

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
FEBRUARY 11, 2014

The Niceville City Council met in regular session at 7:00 PM, February 11, 2014 in the Council Chambers, 208 N Partin Drive. All Council members, except for Councilman Nodjomian who was away on business, and the Mayor were present. Also present were City Manager Lannie Corbin; City Clerk, Dan Doucet; Public Works Director, Bruce Price; Police Department, Chief Popwell; Fire Department, Chief Mayville; Technology Department, Chad Morris; a member of the press, and 43 visitors in the audience. Councilman Rominger 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 January 14, 2013
Planning Commission Meeting, No Meeting Held
Local Planning Agency Meeting, No Meeting Held

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

PUBLIC HEARINGS:

PRESENTATION:

Dr Bill McCartney – Community Redevelopment Agency (CRA) - Update

Mr McCartney provided a brief overview of the Community Redevelopment Agency (CRA) status. He stated the CRA was formed in 2012 by the passing of Resolution 12-06-01 dated June 12, 2012. He advised that the property to be redeveloped involves over 800 parcels that will be redeveloped in the future. The property assessments for these parcels were frozen effective January 1, 2013 which is called the base line. As property values for these parcel increase in the future over the base line the proceeds will be sent to the City and maintained in a separate trust fund account. Once a CRA Plan is developed the funds can be used to defray associated expense and redevelopment of the parcels. As the property values increase the trust fund will be used to redevelop the property through tax increment funding which will have a separate budget and reported via the Truth in Millage Program (TRIM) each year to the Department of Revenue in Tallahassee. Discussion followed. He advised that funds cannot be expended without a CRA Plan. Mr McCartney briefed the City Council regarding a memorandum sent to the City outlining the work that is require in order to develop a Community Redevelopment Agency (CRA) Plan. He stated the Task Order in the amount of \$ 56,000 would be issued to Baskerville Donovan , Inc (BDI) under our existing engineering contract with the City. Included in that effort is work

performed by Pat Blackshear's firm, BPI working together with BDI to prepare the ordinance. This joint effort to prepare the document to describe the proposed physical improvements including: Mapping from existing sources, proposed improvements; Charette with City staff and stakeholders, meetings, draft document and final document. Mr McCartney advised BPI will review the consistency of the proposed CRA ordinance with the City's Zoning Ordinance, Land Development Code, and Comprehensive Plan. She will attend the charette and the meetings, and prepare the final document. In addition, she will attend the City Council meetings for adoption and submit the new ordinance to the state and regional agencies. JW McCartney, under a separate contract will coordinate the entire effort and offer input into both the physical improvements and the document establishing the ordinance. Once authorized we believe a document will be available for City Council action in 4 to 6 months. Mr McCartney stated the plan must be in place before we can officially implement the CRA. Mr McCartney requested council approval in order to move forward with the program. Councilman Henkel moved approval. Councilman Rominger seconded. Discussion followed. Council vote. Henkel-yes; Schaetzle-yes; Boudreaux-yes; Rominger-yes. Motion passed. Mr McCartney also briefed the status of a state grant to pay most of the cost to expand the City of Niceville's Turkey Creek Park. He stated the planned acquisition includes a 68-acre wooded, undeveloped tract owned by Ruckel Properties, north of College Boulevard, next to the north end of Turkey Creek, sharing a boundary with the Eglin Reservation. He stated the state grant is \$1,344,525 from Florida Forever, a conservation-land acquisition program run by the state Department of Environmental Protection. The city will match with an additional \$256,175, bringing the total to \$1.6 million. Mr Corbin stated we are working with Eglin on a restricted-use agreement that could make our match less. Mr Corbin stated the grant was applied for, however, not yet approved. He stated it's a good project for the City and we plan to seek the funding elsewhere if the grant is not approved. Discussion followed.

Ordinance 14-02-01 – An ordinance for the rezoning of certain properties in the City of Niceville, Florida, from R-2, one or multiple family to R-3, multiple family for the purpose of establishing a professional office; providing zoning for same and an effective date. Shannon Clatchey, 717 Bayshore Drive. (Third Reading)

Mr Doucet read ordinance 14-02-01 by title. Councilman Rominger moved approval on third reading. Councilman Henkel seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Rominger-yes. Motion passed.

Resolution 13-12-02 – A resolution of the City of Niceville, Florida urging Tobacco retailers to stop the sale and marketing of flavored tobacco products in Niceville; and providing an effective date.

