

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
MAY 8, 2012

The Niceville City Council met in regular session at 7:00 p.m., May 8, 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 21 visitors in the audience. Councilman Thomas offered the prayer and Councilman Henkel led the Pledge of Allegiance. Mayor Wise called the meeting to order at 7:00 p.m.

APPROVAL OF MINUTES:

Regular Council Meeting, April 10, 2012  
Special Council Meeting, April 19, 2012  
Planning Commission Meeting, May 1, 2012  
Local Planning Agency Meeting, No Meeting Held

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

PUBLIC HEARINGS:

PRESENTATION:

Mr Bill McCartney, Niceville Community Redevelopment Agency (CRA)

Mr McCartney provided an update to the establishment of a Niceville Community Redevelopment Agency (CRA).

He advised that he has completed the Program Design and Enabling Resolution for the City of Niceville to create and establish a Community Redevelopment Agency in a specifically identified area of the City as authorized by the City Council on February 14, 2012. Based on the criteria in Chapter 163 Part III Florida Statutes, a 340 +/- acre area has been determined to meet the evaluation standards provided by the State of Florida. These standards are identified as blighting and/or deteriorating influences on development resulting from traffic patterns, declining tax base relative to the Community as a whole, vacant properties and buildings, obsolescence of existing structures, and a host of related conditions as detailed in the attached Report.

For your consideration, I am providing three documents for your consideration. These are a Community Redevelopment Agency Program Design, Phase II Report; a map of the Proposed Community Redevelopment Area; and a Resolution to be adopted by the City Council after certain notifications to taxing authorities have been made by the City.

For your review, I am providing a summary of actions required by the City of Niceville to comply with Florida State Statutes. As presented, the Report recommends the following actions by the City Council of the City of Niceville as authorized by Chapter 163, Part III, Florida Statutes. It also provides for a sequencing of activities compatible with both the requirements of Florida Law and the financial, administrative, and the community support needs of the City of Niceville.

He stated tonight I will only ask the Council to consider approving Recommendation 2.

Recommendation 1: City Council conduct an **Affirmative Vote** to begin the process to create a Community Redevelopment Agency on May 8, 2012.

Recommendation 2: City of Niceville, pursuant to Cpt. 163.346 F.S., provide **Notice to all Taxing Authorities** which levy ad valorem taxes on real property contained within the boundaries of the Redevelopment Area on or before May 22, 2012.

Councilman Smith moved approval authorizing the City Manger to notify the Taxing Authority and adding the proposed Resolution to the June Agenda for public hearing. Discussion followed. Councilman Thomas seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

Recommendation 3: City Council consider and adopt the attached Resolution at its June 12, 2012 City Council Meeting. The Resolution establishes the **Community Redevelopment Agency**, identifies the Community Redevelopment Area and justifies both the Program and areas pursuant to the State of Florida guidelines established in Cpt. 163 Florida Statutes.

Recommendation 4: Initiate activities necessary to develop and approve a **Redevelopment Area Plan** as soon as practicable, but before June 30, 2013.

Recommendation 5: Establish a **Community Redevelopment Trust Fund** to implement the Redevelopment Plan, to maintain the preservation and enhancement of the tax base of the taxing authority, and for the furthering of the purposes of such taxing authority as provided by law.

With the approval and implementation of the five Recommendations above, the City of Niceville will begin a systematic and proven practice to redevelop and restore identified areas of the City. This process is intended to insure viable and fully contributing economic incentives to the Redevelopment Area for maintaining the economic well being and Quality of Life in the City of Niceville, Florida. With the creation of a CRA, the City will be able to direct public funds to stimulate private investment in areas of the City where revitalization of public facilities and infrastructure will serve as a catalyst for increased private investment and increased economic development.

#### Florida Forever Grant – Update

Mr McCartney stated that the Department of Environmental Protection (DEP) notified the City they will be prepared to make an offer to property owners in 45-60 days.

He stated the City has executed the cooperative Agreement with Air Force. We are waiting on their approval. Discussion followed.

