

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
MARCH 10, 2015

The Niceville City Council met in regular session at 7:00 PM, March 10, 2015, 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; Public Works Director, Bruce Price; Sheila Bishop; Library, Community Center and Children's Park; Police Department, Chief Popwell; Fire Department, Chief Mayville; two members of the press, and 26 visitors in the audience. Councilman Henkel 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, February 10, 2015  
Special Council Meeting, March 5, 2015  
Planning Commission Meeting, March 2, 2015  
Local Planning Agency Meeting, No Meeting Held

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

PRESENTATIONS

Certification and Selection Committee Report/Bruce Price, Chair

Consideration of rankings and selection of Top Ranked Firm for Professional Services/Stormwater Engineering and also Environmental Restoration.

Mr Price, Chairman of the committee stated the City applied and received a National Fish and Wildlife Foundation (NFWF) Grant in the amount of \$4,223,000.00 for three Facilities Plan Projects. Those projects included the Partin Drive and Bayshore Drive Vault Project which has been designed and permitted, the Thomas Branch McEwen Drainage Improvements and the Boggy Bayou Headwaters Restoration project. He stated a legal notice was published seeking statements of qualifications for engineering and environmental services for the Thomas Branch Drainage Improvements & the Boggy Bayou Headwaters restoration. A total of 7 firms submitted Requests for Qualifications (RFQ's) which were evaluated by the Certification & Selection Committee and 3 firms were short listed for each project and then asked to submit specific written proposals to the C&S Committee along with providing an oral presentation to the City Council for evaluation and scoring. One of the 3 short listed firms, Atkins voluntarily withdrew from the RFP process leaving 3 competing firms for both projects. The C&S committee then evaluated and scored the written submittals and the average of those scores

accounted for 70% of the final overall scoring total and the Council's average score of the presentations for each project accounted for the remaining 30%. The final scores have been tabulated and the AVCON Group ranked highest for both projects. Mr Price stated the committee is requesting a motion from the Council to begin project mediations with the AVCON Group and come back to you with a defined plan and scope of work not to exceed the amount of the grant. Councilwoman Boudreaux moved approval. Councilman Schaetzle seconded. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-abstained; Rominger-yes. Motion passed.

Mr Price stated we have not signed a full funding agreement with NFWF due to the fact a clearly define scope of work could not be developed until a firm was chosen to design the Thomas Branch Drainage and Boggy Bayou Headwaters Restoration. NFWF was made aware of that, understood our predicament and had no objections to delaying the final funding applications and agreement. The initial notice of award stated that all the projects had to be submitted and approved together under one funding agreement however NFWF has reconsidered that requirement and now has agreed to allow us to submit each project under a separate funding agreement. This will enable us to proceed with projects as they are ready to go from design and permitting to construction.

Mr Price expressed his appreciation to all the firms that participated in this process. He congratulated Mr Lee Lewis and his team for their success and stated the City looks forward to the partnership. Mr Price acknowledged the work done by Mr Cleve Dryden; Mr Lee Smith and Dr. Bill McCartney, praising their efforts especially during the early stages of the grant application process and ultimate grant award. He concluded stating these projects are an enormous opportunity for the City. Their implementation will certainly elevate the City's stormwater program to a higher level.

Mayor Wise then stated the council will take a brief recess for the purpose of convening the Community Redevelopment Agency (CRA) Board to discuss the CRA Plan. Mr Dave Hemphill representing Baskerville Donovan out of Pensacola stated that for the last 9 months we have worked on the CRA Plan and tonight we have a final draft for your consideration/approval. We have had meetings, and workshops with the public and have gone through a lot of iteration back and forth to provide a final draft plan. We have two paper copies of the plan and an electronic copy is also available. He stated we have been asked several times what will the plan do for us. He stated the plan will do a couple of things for you. The plan will be the vehicle to receive funding for Grants and to do other things you wouldn't normally do in the City. He stated that we have identified 5 tasks located on page 7 as the initial projects. He further stated we are not tied down to these projects. He made reference to page 8 for other options. He stated that we have gone back and forth with the public and the process has taken 9 months to develop. We have had workshops on the plan with deliberations to come up with the best product. Councilman Nodjomian asked if there are any cost estimates in the plan. Mr Hemphill stated there are about \$4-5 M outlined in the plan. Mr Hemphill stated tonight we are asking approval from the council to approve this plan. He advised that he is particularly interested in submitting grant applications to move some of these projects from paper to in the ground. Discussion

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

The Mayor then announced the regular meeting of the Council will now reconvene where we left off.

