

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
JANUARY 9, 2024

The Niceville City Council met in regular session at 6:00 PM, January 9, 2024 in the Council Chambers, 208 N Partin Drive. All Council members were present except Councilman Donahoo. Mayor Henkel was not present and Mayor Pro Tem Williams presided over the meeting. Also present were City Manager, David Deitch; City Clerk, Dan Doucet; City Attorney, Dixie Powell; Police Department, Chief Popwell; Public Works Director, Johnathan Laird; Deputy City Clerk, Wendy Farmer, and Deputy City Clerk and Finance Director, Steven Rausch. There were approximately 40 visitors in the audience, including other City employees. Mayor Pro Tem Williams called the meeting to order at 6:00 PM. Pastor Stauffer offered the prayer and Mayor Pro Tem Williams led the pledge of allegiance.

APPROVAL OF MINUTES

Regular Council Meeting, December 12, 2023
Planning Commission Meeting, January 2, 2024
Local Planning Agency Meeting, No Meeting Held

Councilman Schaetzle moved approval and Councilman Nodjomian seconded.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

PUBLIC HEARINGS

PRESENTATIONS:

Youth Advisory Council – Update

Gianna Johnson, Youth Advisory Council Chairman, updated the Council on their meeting. She explained how they made Christmas ornaments for the residence of the Pavilion. She then said they had decided to go to the Legislative Action Days in Tallahassee on January 31st. Councilman Nodjomian stated they will be working on a mock skateable art park and learn how to navigate local government and procedures. Ms. Johnson continued with their upcoming projects: assisting the Emerald Coast Autism Center on April 6th with their run (Andrew is taking lead); volunteering at PAWS or the Eglin Animal Shelter (Kaila will take lead); volunteering at Sharing and Caring on March 15th; making Valentine's Day

cards and deliver them on February 13th to the residents at the Pavilion. She then explained they discussed their recent video competition and how to fix what went wrong with it. Councilman Nodjomian said they have a lot to do until May and then he thanked them for what they do for the community.

FFY 2021 CDBG Housing Rehabilitation Program – Bid Award Recommendations and Status Report – Dennis Dingman, Summit Professional Services, Inc.

Dennis Dingman stated sealed bids had been received and opened on November 20, 2023 for two demolition replacement housing units and two rehabilitation housing units. Summit Professional Services recommended the award of the housing units as follows:

APPLICANT	RECOMMENDED BIDDER	AMOUNT
Betty Williams 201 Honeysuckle Way	Jason Buck Construction Services, LLC	\$116,825
Alan & Kae McCormick 308 Kelly Road	Jason Buck Construction Services, LLC	\$180,600
Irene Petit 731 Crestview Avenue	Jason Buck Construction Services, LLC	\$181,500
Laleta Fingall 210 Palm Boulevard	Jason Buck Construction Services, LLC	\$106,075

Mr. Dingman stated a site-specific environmental review was performed and historical approval was requested and received on two units that were 50 years or older. One unit will be hooked up to public sewer. Pending award of bids tonight, contract signing is tentatively scheduled for tomorrow morning. Councilwoman Alley asked if there were funds for the ones being demolished to stay elsewhere? Mr. Dingman explained that there are funds available as follows: \$500 per month for living expenses, \$125 per month for storage, \$150 move out cost, and \$150 move in cost. The ones who do not need to move will not get the moving allowance. Discussion followed regarding budget funds and fund available.

Councilwoman Alley moved to award the bids, as recommend above, for Ms. Williams, Mr. and Mrs. McCormick, Ms. Petit, and Ms. Fingall. Councilman Nodjomian seconded.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Ordinance 24-01-01 – 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, Articles 10, Land Development Code pursuant to Chapter 166, Florida Statutes; providing for conflicting provisions; providing for severability; and providing for an effective Date. (Final Reading)

Mr. Doucet read ordinance 24-01-01 by title. Councilman Nodjomian moved approval and Councilman Schaetzle seconded. No one spoke for or against.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Ordinance 24-01-02 – An ordinance of the City of Niceville, Florida amending Part II, Chapter 13 - Offenses and creating new sections 13-9 through 13-16 of the City of Niceville Code of Ordinances prohibiting threatening, intimidating, harassing behavior for panhandling/solicitation prohibited (13-9) loitering and prowling (13-10); prohibiting overnight camping, extended (13-10-03); theft of utilities (13-11); use of right-of-way (13-12); behavior and conduct in parks (13-13); animal control (13-13.04); providing for definitions; providing for penalties and enforcement; providing for severability; providing for codification; providing an effective date. (Final Reading)

Mr. Doucet read ordinance 24-01-02 by title. Councilman Nodjomian moved approval and Councilman Schaetzle seconded. Christopher Saul, 1405 Clary Sage Lane, asked what the ordinance changed? Mr. Deitch stated this was not in our ordinances at all, so this adds it.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Ordinance 24-01-03 – An ordinance of the City of Niceville, Florida, amending Article 1, Chapter 17 and adding new Section 17-3 of the City of Niceville Code of Ordinances prohibiting structures on City Property; providing for definitions, providing for severability; providing for codification; and providing for an effective date. (Final Reading)