Mr Doucet read resolution 13-12-02 by title. Councilman Henkel moved approval. Councilman Schaetzle seconded. Ms Alliree Gingerich's team of speakers took turns and provided an overview regarding the purpose of the resolution via a series of talking points. The following talking points is a sample of their overview.

What is flavored tobacco?

- Flavored tobacco products contain flavors like vanilla, orange, chocolate, cherry and coffee. They are widely considered to be “starter” products, establishing smoking habits that can lead to a lifetime of addiction. Examples of flavored tobacco products are cigars, snuff and hookah.

What policy has been passed regarding the banning of flavored tobacco products?

- Under the Family Smoking Prevention and Tobacco Control Act, the sale of cigarettes containing any characterizing flavors other than menthol is illegal. (*U.S. Food and Drug Administration*)

What tobacco products are not covered under the recent legislature?

- Flavored cigarettes are the only tobacco product affected by the Family Smoking Prevention and Tobacco Control Act. Products not currently covered under the FDA restrictions include smokeless tobacco, snus and cigars.

Why should we push for local policy to ban flavored tobacco products?

- Because not all flavored tobacco products are illegal, the push for local policy to ban all other products is imperative to help protect our youth.
- Industry documents have previously revealed clear patterns of designing flavored tobacco products to target youth.
- Flavored tobacco is considered to be the “starter” products, establishing smoking habits that can lead to a lifetime of addiction.

Where are these products being sold?

- Most flavored tobacco products can easily be purchased from gas stations, supermarkets and pharmacies among other types of businesses.
- These products are typically placed on checkout counters and are at eye-level to many youth. The package features bold and color graphics similar to candy packaging.

What health risks are associated with flavored tobacco products?

- Flavored tobacco products are as addictive and carry the same health risks as regular tobacco products like lung diseases, cancers, and strokes (*U.S. Food and Drug Administration*)
- People who use smokeless tobacco are 50 times more likely to get cancer of the cheek and gums.

Smoking a hookah pipe for 60 to 80 minutes is the equivalent of smoking 100 cigarettes. (*World Health Organization*)

Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Rominger-yes. Motion passed.

Resolution 14-02-01 – A resolution of the City Council, City of Niceville Florida acknowledging and supporting the month of March 2014 as Women’s History Month.

Mr Doucet read resolution 14-02-01 by title. Councilman Henkel moved approval. Councilman Schaetzle seconded. Ms Blackwell provided an overview regarding the purpose of the resolution. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Rominger-yes. Motion passed.

Resolution 14-02-02 – A resolution of the City of Niceville, Florida relating to the State Revolving Fund Loan Program; making findings, authorizing the loan application; authorizing the loan agreement; establishing pledged revenues; designating authorized representatives; providing assurance; providing for conflicts, severability, and an effective date.

Mr Doucet read resolution 14-02-02 by title. Councilman Henkel moved approval. Councilwoman Boudreaux seconded. No one spoke for or against. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Rominger-yes. Motion passed.

MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

Water/Sewer/Drainage Projects – Update

Mr Price briefed the status of current projects.

Water & Sewer

New 750,000 Water Storage Tank: Contractor has completed the column for the tank and is preparing to form tank base. The contractor is slightly ahead of schedule on this project. Substantial completion date is Sept. 2014.

Rocky Bayou Road Water and Sewer Main Relocations: The directional bores at the new bridge site on Rocky Bayou Road under Turkey Hen Creek near the Huntington Subdivision are in place and city crews have made the necessary line diversions. This bridge is replacing the existing culverts under Rocky Bayou Road as part of the Mid Bay Bridge mitigation work. The existing water and sewer lines required relocation for the installation of the new bridge.

SR 285 Reclaim Water Main Upgrade: I spoke with the NFWMD yesterday and our 50/50 grant application to fund the upgrade of the reclaim water main on SR 285 is being recommended for approval to the governing board. We should know by early next week if that funding is approved.

South Bayshore Pump Station and Force Main: The materials for this project are being delivered and some pipe work is underway along Palm Boulevard.

Generator Installations: New 200 KW Generator was installed at Well 3 at Bailey Avenue and the Well 5 replacement generator has been ordered and will be installed when it arrives. Well 5 was the first generator the City purchased in 1995-6 after the events of Hurricane Opal.

Stormwater

Valparaiso Boulevard Drainage Improvements: This project is completed and a DEP Inspection is schedule for Wednesday the 19th.

Juniper Avenue: We are meeting with our engineer this Thursday to discuss the sequence of construction and begin ordering materials. Construction will begin when materials arrive.