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. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

Ordinance 12-06-01 – An ordinance of the City of Niceville, Florida amending the City Code of Ordinances for the purpose of repealing Appendix A – Subdivisions and Appendix B – Zoning; providing for the repeal of Appendix A and Appendix B of the City Code of Ordinances. Providing for authority; and providing for an effective date. (Second Reading)

Mr. Doucet read Ordinance 12-06-01 by title. Councilman Thomas moved approval on Second Reading. Councilman Henkel seconded. Ms Cassie McDonald, 204 Snug Harbor Dr, Shalimar, FL 32579 spoke on behalf of her mother, a Niceville resident

expressed her concern and asked if this ordinance would have an impact on approved exceptions submitted under the current guidance. Attorney Powell explained the reason for repealing Appendix A and B is the current guidance is already covered in the Land Develop Code Appendix D and would not have an impact on prior approvals. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

Ordinance 12-07-01 – An ordinance annexing to the City of Niceville, Florida, contiguous lands described as set forth herein; providing for proper advertisement pursuant to Florida Statutes 171.044; providing that the property will be zoned R-1B. Lots 4 and 5, Block 114, Valparaiso Pine Crest 6. Providing for the severability of this ordinance; providing an effective date and providing for filing with the Clerk of Court and Department of State. Michael Floyd. (First Reading)

Mr. Doucet read Ordinance 12-07-01 by title. Councilman Thomas moved approval on third reading. Councilman Smith seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

Resolution 12-05-01 – A resolution granting a special exception to the Land Development Code, to allow for a 10' rear setback as opposed to the required 20', on lots 2-4; a special exception to the Land Development Code, to allow for a 17.5' front setback as opposed to the required 20' on lot 18; all being in Redwood Village and providing for an effective date. Michael Floyd.

Mr. Doucet read Resolution 12-05-01 by title. Councilman Thomas moved approval. Councilman Schaetzle seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

#### CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

##### Water/Sewer/Drainage Projects – Update

Mr Price briefed the status of ongoing projects.

##### **Water & Sewer**

**City Hall Pump Station:** The pump station is fully operational. The contractor is completing the final punch list. We are still making some minor adjustments to the odor control system.

**Pump Station #1 Bayou Plaza:** The contractor has completed the installation of the station and we are preparing to divert the flow into the new station. Once the final punch list is addressed by the contractor we will divert the flow from the old station and bring this new station on line.

**Water Well # 6:** City crews have started the block wall installation for the new well house and the remaining materials are on order. This work will continue as materials are approved and arrive. The generator and transfer switch bid scheduled for May 15 are part of this facility upgrade and it will be necessary to have the transfer switch on hand to complete the building.

**Water Well #11:** The well pump and motor have been reinstalled and we have started the pump off and sampling to put this well back on line. As you recall back in December the production at this well had dropped to @ 450 gpm. Our initial pump test indicates the production at this well will be @ 1100 gpm.

**Fire Hydrant Installation & Maintenance:** We are continuing our hydrant maintenance and installation program.

**Level 2 Water Distribution License:** Four of our O&M personnel completed their state testing and certification for the level 2 water distribution license.

**Pump Station # 33 Property Acquisition:** Mr. Corbin has been negotiating with the owner of the property adjacent to Lift Station # 33 which is scheduled to be replaced.

**He will brief you on the result of those negotiations.**

**Storm Water Projects Update:**

**Turkey Creek Projects Update:** We have filed the Turkey Creek Vault Project paperwork with FDEP for reimbursement.

**Valparaiso Blvd:** The bidding & letting of this project will be coordinated with the new Water Management general permitting that goes into effect in July and the reimbursement of the funds for the Turkey Creek Project. We anticipate a July / August construction date.

**First Baptist Church Vault:** The permit for this project has been submitted to the Water Management District and the engineers are responding to their comments this week.

**Dana Pointe Drainage Improvements:** The final design plans for the additional drainage out fall in Dana Pointe are completed. The engineers are preparing the easement documents and bid package for this project.

**Evans Branch Drainage Improvements:** We are developing a scope of work for this project.

**Julia Avenue & Vincent Circle:** We experienced some flooding problems on Julia Avenue and Vincent Circle in the Leota Miller Subdivision during the last large rain storm. Since that time we have inspected that storm water system and performed some maintenance however it appears the capacity of the system needs to be increased to handle the volume of water generated during heavy rains. We will be looking at ways to collect and re-route the drainage and provide treatment to that run off before it enters the surface water.

**Level 1 Stormwater Operators Certification:** Three of our Street Department Personnel completed their Level 1 Stormwater Operators training and certification.

**Other City Projects:**

**Complex Bathrooms:** The building is dried in and crews are preparing to paint and install lighting and plumbing fixtures. We plan to open the bathroom when the interior work is completed and the remaining outside work can be done after the facility is opened.

