

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
MARCH 13, 2012

The Niceville City Council met in regular session at 7:00 p.m., March 13, 2012 in the Council Chambers, 208 N. Partin Drive. All Council members and the Mayor were present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; Attorney, Dixie Powell; City Planner, Wanda Cruttenden; Police Department, Chief Popwell; Fire Department, Chief Mayville; a member of the press; and visitors in the audience. Councilman Henkel offered the prayer and Mayor Wise led the Pledge of Allegiance. Mayor Wise called the meeting to order at 7:00 p.m.

APPROVAL OF MINUTES:

Regular Council Meeting, February 14, 2012  
Planning Commission Meeting, No Meeting Held  
Local Planning Agency Meeting, No Meeting Held

Councilman Thomas moved approval. Councilman Henkel seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

PUBLIC HEARINGS:

PRESENTATION:

Flag Dedication – Mr Al Swihart

Mr Swihart announced that he was successful in acquiring a Betsy Ross Flag dating back to June 14, 1777. Mr Swihart donated the flag to the City and thanked City workers for framing and mounting it. Discussion followed.

Ordinance 12-03-01 – A ordinance renewing and extending an exclusive franchise to Waste Management, Inc., of Florida for the purpose of Residential Garbage Collection; and providing an effective date. (Third Reading)

Mr Doucet read Ordinance 12-03-01 by title. Councilman Thomas moved approval on third reading. Councilman Rominger seconded. Mr Doucet explained the application procedures regarding the Senior Discount Program are in place and ready for implementation. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

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Ordinance 12-03-02 – A ordinance renewing and extending an exclusive franchise to Waste Management, Inc., of Florida for the purpose of Commercial Garbage Collection; and providing an effective date. (Third Reading).

Mr Doucet read Ordinance 12-03-02 by title. Councilman Henkel moved approval on third reading. Councilman Schaetzle seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

Ordinance 12-04-01 – An ordinance for the rezoning of certain properties in the City of Niceville, Florida; providing zoning for same and an effective date. James Finlayson and Warren Cook. (First Reading)

Mr Doucet read Ordinance 12-04-01 by title. Councilman Smith moved approval on first reading. Councilman Thomas seconded. Mayor Wise asked if anyone had exparted the property. All council members stated they made a site visit. No one spoke for or against. Council Vote: Henkel-no; Schaetzle-no; Thomas-no; Rominger-no. Motion failed.

Ordinance 12-04-02- An ordinance by the City Council of the City of Niceville, Florida, amending the City of Niceville, Florida Code of Ordinances to repeal Ordinance No. 02-11-01, Code of Ordinances Chapter 7, Flood Prevention and control; to repeal Code of Ordinances Chapter 10 Article II, minimum housing standards; to adopt a new code of ordinances Chapter 7; to adopt flood hazard maps, to designate a floodplain administrator, to adopt procedures and criteria for development in flood hazard areas, and for other purposes; to adopt local administrative amendments and local technical amendments to the Florida Building Code pertaining to the design and construction of buildings and structures in flood hazard areas; providing for applicability; repealer; severability; and an effective date. (Second Reading)

Mr. Doucet read Ordinance 12-04-02 by title. Councilman Thomas moved approval on second reading. Councilman Schaetzle seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

Ordinance 12-05-01 – An ordinance adopting, promulgating and establishing rules and regulations pertaining to grease interceptors and separators designed to prevent discharges of oil, grease, sand and other substances into the City's Waste Water Collection System-Treatment Facilities; providing for installation thereof by commercial, industrial, institutional and all other non-residential businesses/establishments; providing for rules and guidelines for inspection, cleaning and maintenance thereof; providing for enforcement thereof and penalties for non-compliance; providing for incorporation of the

Uniform Regulations under Chapter 10 of the Florida Building Code-Plumbing; and providing for an effective date. (First Reading)

Mr Doucet read Ordinance 12-05-01 by title. Councilman Thomas moved approval on first reading. Councilman Rominger seconded. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

Resolution 12-03-01 – A resolution authorizing the City Manager to purchase services for the upgrade of the WWTF to BNR process at the NVOC Regional Facility.

Mr Doucet read Resolution 12-03-01 by title. Councilman Smith moved approval. Councilman Thomas seconded. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

Presentation: Mr Glenn Stephens, Polyengineering

Mr Stephens provided revised information regarding the proposed purchase of the county capacity at the NVOC as follows:

FACT 1:

The present wastewater flow from the City of Niceville exceeds their capacity ownership in the NVOC facility for some months.