Ordinance 15-03-01 – An ordinance of the City of Niceville, Florida, relating to Military Base Compatibility; providing for authority; providing for findings of fact; providing for amendments to the Comprehensive Plan future land use element pursuant to Chapter 163, Florida Statutes; amending the future land use map (FLUM) Military Influence Planning Area (MIPA) overlay zone; amending the FLUM to correct inconsistencies found while converting paper map to a GIS-based map; amending the FLUM to include annexations not previously submitted for FLUM amendments; providing for conflicting provisions; providing for severability; and providing an effective date. (Third Reading)

Mr Doucet read Ordinance 15-03-01 by title. Councilman Nodjomian moved approval on third reading. Councilman Henkel seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Rominger-yes. Motion passed

Ordinance 15-04-01 – An ordinance for the Rezoning of certain properties in the City of Niceville, Florida; providing zoning for same and an effective date. FEMM Enterprises, requests a portion of property in Endicott Village be rezoned from R-3, Multi Family to PUD, Planned Unit Development, Lots 21-30 and 7-10, Endicott Village. Mr Michael Floyd. (Second Reading)

Mr Doucet read Ordinance 15-04-01 by title. Councilman Henkel moved approval on second reading. Councilman Rominger seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Rominger-yes. Motion passed

Ordinance 15-05-01 – An ordinance of the City of Niceville, Florida; providing for authority; providing for findings of fact; providing for amendments to Part II, the code of ordinances of Niceville, Florida, Appendix D. Land Development code pursuant to Chapter 166, Florida Statutes; providing for the official zoning map of the City of Niceville; providing for conflicting provisions; providing for severability; and providing for an effective date. (First Reading)

Mr Doucet read Ordinance 15-05-01 by title. Councilman Schaetzle moved approval on first reading. Councilman Henkel seconded. Discussion followed. No one spoke for or

Rominger-yes. Motion passed

Ordinance 15-05-02 – An ordinance amending Ordinance 13-06-01, dated June 11, 2013 of the City of Niceville, Florida; establishing a Youth Advisory Council; providing for a title; providing for composition; providing for election of officers; providing for meetings, purpose and duties; providing for severability; and providing an effective date. (First Reading)

Mr Doucet read Ordinance 15-05-02 by title. Councilman Henkel moved approval on first reading. Councilman Schaetzle seconded. Councilman Nodjomian, Youth Advisory Council advisor covered the changes prompting this amendment to the ordinance. The main focus is to expand the membership to students anywhere in the 32578 zip code. This will include students who reside in Bluewater Bay. As a result non-voting members are not required to reside in the incorporated area of the City. Discussion followed. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Rominger-yes. Motion passed

Resolution 15-03-01- A resolution granting a special exception to the Land Development Code Section 7.14.08 (d) to allow for a 10' front set back. Metes and bound description. Jim Smith, 640 John Sims Pkwy E.

Mr Doucet read Resolution 15-03-01 by title. Councilman Rominger moved approval. Councilman Henkel seconded. Mr Jim Smith explained the purpose of his request for special exception which was to provide an ice vending machine in an effort to increase business since he is experiencing an approximate 25% decline in revenue since the bypass was opened. Discussion followed. Councilman Nodjomian asked several questions regarding set back requirements stating he is concerned about granting a special exception in that area because of safety concerns. Discussion followed. Council Vote: Henkel-no; Schaetzle-no; Boudreaux-no; Nodjomian-no; Rominger-no Motion failed

Resolution 15-03-02 – A resolution of the City Council of the City of Niceville Florida adopting and promoting support for House Bill 21 (HB) 21), which seeks to create a voluntary certification program for sober home facilities; adoption of legislation imposing uniform minimum operating standards for sober homes; and providing for an effective date.

