

MINUTES
CITY COMMISSION MEETING
October 10, 2022

The City Commission met this date in regular session in the Commission Chambers, due to audio and video issues meeting began approximately 6:15PM. Comm. Hamilton gave the Invocation. Mayor Smith recited the Pledge of Allegiance. The following in attendance.

Mayor	:	Hubert B. Smith
Commissioners	:	Catherine Hamilton
	:	Edward Crosby
	:	Clark (Tom) Browning, IV
	:	Christine Wasdin (by phone)
Deputy City Clerk	:	Beth Millsaps
City Attorney	:	Hayward Dykes
Police Chief	:	Joe Hart
Fire Chief	:	Tommy Mayville
Library Director	:	Hope Willis
Public Works Director	:	Nathan Kelley (camera)

Others in attendance: (Not inclusive) Bob Bachelor, Joe Cobb, Barb Palmgren, Chris Schuster, Marie Hallion, Kenneth P. Walsh, Christy and Chris Shields, JD and Annie Cameron, Les Chambers, Robert and Barbara Cowan, Susan Ennis, Joseph Hutcheson, Candy Hansard, Irwin, Jack Gill and Tom Jackley

Mayor Smith welcomed everyone to the meeting this evening. Comm. Wasdin is out of town but has called into join the meeting. **COMM. HAMILTON MADE A MOTION TO ALLOW COMM. WASDIN TO PARTICIPATE BY PHONE. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0 TO ALLOW COMM. WASDIN TO PARTICIPATE BY PHONE AND VOTE ON ISSUES.**

APPROVAL OF MINUTES

COMM. HAMILTON MADE A MOTION TO APPROVE THE MINUTES FROM SEPTEMBER 8, 2022, AS SUBMITTED. COMM. BROWNING SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF 5 TO 0.

Mr. Bachelor, chair of the Planning Commission had a correction to the September 12, 2022, minutes. He asked that page 6, line 34 be corrected period after center, instead of he, have Mr. Palmer's name. Corrected line to read "Mr. Palmer does not feel that this will be a problem anytime in the near future". COMM. BROWNING MADE A MOTION TO APPROVE THE CORRECTION. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0. COMM. HAMILTON MADE A MOTION TO APPROVE SEPTEMBER 12, 2022, MINUTES WITH CORRECTION. COMM. BROWNING SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION, BY VOTE OF 5 TO 0.

1 **COMM. HAMILTON MADE A MOTION TO APPROVE THE MINUTES FROM**
2 **SEPTEMBER 19, 2022, AS SUBMITTED. COMM. BROWNING SECONDED THE MOTION,**
3 **WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO.**

4 **1. CITIZENS' CONCERNS (non-agenda items) Resident**

5 Mrs. Candi Hansard, 3 Quail Trail, said she would like to compliment public works, sanitation,
6 all the workers for their hard work and also our police department for the amazing job that they do for
7 our city. She said she would like to speak tonight to the Commission regarding the bear situation, in
8 her neighborhood. Mrs. Hansard said she lives behind Lewis School and has been told the bears were
9 here before her. However, she has lived in this area for over 30 years and up until recently there hadn't
10 been any bears. Mrs. Hansard said there is a large black male bear, a smaller momma bear and some
11 cubs. She said the large male bear had charged her husband and other residents. Mrs. Hansard said
12 because they live close to the school, she called the FWC (Florida Wildlife Commission) but had little
13 success. Mrs. Hansard said the bears are a threat to residents' safety. She had pictures of the large
14 male bear looking in the glass door to her home, and the female bear. Comm. Hamilton said her son
15 had also been chased by the male bear. Mayor Smith said he had talked to Eglin and the FWC also
16 because it is federal offense to mess with the bears. Comm. Hamilton said there is a bear specialist on
17 base, sometimes if they can catch they will tranquilize and relocate. Comm. Hamilton said when the
18 situation occurred with her son, they called the police, who came out and used the horn and the bear
19 left. Comm. Hamilton said the bear has been aggressive with a lot of people. Chief Hart said the
20 community is right black bears have blossomed, Eglin brought black bears to the reservation, he said
21 they do the best they can with what they have, within the restrictions by the FWC. Chief Hart asked if
22 Mrs. Hansard remembered who she spoke to at the FWC? Mrs. Hansard had talked to David Jacobs
23 with the FWC. She said Mr. Jacobs said try and get aggressive bears out, once a bear hurts someone
24 the bear would have to be put down. Mrs. Hansard said the FWC website have bears with behavior
25 labels. She said she didn't know if this was a reasonable request or demand, but the city should print
26 flyers to put in with the bills to notify other residents of bears in the community. Mrs. Hansard said an
27 aggressive bear can be as dangerous as an aggressive dog, which the city has regulations on the books.
28 She said she didn't know for sure that people were intentionally feeding bears but thinks it is a
29 possibility. Mayor Smith said we definitely do not want anyone hurt; we will do what we can through
30 the police department. Mrs. Hansard said she feels the school needs to be made aware of the bears
31 presence, to protect the kids who attend Lewis School. Mayor Smith said we would also contact the
32 FWC. Chief Hart said get fliers, talk to David, and see what we can do. Mrs. Hansard said FWC made