**Bayshore Drive Recreation Trail:** Crews have completed the asphalt repairs on the walking path along Bayshore Drive.

**Wal Mart Crosswalk:** We have started installation of the crosswalk between Wal Mart and Chic Fil La.

**Redwood Avenue Intersection Improvements:** The county road department has completed the lane widening work on Redwood Avenue at SR 20.

**Heart of the Bride Mud Run:** We have also been involved with the course preparation for the upcoming mud run to be held at North West Florida State College on May 19<sup>th</sup>. This is a fund raising event to support orphanages in Africa.

**Development Updates:**

**Magnolia Woods:** (31 lots) The site contractor is installing the underground utilities; water, sewer and storm water.

**Parish Water View:** (8 lots) The site contractor has completed the underground utility work.

**CCB Bank:** Site work has started on the project.

**VRC Bayshore Drive Development:** We are reviewing site plans for a proposed 17 lot development south of Bayshore Drive east of Palm Boulevard.

Regional Sewer System – Update

No Report.

**Pump Station # 33 Property Acquisitions:**

Mr Corbin stated the final cost to purchase the property is: \$ 43, 733.25 which is less than the appraisal. With the council's approval we'll move forward to purchase the property. Mr Corbin stated that closing is tentatively scheduled for May the 10<sup>th</sup> based on council approval. Councilman Henkel moved approval to purchase the property. Councilman Thomas seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

**FIRE DEPARTMENT - UPDATE:**

Chief Mayville advised that during the month of April the Fire Department responded to a total of 132 calls. There were 129 calls located within the city limits and 3 mutual aid calls. Chief Mayville stated they attended several events throughout the City. Chief Mayville advised they are currently going over hazmat responses for meth labs with the Fire Chief's Association. He stated the department is still in the planning stages for the active shooter exercise and there will be a lock down drill conducted on May 15<sup>th</sup>.

**LIBRARY – UPDATE:**

Ms Bishop briefed the status of ongoing projects. She stated new carpet is being installed in the Library. She advised the Spray Park is now open in the Children's Park which is a highlight for so many children.

POLICE DEPARTMENT - UPDATE:

Chief Popwell stated that during the month of April the Police Department responded to 1980 calls for police assistance. A total of 82 vehicles were involved in reported crashes. The estimated amount of damage to these vehicles and related property was \$227,552. A total of 338 Traffic Citations were issued, 14 Misdemeanor, 19 Felony and 3 DUI Arrests were made.

BUILDING INSPECTION DEPARTMENT – UPDATE:

Mr Darcy Chaney stated that 13 home improvement permits were issue during the month of April. He expressed his appreciation to the City for allowing him to attend the upcoming Annual Building Officials Conference in order to keep current on policy changes; taking advantage of networking and the possibility of grant leads to help improve operations and service. Discussion followed.

BILLS PAYABLE

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

OTHER BUSINESS:

Councilman Thomas stated after long and careful consideration informed the council that he has made a decision to step down as a councilman for the City of Niceville. Discussion followed.

CITY CLERK

Dan Doucet presented to the council a copy of Mr Thomas's Letter of Resignation; a memo; an election notice; a copy of Resolution 12-05-02; and an election chart. He requested a motion be made to add Resolution 12-05-02 to the agenda for public hearing. Councilman Henkel moved approval. Councilman Smith seconded. . Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes; Smith-yes. Motion passed.

Resolution 12-05-02 – A resolution of the City of Niceville, Florida, establishing election procedures.

Mr Doucet read Resolution 12-05-02 by title. Councilman Henkel moved approval. Councilman Rominger seconded. Mr Doucet stated our charter requires that we conduct

a Special Election no earlier than 60 days and no later than 90 days after a vacancy exists on the City Council. He stated that Mr Paul Lux, the Okaloosa County Supervisor of Elections advised he can support us in this election if it scheduled on July 17, 2012, and a run-off if required on July 31, 2012. An election schedule beyond these dates will interfere with his early voting program in that Niceville is a site for early voting. Mr Doucet stated the proposed election date is the 70<sup>th</sup> day after the vacancy which meets the requirements of our charter. He stated, your approval will allow us to move forward and have everything in order to meet the requirements of our charter and our election code. For example, the election notice must appear in the newspaper twice. Once in the 10<sup>th</sup> week (7-11 May) and again in the 9<sup>th</sup> week prior to the election (14-18 May). He stated the 10<sup>th</sup> week notice will appear in Friday's newspaper. Discussion followed.

The meeting adjourned at 8:15 P. M.

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MAYOR

ATTEST:

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CITY CLERK