

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
JUN 14, 2011

The Niceville City Council met in regular session at 7:00 PM, June 14, 2011 in the Council Chambers, 208 N Partin Drive. All Council members, except for Councilman Henkel 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; a member of the press, and 54 visitors in the audience. Councilman Thomas offered the prayer and led the pledge of allegiance. Mayor Wise called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

Regular Council Meeting - May 10, 2011

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

Planning Commission Meeting - June 6, 2011

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

Local Planning Agency Meeting - No Meeting Held

PUBLIC HEARING

Final Review:

Mr Michael Floyd request his property known as Endicott Village II, be submitted for final review.

Legal: Endicott Village, Phase II

Councilman Smith moved approval. Councilman Thomas seconded. No one spoke for or against. Council Vote: Boudreaux-yes; Thomas-yes; Swihart-yes; Smith-yes.

Ordinance 11-05-03 - An Ordinance for the rezoning of certain properties in the City of Niceville, Florida; at the corner of Palmetto and Early from R-2, one

or multiple family to C-2, General Commercial; the south ½ of Lot 14, Nathey Estates, according to the plat thereof recorded in Plat Book 1, Page 45, Public Records of Okaloosa County, Florida. Tonya L'Orange. (Third Reading)

Mr Doucet read ordinance 11-05-03 by title. Councilwoman moved approval on third reading. Councilman Swihart seconded. Mr Heath Rominger, 3 Coolwater Lane provided an overview of past council meetings on the issue and reiterated the position of residents in the neighborhood in that they are against the rezoning for reasons stated during previous meetings. He explained that he doesn't understand how this issue has gone as this far and requested the council who vote yes tonight to provide an explanation as to why they voted to support the rezoning. Attorney Nick Peterson on behalf of Attorney Mike Chesser provided background information regarding the request for C-2 zoning. He felt to rezone the property would be a plus for the area and a plus for the City. Mr Brett Bernstein 14 Coolwater Lane stated he agreed with Mr Rominger if you vote yes to the rezoning please provide an explanation as to why you voted for it. Mr John Evans, 218 Cook Street expressed his concern for the rezoning; Mr Mike Clements 232 Palmetto stated the Planning Commission advised the planned business doesn't fit in our neighborhood and wants an explanation if you vote "yes"; Ms Debbie Creech, 215 Cook Street stated various reasons why she does not oppose the rezoning; Mr John Sullivan 2005 Earley Street supported the rezoning stating that he is a small businessman and gave examples of other businesses in the neighborhood and felt that Mr L' Orange's business will be welcomed to the neighborhood. Mr Casey Isenbarger 21 Cook Street stated he works for the Sheriff's Office and safety concerns are his business. He advised he doesn't see the reason for re-zoning the property. There is no room for it since it's a small community. People who have spoken before have valid reasons. The additional traffic created by the U-Haul business is no good. To add a new business would be a displeasure. He stated that safety is the biggest concern and he too would like an explanation if the vote is yes to the rezoning. Several other residents expressed their opposition to the rezoning. Ms L'Orange provided a briefing package to the council that included a petition containing 59 names in support of the rezoning. Discussion followed. Council Vote: Boudreaux-yes; Thomas-no; Swihart-yes; Smith-no. Motion failed.

Resolution 11-06-01 – A resolution of the City of Niceville, Florida, repealing the 2006 Local Mitigation Strategy; adopting the 2011 Local Mitigation

Strategy, attached hereto; clarifying sections of City Responsibility; and providing for an effective date.

Mr Doucet read Resolution 11-06-01 by title. Councilman Thomas moved approval. Councilman Smith seconded. The LMS updated plan was open for public input/discussion and then approved by the council. No one spoke for or against. Council Vote: Boudreaux-yes; Thomas-yes; Swihart-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 sewer line installation from the swift creek and Palm Blvd service areas are completed to the new pump station site. The wet well, pumps and some of the control components are installed. The remaining work includes the completion of the pump station, the directional bore under Mill Creek on College Boulevard along with the tie in of the remaining force main in that location. We have encountered problems with the boring under Mill Creek which has resulted in a work stoppage and Mr. Corbin along with Glenn Stevens will brief you on that situation.