Average Flow for Most Recent 12-Months (GPD) – 1.252 M  
Highest Flow for Most Recent 12-Months (GPD) - 1.668 M  
Niceville Capacity Ownership in NVOC (GPD) - 1.462 M

FACT 2:

The City of Niceville needs 1.450 MGD of additional WWTF capacity to serve their build-out flow needs.

Build-Out Lot Count	-12,133
Wastewater Flow (Gal/Day) per Lot	- 240
Total Build-Out WW Flow (GPD)	-2.912M
Current Capacity in WWTF (GPD)	- 1.462M
Additional Capacity Needed (GPD)	- 1.450M

FACT 3:

Okaloosa County has offered to sell their capacity in the NVOC WWTF and effluent disposal system to the City of Niceville for their share of the cost of the current NVOC process upgrade project.

Capacity in NVOC Owned by OCWS (GPD)	-1.218M
Engineer's Opinion of Probable Cost of Project	-\$6.659 M
OCWS'S Percent Ownership of NVOC WWTF	- 36.37%
OCWS's Estimated Share of Project Cost	-\$2.313 M
Cost per gallon/day of Capacity	-\$ 1.90

Even using a Wastewater Flow per user of 275 GPD, This capacity will meet the City's needs for 29 years @ 150 homes per year; 44 years @ 100 homes per year.

The capacity owned by the City of Niceville would be 2.680 MGD. This probably will be enough to accommodate the City's build-out flow if the wastewater flow per customer continues to drop as it has for the past 10 years.

FACT 4:

The cost per gallon paid to the NVOC Regional Sewer Board for operation, maintenance and renewal of the Regional WWTF will increase as a result of the current process upgrade project. This increase has been estimated at \$198,353/year for the City of Niceville and will occur whether or not the City obtains the capacity now owned by Okaloosa County. This amounts to approximately \$2.31 per month per current sewer customer which is a 3.7 percent increase. Sewer rates will have to be adjusted for FY 2013 to cover this additional cost even if the City of Niceville does not obtain the capacity now owned by Okaloosa County. The City of Valparaiso will incur a proportional increase.

FACT 5:

If the City obtains the capacity currently owned by Okaloosa County, the payments to the NVOC Regional Sewer Board will increase as a result of that. This is in addition to the increase described above. This increase will occur because certain costs of operation, maintenance and renewal are fixed and will be incurred by the Sewer Board regardless of flow and thus the cost per gallon of wastewater treated will increase when the flow from the county is removed. It is estimated that the additional cost to the City of Niceville as a result of the Okaloosa County removing their Flow will be \$177,968 per year, or \$2.06 per month per sewer customer. If the City of Niceville also pays the cost

of the increase which would have otherwise been charged to Valparaiso because of the County's flow being removed, this goes up to \$ 217,690 per year or \$2.53 per month per sewer customer. This increase could be deferred until FY 2014.

**FACT 6:**

If Niceville chooses to pay the County's share of the NVOC Process upgrade, it is recommended these funds be taken from the Sewer Extension Fund.

Mr Corbin made reference to the purchase of the sewer system from county several years ago that placed Niceville in a position to provide sewer service to residents all the way up to the Rocky Bayou bridge. He stated the proposed purchase of the county owned capacity will place the City again in a very positive position by taking care of growth for years to come. Discussion followed.

Councilman Smith moved approval to take the necessary steps to purchase the system from the County stating it is a visionary move to take care of our city and citizens. Councilman Rominger seconded. Discussion followed. Council Vote: Henkel-yes; Schaezle-yes; Thomas-yes; Rominger-yes. Motion passed.

**CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:**

**Water/Sewer/Drainage Projects – Update**

Mr Price briefed the status of current/ongoing projects.

**City Hall Pump Station Project:**

The pump station is fully operational and all diversions into the station have been completed. The final punch list is being compiled for the contractor to complete and then the final inspection will be conducted by the city and the city engineer to close out the project.

**Pump Station #1 Replacement:**

The contractor has completed the installation of the station and tied in the force main. Remaining work includes the setting and wiring of the controls, installation of power and gas.

**Water Well #11 Repairs:**

The contractor is preparing to reinstall the well pump. After installation the required sampling will be done and the well can be put back on line.

**Water Well #6 Well House Replacement:**

City crews are preparing to pour the footer for the foundation to start. Once the foundation is poured and the remaining ordered materials arrive in approximately 2 weeks the block work for the walls will commence.

