

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
FEBRUARY 8, 2011

The Niceville City Council met in regular session at 7:00 PM, February 8, 2011 in the Council Chambers, 208 N Partin Drive. All Council members, except for Councilman Swihart, and the Mayor were present. Also present were City Manager Lannie Corbin; City Clerk, Dan Doucet; City Planner, Wanda Cruttenden; Police Department, Capt Popwell; Public Works Director Bruce Price; Fire Department, Chief Mayville; Library Director, Sheila Bishop; a member of the press, and 36 visitors in the audience. Councilman Henkel offered the prayer and Councilman Thomas led the pledge of allegiance. Mayor Wise called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

Regular Council Meeting, January 11, 2011  
Planning Commission Meeting B February 1, 2011  
Local Planning Agency Meeting - No Meeting Held

Councilwoman Boudreaux moved approval. Councilman Smith seconded. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Smith-yes.

PUBLIC HEARING

Presentation - Economic Development Council - Ms Kay Rasmussen

Ms Rasmussen provided an overview of the EDC mission with the main objective is to retain and create quality jobs for all of Okaloosa County. A job equates to a person and each individual provides a ripple effect for the communities they live, work and play in. Ms Rasmussen provided statistical data regarding EDC Projects covering FY 2010 and FY 2011. Discussion followed.

Final Review

Valparaiso Realty request final review of Magnolia Woods. A 29 lot subdivision located adjacent to Palm Boulevard South. Councilman Thomas moved approval. Councilman Smith seconded. Mr Allen Tucker, Gustin, Cothorn and Tucker explained the scope of the planned development. Mr Mark Horrell, 824 Magnolia Shores Drive expressed concern over covenants that have been in place for a number of years that lays out the square footage of homes and includes restrictions regarding materials to be used such as siding, etc. A consensus was reached in that this is between the property owner and the

developer. Discussion followed. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Smith-yes.

#### Plat Approval

Valparaiso Realty request final approval of the plat for the Wal-Mart Shopping Center. Metes and bounds description. Property located at 1300 John Sims Parkway E.

Councilman Thomas moved approval. Councilman Smith seconded. Discussion followed. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Smith-yes.

Ordinance 11-04-01 - An ordinance relating to elections; adopting the niceville municipal election code; providing a short title; providing definitions; designating the city clerk as chief elections official; providing qualifications to vote; adopting the permanent single registration system; providing for the use of voter registration records; providing for a single polling place; providing for the qualifications of candidates; providing for non-partisan elections; providing for special elections; providing for issue elections; providing for the administration of elections; establishing dates of elections; specifying form of the ballot; providing a method of voting; establishing procedures at the polling place; providing for election officials at the polls; providing for absentee voting; providing for counting the votes; providing for canvassing the returns; providing for the protest and contest of elections; prohibiting certain practices; providing penalties; providing for the reporting and regulation of campaign finances; providing an effective date. (First Reading)

Mr Doucet read Ordinance 11-04-01 by title. Councilman Thomas moved approval on first reading. Councilman Smith seconded. No one spoke for or against. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Smith-yes.

Ordinance 11-04-02 - An ordinance adopting amendments to the Niceville Land Development Code, Ordinance No. 91-1, as amended; to incorporate Comprehensive Plan Evaluation and Appraisal Report findings; to repeal conflicting ordinances or provisions thereof; and providing for an effective date. (First Reading)

Mr Doucet read ordinance 11-04-02 by title. Councilman Thomas moved approval on first reading. Councilman Smith seconded. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Smith-yes.

Ordinance 11-04-03 - An ordinance adopting the proposed amendments to the Niceville Comprehensive Plan, Ordinance No. 90-10 as amended; providing for revision to the future land use element, and the coastal management and conservation element:

renumbering and amending dates for the future land use map series, and including land development code minimum wetlands buffer language; to repeal conflicting ordinances or provisions thereof; and providing for an effective date. (First Reading)

Mr Doucet read ordinance 11-04-03 by title. Councilman Smith moved approval on first reading. Councilman Thomas seconded. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Smith-yes.