Mr Doucet read Resolution 15-03-02 by title. Councilman Rominger moved approval. Councilman Schaetzle seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Rominger-yes. Motion passed

## CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

## Water/Sewer/Drainage Projects – Update

Mr Price briefed the status of current projects.

**Water & Sewer**

**Valparaiso & Palm Pump Station:** The new station continues to work well however we detected a minor vibration problem with the pumps and the manufacture was made aware of during testing. The pump manufacture has agreed to replace the pumps and that will be done when the new replacement pumps arrive.

**New Marysa Drive Tank:** The landscaping around the new storage tank has been completed and the fence contractor has been notified to install the perimeter fencing.

**Reclaim Water System Extensions on SR 285:** We are in the process of installing meters and meter vaults for our reclaim water distribution system. There are a total of 8 meters ranging in size from 12 inch to 6 inch and 2 of the meters have already been installed at Rocky Bayou Christian School and on SR 285. The remaining installations include: the Mullet Site, 3 locations in Swift Creek Development and 2 locations off College Boulevard for the City Complexes and Swift Creek Plantation.

**Water Well # 6 Motor Problem:** We have experienced a pump motor problem at Well # 6 which is located off the end of Roscommon Blvd. in Rocky Bayou Estates. The motor is presently being repaired and will be placed back into service when those repairs are completed.

**Bayshore Drive Water Main & Force Main Extensions:** We are requisitioning the pipe and materials necessary to extend a sewer force main and water main along Bayshore Drive. This work will include the installation of 1200 feet of force main and 600 feet of water main. The new sewer line will provide an alternative pumping route for sewer from this service area should the need arise. The new water main installation will also provide an alternative supply route and supplement the water distribution system.

**Hatties Grove Development:** The City has inspected and approved the water & sewer systems for this development.

**Stormwater**

**Pin Oak Pipe Replacement:** City crews have completed the installation of the new outfall system at Pin Oak and Pine Cone cove. This project included the removal and replacement of 500 LF of storm pipe. Remaining work includes the sod installation and roadway crossing repair.

**Oak Avenue Paving:** Young's Contracting has paved the lower segment of Oak Avenue south of Valparaiso. The paving of this roadway segment along with the modifications to the existing inlet system will address erosion problems and help to reduce the volume of sediment that was entering this storm water system.

**Storm Drain Inlet Marking:** We have also installed drainage inlet markers in 4 subdivisions; The Stables, Swift Creek Plantation, Magnolia Woods and Hawks Landing. These inlet markings are a required activity under our MS-4 Permit.

**Invasive Plant Removal:** We have also conducted some invasive tree removal on some of our drainage basins. These operations are also part of our Stream Maintenance and MS-4 Programs. We also met with a resident and representative from USDA to discuss using biological controls to remove evasive plants from other city maintained drainage areas. The targeted plant is the Air Potato which is a vine that infest natural areas and overruns native vegetation. The plan is to introduce a beetle to control the spread of this invasive plant. Plans are to begin this program in the spring.

**Upcoming Drainage Projects:** The pipe and materials have been ordered to replace deteriorated metal pipes at Palm Blvd and Royal Palm & along the 1400 Block of Palm Blvd. We plan to start those projects when that pipe arrives.

**FDEP Inspection:** Tomorrow DEP will be arriving to perform a NPDES compliance audit to verify that we are meeting all the necessary requirements & activities in our MS-4 permit.