Mr Corbin provided background information regarding the directional bore project under Mill Creek and the possible environmental issues associated with the project. Basically Construction Services Company's Subcontractor, Cinch Underground, made several attempts to complete the bore process without success. Construction Services advised the City that they want to use another subcontractor, Boan Construction, but they will charge \$47,000 more than the initial bid to complete the project. Construction Services Co advised to divide the expense between the City and contractor. Mr Corbin asked for council consideration to expend the funds and complete the project since there is a potential for sewer backup concerns if this is delayed for any period of time. Councilman Smith moved to accept the proposal made by the City Manager to expend the funds (\$23,500) for project completion. Councilwoman Boudreaux seconded. Council Vote: Smith-yes; Thomas-yes; Boudreaux-yes; Swihart-yes.

Mr Price stated the reuse main from College Boulevard down to the City Hall area is installed and operational and effluent is now irrigating the complex ball fields. This is a milestone in our efforts to reduce the amount of potable water being used to irrigate city sites.

Sewer Extensions:

City crews have completed the installation of new sewer service connections on Sycamore Avenue, 13th Street and Valparaiso Boulevard.

Scott Street Drainage Improvements Project:

We have completed the removal and replacement of the drainage system on Scott Street and Hudson Circle. This work included the removal and reinstallation of @ 600 feet of pipe, 515 feet of new sidewalk, replacement of 5 driveways and re-sodding of the right of way. We were also able completed a water main extension project that provided a loop in the water main serving this area.

Bayshore Pipe Replacement Project:

We have postponed the pipe replacement work for this project until after the 4th of July to avoid any problems with traffic.

Nutmeg and 23rd Street Pipe repair:

We are preparing to replace a damaged drainage pipe under Nutmeg Avenue near the intersection at 23rd Street.

MS-4 Permit Renewal:

We received notification from FDEP that our permit modifications have been approved. The major changes to our permit application were modifications some of the City's inspection procedures and staff training.

Wise Pine Connector Road:

The contractor has remobilized and is working on the service road where it ties into SR 20 but that connection cannot be completed until the new signal poles are installed and operational.

VRC 31 (Arrowhead) Developments:

We have signed off on the water and sewer for this project.

New Lions Park Bathrooms:

Construction is underway for the new bathrooms at Lions Park. The slab work is underway at this time.

Proposed Crosswalk @ Chick Fil-A:

We have been in contact with the developer regarding the request for a crosswalk on the new boulevard behind Chick Fil-A across from Wal Mart. The developer is checking with their traffic engineering consultant to evaluate and propose the best location for the pedestrian crossing.

Cornwell Right of Way Adjustments:

We are making adjustment to the right of way on Bayshore drive in front of the Cornwell property. We are removing the excess fill, exposing the paved shoulder of the roadway and stabilizing the city right of way.

4th July Preparations:

We are taking steps to prepare for the 4th of July festivities. These preparations include safety inspections and the shorelines in our park areas and clearing vegetation to improve the view.

Mast Arms @ Cedar & SR 20:

We have completed the restoration of the signal poles and mast arms at Cedar and SR 20. I have had informal conversations with Okaloosa County regarding the mast arms at Rocky Bayou Road and at SR 285 and College.

Material Cost:	\$1,000.00
Labor Cost:	\$6,000.00
Equipment Cost	\$4,100.00

Actual Cost: **\$11,100.00**

Rocky Bayou Christian School Zone:

I attended a DOT Preconstruction meeting last week in Milton regarding the installation of a school zone sign on SR 285 in front of the school. The plan is to have the school zone sign operational prior to the beginning of school.

Regional Sewer System - Update:

No Report.

FIRE DEPARTMENT - UPDATE

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

issued, 29 Misdemeanor, 24 Felony and 1 DUI arrests were made. Discussion total of 97 calls. There were 95 calls within the City limits and 2 mutual aid calls. Chief Mayville advised they received a large piece of metal from the World Trade Center ruins. He advised a glass enclosure box will be used to display this piece of history at the station. Chief Mayville advised they tested 147 fire hydrants.

POLICE DEPARTMENT - UPDATE:

Capt Popwell briefed the status of current projects. He advised that during the month of May the Police Department responded to 1518 calls for police assistance. A total of 70 vehicles were involved in reported accidents. The estimated amount of damage to these vehicles and related property was \$ 147,925. A total of 149 Traffic Citations were issued, 29 Misdemeanor, 24 Felony and 1 DUI Arrest was made.

Other Business:

Bills Payable

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

The meeting adjourned at 8:20 PM.

MAYOR

ATTEST:

CITY CLERK