the board if his entire driveway was in use. Mr. Poythress stated that it was, and that he could not remove any of it to get his numbers down. Manager Burns stated that he would need a letter from the Homeowners Association for the new pool. Mr. Poythress stated that he was the President of the association, and he would send out a letter to the other owners about the construction of the new pool. Johann Behnken moved to recommend approval of the permeability ratio variance request at 910 Sunset Bay Court. The motion was seconded by Sandra Dove-McLain and it passed unanimously.

II. REVIEW OF UPDATED HAMPTON INN SITE PLAN – Ms. Ame LeMay (Representative for Choctaw Engineering)

The board reviewed the updated Hampton Inn site plan. After a lengthy discussion on the sewer piping and changes that were made to the site plan, the board concluded that the items that were noted for action by Choctaw Engineering at the last Planning and Zoning meeting were met and accepted by the board. These items were: Inclusion of a sidewalk on the north side of the site along Richburg Avenue,
confirmation of a sufficient visibility triangle at the corner of Richburg Avenue and Eglin Parkway, Florida DOT traffic concurrency approval including the road cut on Eglin Parkway, movement of the parking lot drain on the east side to accommodate an existing offsite tree, and review of any additional requirements dictated by the development being considered a PUD.

The board also discussed the possibility of traffic blocking the entrance from Richburg Avenue to the Hampton Inn and possible traffic problems on Eglin Parkway. The board concluded that a sign would need to be posted on Richburg Avenue that states "Do not block Entrance", and to make sure that there is a "Right Turn Only" sign posted on Eglin Parkway. Manager Burns brought up the fact that the flow of traffic would need to be managed with signage for the parking lot. **JoHann Behnken moved to recommended approval of new plans that were submitted to the Town Council, to approve the project, and to accept the changes that were made to the site plan from last months meeting.** The motion was seconded by Sandra Dove-McLain and passed unanimously.

**ADJOURNMENT:** **Gene Tucker moved to adjourn at 6:43 p.m.** The motion was seconded by Sandra Dove-McLain and it passed unanimously.

____________________________________  __________________________________
Jimmy Jones , P&Z Chairman                      Thomas A. Burns, Town Manager
CALL TO ORDER: Mayor Gary Combs called the meeting to order at 6:04 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD:

- Mayor Gary Combs: present
- Mayor Pro-Tem Rik Larson: present
- Commissioner Ursel Behnken: present
- Commissioner Kevin Reeves: absent
- Commissioner Jerry McCallister: present

Others in attendance: Town Manager Tom Burns, Police Chief Charles Self, Deputy Town Clerk Tina Smith, Town Attorney Mike Chesser, Angela Balent from O'Sullivan Creel, Tom Mason, Matt Parker, Louis Long, and resident Johann Behnken.

PLANNING AND ZONING BUSINESS: Matt Parker briefed the commission on the types of fences that his company is looking at putting up in front of the proposed storage facility on Erwin Fleet. Commissioner Larson moved to accept recommendation of the Planning and Zoning Board. Commissioner Behnken seconded the motion and it passed unanimously.

TOWN RESIDENTS’ TIME: There were no issues mentioned during this time.

OLD BUSINESS:

I. APPROVE MINUTES OF THE DECEMBER 9, 2003 COMMISSION MEETING – Commissioner Larson moved to accept recommendation of the Planning and Zoning Board. Commissioner Behnken seconded the motion and it passed unanimously.

NEW BUSINESS:

I. FY 2003 AUDIT REPORT – The auditor, Angela Balent, reported the audit outcome to the commission.

II. REVIEW GARBAGE CONTRACT – Manager Burns briefed the commission that it is time to put the ad in the paper for the new garbage contract. Manager Burns will draft up the ad and e-mail it to everyone for their input.
III. REVIEW CONFERENCE ROOM RENTAL POLICIES – The current policy regarding the residents reserving the conference room doesn’t restrict recurring events. At this time there are several groups that have the conference room reserved for weeks on end. Mayor Combs drafted up a sentence to add to the policy manual that will require recurring events to come in every month and re-apply so that non-recurring events have the chance at the new calendar. A resolution that includes the new wording will be drafted up for the next meeting.

IV. APPOINT NEW PLANNING AND ZONING MEMBER – Former member and Co-Chairman, Roy Pimental, recently passed away. Resident, Johann Behnken, has agreed to become the newest member and was sworn in by Mayor Combs.