### **Other City Projects**

**Turkey Creek Management Program:** We also held a meeting with representatives from the Florida Fish & Game and the Florida Forestry Service to discuss our management program for the new and existing Turkey Creek Land Acquisitions. They will be assisting the city with the habitat surveys, monitoring and management of those parcels as required under the Management Plan. FCT (Florida Communities Trust - Stewardship Report)

**Street Sign Upgrades:** We are continuing with our city wide street sign upgrades. This includes the replacement and relocation of noncompliant signs mainly stop and speed limit signs. Most noncompliant signs; do not meet size, height or reflectivity requirements.

**Fire Department:** We are awaiting the arrival of the remaining doors to install and that will complete the upstairs expansion.

**Children's Park:** We have been building a new covered Gazebo in the Children's Park.

**Development Activities**

**7 Lot Subdivision Valparaiso & Palm:** The site contractor has started the site clearing for this project.

**Huff Office Complex @ SR 285 & College Blvd.:** We will be scheduling a staff review of this proposed office complex located at the intersection of SR 285 and College Boulevard. It consist of 4 office buildings totaling 20,000 square feet of office space with drive access off College Boulevard and SR 285.

**Baptist Church Children's Center Building:** We just received site plans for a 14,250 Square Foot Children's Center.

**John Sims Parkway Roadway Pavement Problem:** We have been in constant communications with Transfield Services regarding the raised section of pavement in the center travel lane west of Turkey Creek Bridge. They plan to start the relining of the damaged drainage pipes next week. There is approximately 18 feet of the underground pipe has separated in 3 locations and their hope is to reline those damaged segments in place to avoid having to dig up and replace the pipe. If those point repairs are successful they will then make the necessary roadway repairs. They hope to complete this work by the end of this month.

**Regional Sewer System – Update**

Mr Rominger provided an update stating that the upgrade of the system is now complete and is currently going through a testing phase. Mr Corbin stated we did not add capacity only the way the effluent is treated by removing nitrates. In addition, he stated that for the time being we will not be charging customers for re-use water until we can be in a position to provide enough effluent to our current customers without a shortage. Discussion followed.

**Library, Community Center, and Children's Park - Update**

Sheila Bishop stated that Community Center people are busy performing cleanup maintenance and stated the Children's Park are busy hosting parties, etc. She provided statistical data regarding the number of patrons that visit the Library and the Children's Park. The Library Foundation will be conducting a fundraising event which is a steak dinner benefitting the Niceville Public Library. Advance Tickets are \$ 15 each and the event is scheduled for Thursday, March 12<sup>th</sup>, from 5-7 pm at the Niceville Community Center either dine in or take out. Tickets sold at the door are \$20 each. Ms Bishop provided an update regarding the City Web page. There has been some changes made to make the site more user friendly. She stated we depend on the departments to provide the information they want posted to the site. She stated a professional setup would cost the

City approximately \$38,000. The City uses a web master who has a full time job and works on our updates during the weekend and after hours, however, it's a lot less expensive for us. Councilman Nodjomian suggested using the talents of some of the Niceville High School students to reduce cost and who are very good at it. Ms Bishop stated she will follow on that. Discussion followed.

### **Fire Dept – Update**

Chief Mayville stated that of a total of 154 calls, there were 151 calls located within the city limits with 3 mutual aid calls. Chief Mayville stated they have several fire fighters taking Hydraulics and Apparatus courses and each shift has received CPT training. We

are preparing the boat for warm weather and working on the boat grant and dock. He advised that hose and ladder testing is complete and air packs are now recertified. He advised we will continue to monitor the construction in the city and changing businesses and emergency contacts.

### **Police Dept - Update**

Chief Popwell stated during the month of February the Police Department responded to 2110 calls for police assistance. There were a total of 27 traffic crash reports written involving 55 vehicles and 1 pedestrian. The estimated amount of damage to these vehicles and related property was \$128,750. A total of 253 Traffic Citations were issued, 23 Misdemeanor, 19 Felony and 1 DUI Arrest was made.

### **Technology – Update:**

Chad Morris stated that he and Jessie Mason are working on a wireless connection and discovered the need to replace the cabling in the chambers to make a good connection. Discussion centered around an electronic voting system for the council to use. Mr Morris stated the last time he checked the voting software the cost ranged from 15K to 30K. Discussion followed.