Ponte Vedra Drainage Flume: Crews have started the installation of a roadway flume on Ponte Vedra Way to alleviate a standing water issues in the roadway.

Bayshore Vault Project: During our Thursday engineer meeting we will be discussing the proposed relocation of the vault to the church property and determine if that location is less favorable than the original site or will pose any new problems.

Roscommon Boulevard: Crews have completed the installation of temporary erosion control measures along Roscommon Boulevard and Rocky Bayou Road at the entrance to Rocky Bayou Estates. Permanent stabilization of these areas will be completed after the water and sewer line extensions are completed.

City Wide Projects

Tennis Center: The preliminary site work by the city was completed and the site contractor is completing the base work for the first 4 courts. The lighting plan for the courts under construction has been changed and those changes will require additional materials. The materials the city has already purchased for the original lighting plan will not work for the new lighting layout but some of those materials may be usable for the next 3 courts that scheduled for bid.

Fire Department: Crews are continuing work on the upstairs area of the Fire Department. The majority of the interior walls have been framed up and the electrical materials are being delivered. Requisitions for the mechanical materials have been submitted.

Branch Hill Park & 2nd Rockywood Entrance: We installed raised pavement markers on the roadway edge lines and curbing at the entrances to Branch Hill Park & Rocky wood Subdivisions to better identify these entrance ways.

City's Storm Response Recognition: During the recent winter storm event Jerry Regans and 12 other members assigned to Public Works sanded bridges and roadways well into the night. I would like to take this opportunity to commend each of our employees that responded. Their efforts prevented a serious situation from becoming much worse.

Development & Planning

Publix

The Traffic Circle – We are working with the engineers to modify the circle markings by adding some raised pavement markers to discourage drivers from driving outside the lane markings.

Lighting – The developer is working with the residents in the Rocky Bayou Estates area to shield the over head lighting.

Generator Noise: There were some concerns about the noise from the auxiliary generator at the Publix and the exercise run times are being adjusted.

Swift Creek Bridge & Boulevard Connector – The contractor is nearing completion of the Bridge for the boulevard connecting the Publix Site to the Walmart area. The bridge pilings, railings and rip rap are in place and the decking is substantially completed. Final drawings for the remaining connector roadway are being prepared for review by city staff. Once the city's review comments are addressed the notice to proceed with construction will be given to the developer.

O'Reilly Auto Parts Store: A preconstruction meeting is scheduled for this Thursday for the O'Reillys store.

Parkview Place: The clearing of the right of ways and building sites are underway.

Magnolia Woods Subdivision: Site work is still underway at this project. All of the underground utilities are installed including the off-site gravity sewer line on the west side of the Palm Boulevard right of way. The street curbing contractor is on site and approximately 40% of that curbing is in place.

Wright Bayshore Subdivision: We are still awaiting a final plans meeting with the engineer on this project.

VRC 17 Lot Bayshore: No site work activity has occurred at this project since the initial clearing.

Stables Subdivision: 15 Building permits have been issued for this development and one certificate of occupancy has been issued.

Ruckel 1100 Acres: Attended an informal meeting at Ruckel Properties with their land designers and site engineer to discuss the preliminary lay out of the first phases of that development.

Florida Defense Support Task Force Grant: We have received the executed contract documents for the Grant enabling us to start the updating of the LDC and GIS mapping for the JLUS and SEIS.

Regional Sewer System – Update

Councilman Rominger stated that Trane 2 should be up and running after a bubble test. He advised that Train 3 that 8 large screens that were clogging up. A determination was made that wet naps was the issue. Discussion followed.

TECHNOLOGY - UPDATE

Mr Chad Morris stated that good progress is being made with our new servers. The servers are up and running. We have installed 5 in car computers. Issues are in the process of being worked out. Our new computer installations will be complete prior to the April deadline since Microsoft will no longer support our operating system.

POLICE DEPT – UPDATE

Chief Popwell stated that during the month of January the Police Department responded to 1832 calls for police assistance. A total of 33 traffic crash reports were written involving 59 vehicles and 2 pedestrians. The estimated amount of damage to these vehicles and related property was \$132,568. A total of 176 traffic citations were issued, 20 misdemeanor, 12 felony and 1 DUI arrest was made.

FIRE DEPT – UPDATE

Chief Mayville stated that during the month of January the Fire Department responded to a total of 139 calls. There were 135 calls located within the city limits and 4 mutual aid calls.

Other Business:

BILLS PAYABLE:

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

The meeting adjourned at 8:25 PM.

MAYOR

ATTEST:

CITY CLERK