Resolution 11-02-01 - A resolution of the City of Niceville designating the Turkey Creek Corridor which is owned or controlled by the City of Niceville as an Ecological Corridor for the protection and enhancement of natural communities and listed species.

Mr Doucet read resolution 11-02-01 by title. Councilman Thomas moved approval. Councilman Smith seconded. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Smith-yes.

#### CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS

##### Water/Sewer/Drainage Projects - Update:

Mr Price briefed the status of current projects.

**City Hall Pump Station Project:** The contractor has completed the installation of the force main from the pump station site at Palm Boulevard to college Boulevard along with the re-use main. The restoration work where the lines crossed the softball fields is also underway. The next phase of this project will be the directional bore under College Boulevard to tie in the reuse line which will provide effluent to the softball complex and city hall. We will also continue the installation of the force main down College Boulevard to the limits of the county=s jurisdiction. Boulevard right of way that lies outside the property limit of NWFSC. We have had communication with Eglin regarding this situation and have initiated the process of obtaining an easement to install the force main on the segment of College Blvd that Eglin now claims. We do not know at this time how long that easement acquisition will take but we are working with the contractor to re-arrange the sequence of construction so this project can continue. There is a considerable amount of work that is require for this job at the south end of the project, this included the installation of a line from the service area east of Palm Boulevard and the construction of the pump station. When this project was designed we were not aware that Eglin now claims the college.

**13<sup>th</sup> Street Drainage Improvements:** We have completed the scope of work for this project and are proceeding with the permit closure. All of the drainage pipe has been installed along with the construction of the treatment pond and perimeter fencing. Once the survey crews have completed their work and the as-built drawings are prepared a final inspection by the NFWMD will be scheduled and the NPDES Permit will be closed.

**Equipment Wash Down Facility:** Work is continuing to complete the new wash down facility at the Cedar Avenue Yard. We are preparing to install the ramp and complete the interior electrical work.

**Lions Park wall:** City crews have completed the installation of the up-lands wall at Lions Park. This installation of @ 120 feet of wall completes the final phase of this erosion control project.

**SR 20 Landscaping:** City crews will be installing the remaining plantings on the hillside next week after which the installation of sod and mulch will follow.

**31<sup>st</sup> Street Pipe Replacement Project:** The rain has caused delays in the pipe replacement project at the intersection of 31<sup>st</sup> and Cedar Avenue. This site is located in a very sensitive area and subject to very high storm water flows. We plan to start this project when the weather decides to participate.

**VRC 31 Project :** The directional bore and the water main installation on SR 85 were completed last week and they are performing the pressure testing of the water system for this project.

**Wal Mart:** The contractor has made timing adjustments to the signals along SR 20 in an effort to improve the traffic flow. The traffic signals on SR 20 west of the Wal Mart area operated in coordination. The Redwood Avenue and Rocky Bayou Road signals were not set up in coordination. The contractor has attempted to adjust the new signal and the redwood signal into coordination with the other signals. All of the signals from Partin Drive to Redwood are now in coordination. The timing provides peak flow for west bound in the am and peak flow for east bound in the pm during the week. Outside the peak flow times the signals operate in the free mode. There may be additional adjustments or tweaking may be necessary.

**Pine Avenue Connector Road:** The preconstruction meeting was held for this project Monday and this project is very near commencement. Mr Corbin stated that we

budgeted \$50,000 for the service road located between Pine and Wise Avenues. He stated the actual cost is closer to \$70,000. He advised if the City wants to extend the service road all the way from Wise Avenue to Pine Avenue which is more than twice the length the contractor will do it for a cost not to exceed \$127,000. Mr Corbin stated reserve funds are available in the Street Fund to cover the added expense. Discussion followed. Councilman Smith moved to allocate the necessary reserve funds to lengthen the service road beginning at Wise Avenue all the way to Pine Avenue. Councilman Henkel seconded. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Smith-yes.