### **Other Business:**

Ms Ruth Girard, 320 Boxer Ave stated she provided a letter to the Council at the last council meeting requesting information and she has not received a response. Attorney Powell advised Ms Girard that by submitting letters to the Council that contain

slanderous remarks are against established City policy and stated she could be held liable if such action continued on her part. Ms Girard continued to address the Council. Attorney Powell recommended she be removed from the council chambers due to her disruptive behavior which is contrary to the City's public speaking policy per Resolution 13-10-01, para 8.4, dated October 8, 2013. Mayor Wise requested the Police Chief to escort her from the council meeting.

Mr Corbin stated that Light House Marina has an issue with the Fire Department boat lift being located at the Marina. He stated they are very supportive to the City by allowing us to locate the fireworks barge there, etc. He suggested we build a dock close to Lions Park and the lift could be installed at that location. Discussion followed.

Ms Marcia Sanders, 499 20<sup>th</sup> Street stated that she is the chairperson for the Relay for Life event for Niceville – Valparaiso. She stated the theme for this year's event is called Paint the Town Purple! She requested the City consider allowing her committee to build sand bags to be located at the Triangle at the corner of State road 285 and John Sims Parkway. The bags would be painted with purple paint "Paint the Town Purple". The celebration is scheduled during the period April 24 – May 2, 2015. Help the America Cancer Society "paint the Town Purple" in support of Relay for Life. Join us as we transform the communities of Valparaiso and Niceville. She stated some ideas are: purple balloons, purple streamers, Relay for Life signs, purple flowers, purple paint and purple chalk drawings, and dress up in purple clothing and wigs! You can also show your support in the fight against cancer by ordering a purple bow to display for all to see. The bows are available for a suggested donation of \$8. "Paint the Town Purple" is a great way to show united community support. To order your purple bow or participate in the contest (and set up a time for judging), she stated to contact her at 324-4930 or [marcia333@cox.net](mailto:marcia333@cox.net). Discussion followed.

Councilwoman Boudreaux stated that during the last council meeting she requested Council support to gather information since there was strong interest in having a Senior Center built in Niceville. She stated that there are over 3,500 seniors in Niceville and they need a place to meet and call their own. Mr Corbin suggested for the short term we could consider renovating the former Neal property which is now owned by the City. The property is located near Turkey Creek. Mr Corbin stated the home could be renovated using rental proceeds from Katie's House of Flowers. He stated that a 240' board walk could be installed from the house to Turkey Creek for an estimated cost of \$ 9,000. In addition, it would cost approximately \$ 15,000 to build a Gazebo at the end of the walk way. He stated the home once renovated could offer approximately 1000 S.F. to accommodate seniors for the short term. He felt a proper facility may require a 5,000

S.F. facility. Mr Corbin stated that he would provide more concrete figures and recommended it be possibly added to the FY-16 budget if the Council wanted to move in that direction. Councilman Nodjomian stated that a plan needs to be put together to consider all alternatives before moving forward. He suggested that possibly a lease could be considered with a local commercial establishment. Discussion followed.

Council Nodjomian recommended the City consider establishing an "ACE" award for high school students as other Cites do. Discussion followed. Councilman Nodjomian provided an update on Youth Advisory Council activities. He stated they are working with the Library to establish a youth tutoring program for students that need help. He thanked the Library for working with the Youth Council and for providing as space for the tutoring. In addition, the Youth Council conducted a toy Drive for Afghan Kids. He thanked the library since they were a collection point in support of the drive.

Mr Doug Bacon, 311 Grove Park stated that he opposed the property purchase of the old Bank of America building on John Sims Parkway by the Tax Collector to locate his operation. He felt the purchase was outside of the Tax Collector's authority and could cause some safety issues if actual driving testing on the road is practiced.

Bills Payable:

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

The meeting adjourned at 9.10 PM.

  
MAYOR

ATTEST:

  
CITY CLERK