1 the area a bear sanctuary should be responsible to help keep everyone safe. Mayor Smith said we
2 would look into all of it.

3 Ms. Barb Palmgren, chair of the Heritage Museum, along with Mr. Ken Walsh and Ms. Marie
4 Hallion, said they came this evening to let the community know about “A Night at the Museum” which
5 will be November 5th, Saturday evening 6:30 PM to 8:30 PM. She said they need help spreading the
6 word. Ms. Palmgren said this would be a fundraising event, they receive funding from the state
7 usually but that wasn’t going to be the case this year so fundraising was even more important, to keep
8 history alive. Comm. Hamilton asked if this was on their website, Mr. Walsh said yes. Comm.
9 Hamilton said she would ask Mr. Butler, the general manager of VBCS, to also put it up on city’s cable
10 channel.

11 Mrs. Kelly Irwin, 184 Chicago, said she came to Planning Commission last week and there were
12 two members who were there also, and come to find out the meeting was cancelled, it would be nice to
13 have cancelled on the website. Mrs. Irwin also said the agenda was not on the website by Wednesday,
14 there is a code regarding when they need to be advertised and the attachments that have to be included
15 in order to have a meeting. She said because of that the Commission cannot vote on any agenda items
16 tonight. Mrs. Irwin said she emailed the standards to Mrs. Johnson. Mayor Smith said he would speak
17 to Mrs. Johnson when she returns. Mrs. Irwin said the agenda was finally posted but it was Thursday
18 and there were no attachments.

19 Mr. Joe Cobb, 4 Quail Trail, lives next to Candy and Stone Hansard and he hasn’t had as much
20 of a problem with the bears that they have, he has had to clean up the garbage from his yard many,
21 many times. He said he moved the garbage can into the garage, but it was very inconvenient. Comm.
22 Hamilton said there are locks that can go onto the garbage cans. Mr. Cobb as big as that bear is he
23 would take one slap and a lock would fly right off. Mr. Cobb said since FWC has basically said this is
24 bear county and get use to it, he believes FWC should provide the pamphlets.

25 Mrs. Annie Cameron, 267 S Bayshore, asked if the Commission knew anything about the boat
26 that has sunk in Tom’s Bayou, many of her customers had asked about it and what would be done
27 about it? Chief Hart said the vessel is not a derelict vessel, someone had been living on the boat. The
28 owner is working to have to boat removed.

29 **2. CITIZENS’ CONCERNS (Non-Agenda Items) Non-Resident**

30 No non-resident concerns tonight.

31 **1. ACTION ITEMS – Added Agenda Items**

32 Mr. Dykes instructed the Commission since claims had been made about the agenda being not
33 valid due to the late posting of the agenda, he thinks it is the best idea to vote on the agenda for

1 approval. **COMM. BROWNING MADE A MOTION TO ACCEPT THE AGENDA AS IT IS**
2 **SET FOR THE OCTOBER 12, 2022, MEETING. COMM. HAMILTON SECONDED THE**
3 **MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

4 **2. ACTION ITEMS – Accept or Refuse Bid for Surplus Property at 363 Washington Ave**

5 Mayor Smith said the city had not received any bids. He said he and Mr. Scott discussed hiring
6 a realtor to move the property and take the realtor fee out of the profits. Mr. Dykes said we would
7 need to post out an RFP or RFQ to see if there would be some companies interested, Commission
8 would then vote on which one to choose. Mr. Dykes said Mr. Scott could write either the RFP or RFQ,
9 once completed he could bring back to the Commission for approval.