V. RESOLUTION 2004-01 – FLOC LEGISLATIVE PRIORITIES – Mayor Combs briefed that this resolution was discussed at the last Executive Board Meeting and it just states that The Town of Shalimar supports the Florida League of Cities Legislative Priorities. A copy of this resolution will be sent to all of our Legislators.

   Commissioner Larson moved to accept the Florida League of Cities Legislative Priorities Resolution 2004-01 as written. Commissioner McCallister seconded the motion and it passed unanimously.

MAYOR COMBS’ REPORT:

I. OKALOOSA COUNTY LEAGUE OF CITIES REPORT – Mayor Combs reported that they Executive Board discussed changing the dates of the quarterly dinners and he asked that the League come up with a goals list for the year.

   Mayor Combs asked Manager Burns to draft up a goals list for the town to be approved at the next Commission Meeting

TOWN ATTORNEY’S REPORT: Attorney Chesser briefed the background of the billboard issue to the residents in attendance. He then announced that the trial is set to start the week of June 7 and the end of discovery is scheduled for March 23. The town has 30 days after the discovery to submit any motions. The federal court is requiring a mediation conference to be held, possibly some time in April, which will allow both sides to meet and discuss their arguments.

Manager Burns stated that he received a response from the town’s General Liability Insurance Company (Preferred Government Insurance Trust (PGIT)). They have agreed to help the town pay the attorney’s fees for the lawsuit and will decide at their Board of Trustees’ meeting what fees will be paid.
COMMISSIONER LARSON'S REPORT: Commissioner Larson had nothing to report.

COMMISSIONER REEVES’ REPORT: Commissioner Reeves was not present.

COMMISSIONER BEHNKEN’S REPORT: Commissioner Behnken had nothing to report but stated that the park is looking really nice.

COMMISSIONER McCALLISTER’S REPORT:

I. BUDGET REPORT – Commissioner McCallister had nothing to report.

POLICE REPORT: Chief Self announced that one of the part-time officers will be released and he will start looking for a replacement.

TOWN MANAGER UPDATE:

- The concrete in the park should be done this week.
- The ad for “free rip rap” will be done this week.
- The town is looking for landscaping ideas for the park.
- The sign for Cherokee Park has been ordered.
- The Pedestrian Crossing and “Pedestrian walkway” are done and look great.
- The town is looking for a rowboat or sailboat which will go in the park as a planter.
- The Fitness Equipment bid slab should be received tomorrow.
- A vinyl fence (similar to John Dowd’s) will be going in along the Pedestrian walkway.
- The Maintenance Department is working on a watering plan.
- APAC has moved out of Shalimar (unincorporated).
- A review of the proposed “Shalimar Hotel” will be on January 28 at the Planning and Zoning Meeting.

ANNOUNCEMENTS:

JANUARY 28, 2004 -- PLANNING AND ZONING MEETING, 6:00 P.M.

FEBRUARY 10, 2004 -- NEXT TOWN COMMISSION MEETING, 6:00 P.M.

ADJOURNMENT: Commissioner Larson moved to adjourn the meeting at 7:49 p.m. The motion was seconded by Commissioner McCallister and it passed unanimously.

_________________________________  __________________________________
Gary Combs, Mayor                    Tina Smith, Deputy Town Clerk
The meeting was called to order by the Board Chairman Jimmy Jones at 6:04 p.m. and he led the "Pledge of Allegiance to the Flag". Chairman Jones asked for a moment of silence in memory of board co-chair Roy Pimental who passed away on December 19, 2003.

**ROLL CALL FOR THE RECORD:**
- Chairman Jimmy Jones - present
- Member Glenn Wagner - present
- Member Gene Tucker - present
- Sandra Dove-McLain - absent

Others present: Shalimar Commissioners Ursel Behnken and Rik Larson, Town Manager Tom Burns, Donnie Barber (Barber Construction), Mark Siner (Choctaw Engineering), and residents Barry and Liz Barnes and Johann Behnken (volunteer for P&Z membership)

**OLD BUSINESS:**
I. APPROVE MINUTES FROM OCTOBER 29, 2003 – *Glenn Wagner moved to approve the minutes as written. The motion was seconded by Gene Tucker and passed unanimously.*