**Softball Complex Bathroom Replacement:**

We are preparing to pour the outer walls tomorrow and the roof trusses are scheduled to be delivered the end of this week.

**New Sidewalk Installations:**

We will be preparing a bid package for installing new sidewalks that were identified in our budget for this year. Some of the areas listed for side walk installations include segments of Early and Evans Street near Turkey Creek, 27<sup>th</sup> Street near Plew Elementary, Kildare Circle entrance off Ruckel Drive and Bayshore Drive between Partin Drive and 27<sup>th</sup> Street. Davis Drive was also identified but that area may require modifications to the drainage system.

**Magnolia Woods Development:**

The site contractor has completed the majority of the clearing and grubbing of the right of ways.

**Wal-Mart Crosswalk:**

I have been in contact with GC& T regarding the pedestrian access from Wal-Mart to Chic Fil La. We are looking at installing a crosswalk at the roundabout connecting that to the existing sidewalk and paved trail.

**Stormwater Projects:**

**Dana Pointe Drainage Improvements:**

We have established the location and size of pipes and inlet structures to install but we are awaiting additional line spots to identify the underground utilities in the area where the inlets and out fall pipe will be installed. This is necessary to complete the final design.

**Stormwater Project Updates:**

Our engineers will be conducting drilling operations at the vault site on Bayshore for the geotechnical information this Friday and Monday.

We have submitted the permits to DEP for the Valparaiso Blvd and Baptist Church Projects. You may recall these projects were submitted for possible funding under the BP Recovery Program. According to our engineers the first round of funding should be released by December

2012 (100 mil) but it will be targeted to fund shoreline restoration and reef building. There is no established time line for the following round of funding. We originally wanted to position ourselves to proceed with these projects in the event BP funding did not materialize. Because of the uncertainty of when and if for the BP funding will be available the plan now is to move forward with the Valparaiso Blvd project and have the Baptist Church Project shovel ready for BP funds in the next funding cycle. The Baptist Church Vault Project is not listed in our Stormwater Facilities Plan. In the event this project is passed over in the next round of BP funding we still want to be in position to move forward with it. In order to do that, we will need a motion from the council to add the Baptist Church Vault Project to our Stormwater Facilities Plan. This will qualify the project for funding under our utility loan program if we so choose to go with that option. We are also looking at other projects listed in the Facilities Plan to submit for further BP Funding.

Councilman Smith moved to add the Baptist Church Vault Project to the Facilities Plan. Councilman Henkel seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

#### Regional Sewer System – Update

No Report.

#### FIRE DEPARTMENT UPDATE:

Chief Mayville advised that during the month of February the Fire Department responded to a total of 106 calls. There were 104 calls located within the city limits and 2 mutual aid calls. Chief Mayville stated they attended a luncheon at the First Baptist Church to hear about WinShape Camps C3 which is hosted and held in Niceville during the summer. He advised that if anyone is interested in this camp for their children, we have information at the Fire Department. Chief Mayville stated they attended a pre-planning meeting for the Active Shooter Exercise and the Alert 3 Task force. In addition they attended a regional meeting of NW Florida Domestic Security Task Force with attendees coming from Jacksonville to Pensacola. Chief Mayville stated on February 15 & 16 firefighters read a story and talked to the children at the library's preschool "Stop Drop and Read" story time and afterwards showed the children the fire engine. He stated they received favorable results during a recent Safety Inspection conducted by the City Safety Director. He stated their program will start soon regarding painting and flow testing fire hydrants. He advised classes will be conducted soon to train city employees on Fire Extinguishers, CPR and AED's.

#### POLICE DEPARTMENT – UPDATE:

Chief Popwell advised that during the month of February the Police Department responded to 2059 calls for police assistance. A total of 34 vehicles were involved in reported crashes. The estimated amount of damage to these vehicles and related property was \$60,700. A total of 295 Traffic Citations were issued, 18 Misdemeanor, 18 Felony and 1 DUI Arrests were made.

OTHER BUSINESS:

Waste Management Franchise – Mr Scott Kishton, District Manager, expressed his appreciation on behalf of Waste Management for the City’s confidence and approval of the Franchise extension. Discussion followed.

BILLS PAYABLE

Councilman Henkel moved approval. Councilman Rominger seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

The meeting adjourned at 8:05 P.M.

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MAYOR

ATTEST:

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CITY CLERK