10 **3. ACTION ITEMS – Little League Park Lease Agreement with Okaloosa School Board**

11 Mayor Smith said Comm. Hamilton looked over the lease agreement between the School Board
12 of Okaloosa County and the city. Mayor Smith said the school board would like to take over what has
13 been the Little League Park. He said the city has been paying for the water and electric there and we
14 would transfer those services to the school board. Mayor Smith said the kids that have been practicing
15 up there, the parents have taken care of the property and our public works has mowed the grass. He has
16 spoken with Bill Smith, Director of Facilities for the school district, they want the property back so
17 that the STEMM school could use it, then we would turn the bills over to them. The lease agreement
18 expired on November 1, 2012. **MAYOR SMITH MADE A MOTION TO NOT RENEW THE**
19 **LEASE ON THE PROPERTY.** Mr. Dykes said there is language within the lease that if the city
20 doesn't wish to renew, the lease would've run its course. Mayor Smith said that is what we would do
21 then, just need to send a letter to the board letting them know there will be no lease renewal and letting
22 them know they would be responsible for the electric and water. Comm. Browning said this is like
23 completely taking baseball out of Valparaiso and he doesn't agree with that. **MAYOR SMITH**
24 **MADE A MOTION TO NOT RENEW THE LEASE OF THE LITTLE LEAGUE PARK**
25 **PROPERTY AND HAVE IT RETURN BACK TO THE OKALOOSA SCHOOL BOARD.**
26 **COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY VOTE OF 4 TO 1,**
27 **WITH COMM. BROWNING VOTING IN THE NEGATIVE.** Mayor Smith said he would reach
28 out to them and let them know we do not want to renew the lease.

29 **4. ACTION ITEMS – Approve 2023 Library Interlocal Agreement**

30 Mrs. Willis, Library Director, has brought before the Commission a request to approve the
31 2023 with Library Interlocal Agreement. Mrs. Willis said it is basically the same agreement as in
32 previous years with one difference as stated in the agreement, the IT department of the coop will
33 maintain two networks for library operations, one for library staff use and one for public access at

libraries that elect to use the county fiber optic network. Mrs. Willis said the library has been part of the coop for 25 years, which they will be celebrating on Friday. **COMM. HAMILTON MADE A MOTION TO APPROVE THE 2023 LIBRARY INTERLOCAL AGREEMENT. COMM. CROSBY SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

5. ACTION ITEMS – Proclamation Pedestrian Safety Month

Mayor Smith read proclamation for pedestrian safety month in the month of October. Mayor Smith read October will be pedestrian safety month and in the City of Valparaiso and encourage all pedestrians and motorist to be more aware of their surroundings and cognizant about the dangers pedestrians face so that injuries and fatalities can be reduced on our roadways. **COMM.**

HAMILTON MADE A MOTION TO APPROVE PROCLAIM FOR PEDESTRIAN SAFETY MONTH THE MONTH OF OCTOBER. COMM. CROSBY SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

1. OLD BUSINESS – Update Property Swap w/Ruckel Properties, Glendale-Valastics

Mr. Dykes said he had spoken with Mr. Scott on this situation, and everything has been resolved and taken care of. He said he believes this maybe removed from the monthly agenda.

2. OLD BUSINESS – New City Hall Renovation Update

Comm. Hamilton said we are still waiting on the architectural drawings to get be able to go out for bid. Mayor Smith said is this about turning the teller line around, because he knows we don't plan to use the second floor yet, can we move forward with city hall portion? Comm. Hamilton said this is for the whole build out. Mayor Smith said he gets call about the city hall not moving and we have been paying for almost a year. Comm. Hamilton said she didn't know she could look into it. Comm. Hamilton suggested her and Mayor Smith get together and discuss. Mr. Dykes said if you are just talking about the plans you can do this but if it is something you will be voting on by the Commission you will need to discuss during a public meeting. Mr. Dykes said we could have a workshop discuss and have meeting after to complete with a vote, Comm. Wasdin said why a vote? She said we have already approved the building. Mr. Dykes said if all we are talking about is moving into the building then no we wouldn't have to have a vote or meeting because that has already been done. Mayor Smith asked how fast can we move? Comm. Hamilton said we need the drawings to go out for bid, architectural drawings with specs. Mayor Smith said maybe Mr. Scott can talk to them and speed things up.

3. OLD BUSINESS – Update Property in Plat III next to Water Tower

Mr. Dykes said when he spoke with Mr. Scott earlier, this property is still waiting on an appraisal.