**Bayshore Drive Pipe Replacement:** Baskerville Donovan and our Purchasing Director are preparing the bid schedule for this project.

**Valparaiso Blvd Drainage Project:** We are still awaiting final permit approval for the Valparaiso Boulevard Drainage Improvements Project.

**Evasive Plant Removal:** We have been working with the Choctawhatchee Basin Alliance, Okaloosa Extension Service, Jackson Guard and volunteers to organize an invasive/ exotic plant removal project. We are planning a project for the stream system that outfalls at lions Park for March 3<sup>rd</sup>. The scope of work would include removing invasive plants such as water hyacinth, Chinese tallow, china berry and mimosa. There are also plans to open up the stream blockages on Cedar Avenue.

**Materials & Equipment Storage Site:** Plans are underway to begin the site work at the old Paint Ball area which will become the materials and equipment storage site.

Regional Sewer System - Update:

No Report.

### **LIBRARY - UPDATE**

Ms Bishop advised the Children=s Park is now open again and the kids are enjoying the new surface that was recently installed. She praised the efforts of the Friends of the Library who ran a successful Pamper Me Program on Saturday.

### **FIRE DEPARTMENT - UPDATE**

Chief Mayville briefed the status of current projects in the department. He advised that during the month of January the Fire Department responded to a total of 109 calls.

There were 80 calls within the City limits. He advised department personnel participated in the grand opening for new Wal-Mart Store and received a \$1,000 Grant. The grant money is being used for navigation, physical fitness and training. Chief Mayville advised they are reviewing the in-school crisis plans with other agencies. He stated their new Command Vehicle is now in service. He advised that Face Book updates targets safety awareness.

**POLICE DEPARTMENT - UPDATE:**

Capt Popwell briefed the status of current projects. He advised that during the month of January the Police Department responded to 1829 calls for police assistance. A total of 71 vehicles were involved in reported accidents. The estimated amount of damage to these vehicles and related property was \$ 104,750. A total of 151 Traffic Citations were issued, 32 were Misdemeanor, 20 Felony and 3 DUI arrests were made. Discussion followed.

Other Business:

City Clerk

Aid to Organizations

Mr Doucet advised that the City budgeted \$15,000 in fiscal year 2011 to fund Aid to Organizations. He recommended the following funding as discussed with the City Manager:

\$ 5,000 Chamber of Commerce  
\$ 2,500 Economic Development Council  
\$ 2,000 Bridgeway Center  
\$ 500 Okaloosa - Walton Child Care Svcs  
\$ 500 Shelter House  
\$ 2,000 Children=s Advocacy Center  
\$ 2,000 Sharing & Caring  
\$ 500 Okaloosa County Comprehensive Head Start - Child Development, Inc.  
\$15,000 Total

Councilman Thomas moved approval. Councilman Smith seconded. Discussion followed. Council Vote: Smith=yes; Thomas=yes; Boudreaux=yes; Henkel=yes.

Councilwoman Boudreaux then recommended that we decrease the amount for the Children=s Advocacy Center by \$500 and donate that amount to the Okaloosa - Walton Child Care Services. Councilman Thomas agreed to amend his motion accordingly. Seconded by Councilman Smith. Council Vote: Smith=yes; Thomas=yes; Boudreaux=yes; Henkel- yes.

Mr Joe Pascarella, local TEA Party representative praised the council for allowing non-profit organizations to use the council chambers for their meetings. He stated this is not the common practice in other cities. He distributed a booklet to the council on Sharia Law for Non-Muslims for their information.

Bills Payable

Councilman Thomas moved approval. Councilman Smith seconded. Council Vote: Smith=yes; Thomas=yes; Boudreaux=yes; Henkel- yes.

The meeting adjourned at 8:40 PM.

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MAYOR

ATTEST:

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CITY CLERK