**NEW BUSINESS:**
I. VARIANCE REQUEST – Mr. Gregory Creel (owner, lot 3, Porpoise Point)

Chairman Jones briefed the request and it was reviewed and discussed. The board members were in agreement that insufficient information was presented on the requested ancillary outbuilding/gazebo to make any decision on allowing such a structure within the water setback. Chairman Jones told Donnie Barber, representing Mr. Creel, that this issue would have to be considered as a separate variance request at a later date. *Gene Tucker moved to recommend approval of a water setback of 22.5 feet for the NW corner of the building (same as SW corner) and allow pervious entry steps on the west side of the structure to be located no closer than 8 feet from the current seawall, require all driveway and walkways to be constructed of pervious pavers, and that all other previously approved variances and stipulations approved for Myron Tassin remain in effect for the new owner, Mr. Creel. The motion was seconded by Glenn Wagner and it passed unanimously.* Chairman Jones reiterated that all approved variances and stipulations would be included in a letter to be signed by Mr. Creel. (Note; referenced
October 29, 2003 motion for variance approval on this lot was as follows - **Chairman Jones made a motion to grant the three requested setback variances as depicted in the presented site plan with the following stipulations:**

1. **That roof runoff from the proposed structure (approx. 1000 sq. ft. of surface area) be collected and directed to underground dispersion or directed into the current Snug Harbor retention area maintained by Mr. Tassin.**

2. **That a document expressing agreement to the requested 2 ft. side lot setback be signed by Mr. Tassin. Motion was confirmed by Manager Burns (acting as board secretary for taking minutes only), seconded by Member Tucker, and passed unanimously.**

(Note: Barry and Liz Barnes arrived after the discussion and motion on this request. Manager Burns briefed Liz Barnes on the actions taken and she indicated her approval to him.)

II. INITIAL REVIEW OF HAMPTON INN SITE PLAN – (Board acting as Technical Review Committee)

Chairman Jones briefed the board on an email from a Shalimar resident outlining several hotel concerns which he said would be addressed in the discussion. Board members reviewed the site plan and asked questions of Mr. Siner of Choctaw Engineering. Commissioner Behnken noted a reference in the Shalimar Code that requires hotels to be considered as a Planned Unit Development (PUD). Manager Burns said that this requirement was not mentioned during initial administrative guidance to Choctaw Engineering and that this would be reviewed and discussed with Mr. Siner before the next P&Z meeting. Board members were in general agreement that the site plan met all code requirements and noted that 67 parking slots were a code minimum.

**ITEMS NOTED FOR ACTION BY CHOCTAW ENGINEERING PRIOR TO THE NEXT REVIEW INCLUDED:** Inclusion of a sidewalk on the north side of the site along Richbourg Avenue, confirmation of a sufficient visibility triangle at the corner of Richbourg Avenue and Eglin Parkway, Florida DOT traffic concurrency approval including the road cut on Eglin Parkway, movement of the parking lot drain on the east side to accommodate an existing offsite tree, and review of any additional requirements dictated by the development being considered a PUD. Chairman Jones thanked Commissioner Behnken for her inputs to the board.

III. MINI STORAGE DRAINAGE AND LANDSCAPE PLAN REVIEW –

Plans were reviewed by the Board and discussed. Concern was expressed about the appearance that a mere 6 ft., chain link fence and gate would present to the front/entrance along Erwin Fleet Avenue. Chairman Jones remembered Mr. Gates' comments during the Special Exception Use approval meeting, where he (Mr. Gates) assured the board that he would build a facility that was "first class". **Gene Tucker recommended approval of the plan for permitting, with the recommendations**
that the developer enhance the proposed landscaping on the NE corner of the site, that the developer seriously consider enhancing the appearance/materials of the front fence and gate to more align the facility with the present fencing standards of the residential area bordering Erwin Fleet Avenue, and that any security lighting be approved by Manager Burns before permitting. The motion was seconded by Glenn Wagner and passed unanimously.

Prior to adjournment, Chairman Jones told the board that he would be out of town during the next regular Board meeting scheduled for January 28, and he appointed Gene Tucker as Co-Chairman of the Planning and Zoning Board.

**ADJOURNMENT:** Gene Tucker moved to adjourn at 7:40 p.m. The motion was seconded by Glenn Wagner and it passed unanimously.

________________________________________  ______________________________________
Jimmy Jones, P&Z Chairman                   Thomas A. Burns, Town Manager