4. OLD BUSINESS – Ordinance No. 716 Perils of Flood Final Reading

Mayor Smith read Ordinance No. 716, an ordinance of the City Commission amending the adopted comprehensive plan; providing for purpose and intent; providing for severability; providing for a copy on file; and providing for an effective date. **COMM. HAMILTON MADE A MOTION TO APPROVE ORDINANCE NO. 716 FOR THE FINAL READING COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

5. OLD BUSINESS - Ordinance No. 717 Future Land Use Map Final Reading

Mayor Smith read Ordinance no. 717, an ordinance of the City Commission adopting the 2022 future land use map, amending the adopted comprehensive plan; providing for purpose and intent; providing for severability; providing for a copy on file; and providing for an effective date. **COMM. BROWNING MADE A MOTION TO APPROVE ORDINANCE NO 717 FOR THE FINAL READING. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

1. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT

Comm. Wasdin said there is a meeting Thursday, anyone who would like to attend let her know and she will provide the link.

2. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater

Mr. Joseph Hutcheson, 315 Glen Avenue, said he had called before about the water run off from the lot at Jeffrey Dental. He said the city will put in sand and barriers and then next down pour will wash it all toward his driveway. Mayor Smith asked Mr. Kelley, Public Works Director, to step out and speak with Mr. Hutcheson. Mr. Kelley said he is aware there is sediment in the road every time it rains. Mr. Kelley said it is a code enforcement issue and he has tried to make contact with the code enforcer over 20 times, by phone and email and has not received a response. Mayor Smith said he will contract the code enforcer and see what we can do.

3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Center/Senior Center Update

Mr. Jack Gill, 263 Glenview Avenue, advisor to the community center board, is here tonight as the Palmers couldn't make it due to illness. He said the fall festival was a resounding success. Mr. Gill said the vendors did well, and there are a lot of folks to thank, so many he isn't going to name by name because he doesn't want to miss anyone and have someone get their feelings hurt. Mr. Gill said

1 he would like to thank Mr. Kelley and also Chief Mayville for all they did. Chief Mayville brought the
2 fire truck down for pictures, it was a huge hit, the kids really enjoyed it. Mr. Gill said they came out in
3 the black made a couple of hundred over the \$600 they spent. He said the community really came out
4 to support. He said they were disappointed no one from the Commission was able to attend, Mayor
5 Smith said he was out of town. Mr. Gill said they are working on a Christmas event, possibly for
6 seniors. Mr. Gill said he did anticipate reading for the approval for the community center and was
7 disappointed that wasn't on the agenda for the meeting. Mr. Dykes said that Mr. Scott and Mrs.
8 Johnson were working out details to turn over to him for review. Mayor Smith said next month it will
9 happen for sure.

10 **4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Liaison Report**

11 Comm. Wasdin said Wednesday morning there will be a breakfast, everyone is invited to
12 attend, it will be held in the Niceville Community Center.

13 **5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Regional Sewer Update**

14 Comm. Crosby said everything is going ok.

15 **6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Update**

16 Mr. Bachelor said the Planning Commission did not meet for October but there will be a
17 November meeting and one of the topics will be the Bradley property down the road.

18 **7. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Department Updates**

19 Mayor Smith said he was taking care of his daughter today and took her to story time at the
20 library and he just wanted to let Mrs. Willis know that Beth does a great job.

21 **8. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Okaloosa League of Cities**

22 **Dinner Meeting October 20, 2022**

23 Mayor Smith said the Okaloosa League of Cities dinner meeting will be October 20th. He said
24 the city will be hosting at the bank building.

25 **9. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS - Disbursements**

26 **COMM. BROWNING MADE A MOTION TO APPROVE THE BILLS AS OUTLINED**
27 **IN THE FINANCIALS. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED**
28 **BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

29 **10. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Etc.**

30 Mayor Smith said he would like to recognize the fire department and that set up with the
31 pumpkins and the old fire truck, he saw many people stopping by and taking pictures with it. Chief
32 Mayville said it was a pretty happening spot. Chief Mayville said he would like to recognize Mike

1 with ABC Auto in Niceville, he donated his time for free to repair the old fire truck and there aren't
2 many people around that can work on a 6 volt system and he did it for free.

3 **ADJOURN**

4 There being no further business to be brought before the Commission, the meeting adjourned at
5 7:15 PM.

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8 _____
9 Hubert B. Smith
10 Mayor

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14 Catherine Hamilton
15 Chair, VCA

16 ATTEST:

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19 _____
20 Tammy Johnson, CMC
21 City Clerk

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23 ***A recording of the October 10, 2022, Commission meeting will be kept on the City's secure
24 file server as a permanent part of these minutes.***

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