Mr. Doucet read ordinance 24-01-03 by title. Councilman Schaetzle moved approval and Councilman Nodjomian seconded. No one spoke for or against.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Ordinance 24-01-04 – An ordinance of the City of Niceville, Florida, amending Article 1, Section 19-1 hitchhiking prohibited and creating new sections 19-18.01 through 19-18.03 of the City of Niceville Code of Ordinances; prohibiting parking in excess of 72 hours (19-18.01), prohibiting parking in designated fire lanes (19-18.02) and prohibiting

parking in parks and public rights of way 19-18-03); providing for definitions; providing for severability; providing for codification; and providing an effective date. (Final Reading)

Mr. Doucet read ordinance 24-01-04 by title. Councilwoman Alley moved approval and Councilman Schaetzle seconded. No one spoke for or against.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Ordinance 24-01-05 – An ordinance of the City of Niceville, Florida, amending Article 1 chapter 4.5 boats, docks and waterways and creating new sections 4.5-2 and section 4.5-2.01 through 4.5-2.06 of the City of Niceville Code of Ordinances; Watercraft Regulations (4.5-2), definitions (4.5-2.01), live-aboard vessels prohibited – generally, exceptions (4-5-2.02), use of city boat ramps, dock facilities, and beaching of vessels (4.5-2.03) and enforcement (4.5-2.03), floating structures prohibited (4.5-2.04), derelict vessels (4.5-2.05) and enforcement (4.5-2.06); providing for definitions; providing for severability; providing for codification; providing an effective date. (Final Reading)

Mr. Doucet read ordinance 24-01-05 by title. Councilman Nodjomian moved approval and Councilman Schaetzle seconded. No one spoke for or against.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Ordinance 24-01-06 – An ordinance of the City of Niceville, Florida to be called “The City of Niceville School Zone Speed Enforcement Ordinance”; amending City of Niceville Code of Ordinances; providing for purpose, intent and definitions; establishing a school zone speed enforcement program and authorizing the use of speed detection systems within the city; providing for program implementation requirements; providing for designation of school zones; providing for enforcement procedures; providing for collection of evidence, public records, and retention requirements, providing for annual reporting requirements; providing for the remittance of collected fines and costs; providing for severability; providing for resolution of conflict of laws; providing for codification; and providing an effective date. (Final Reading)

Mr. Doucet read ordinance 24-01-06 by title. Councilman Schaetzle moved approval and Councilwoman Alley seconded. Councilman Nodjomian asked for an update? Mr. Deitch stated the roll out of the system is several months out while the Department of Transportation (DOT) finalizes the rules. We are looking at February before a contract will be finalized with a vendor. Councilman Nodjomian asked if this would be solicited or a sole source award? Mr. Deitch stated he could do an RFP but does not think the statues require it since we are not constructing anything, not procuring anything, or paying them.

He also stated that he has had discussions with two different vendors. Councilman Nodjomian stated this would exclusively focus on the triangle: Partin Drive, Palm Boulevard, and John Sims Boulevard. Mr. Deitch stated it would include Edge Elementary on Highway 85 as well. The others would be on Highway 20 in front of Niceville High School, Partin Drive by Ruckel Middle School, and Palm Boulevard behind Ruckel Middle School.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Ordinance 24-01-07 – An ordinance for the rezoning of certain properties in the City of Niceville, Florida providing for same and an effective date. Malcolm Spears, 805 Cedar Ave S. request his property be re-zoned from R-1A to R-1B, with FLU of MDR, medium density residential. (Final Reading)

Mr. Doucet read ordinance 24-01-07 by title. Councilwoman Alley moved approval and Councilman Nodjomian seconded. No one spoke for or against.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Ordinance 24-01-08 – An ordinance annexing to the City of Niceville, Florida, contiguous lands described as set forth herein; providing for proper advertisement pursuant to §171.044, Florida Statutes, providing that the property will be zoned R-2, One or Multi Family with a Future Land Use of MDR. Parcel id #08-1S-22-0000-0075-0010 and #08-1S-22-0000-0075-0000. Fleur De Key Properties, Bullock Blvd. (Final Reading)

Mr. Doucet read ordinance 24-01-08 by title. Councilman Schaetzle moved approval and Councilwoman Alley seconded. No one spoke for or against.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Resolution 24-01-01 – A resolution of the City of Niceville, Florida establishing rates for the collection of Residential and Commercial Garbage and Recycling; providing for a rate increase and an effective date.

Mr. Doucet read resolution 24-01-01 by title and briefed the council regarding the resolution. Councilwoman Alley moved approval and Councilman Nodjomian seconded. Doug Rainer, Waste Management, thanked the council and stated he appreciated the partnership with the city.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Resolution 24-01-02 – A resolution granting a special exception to the Land Development Code Table 7-2, R-2 zoning, to allow for a 10' rear setback as opposed to the required 20'. Metes and bounds description. Parcel id #07-1S-22-0000-0092-0000. James Brown, 307 Boxer Avenue, Niceville, FL; and providing for an effective date.

Mr. Doucet read resolution 24-01-02 by title. Councilman Schaetzle moved approval and Councilman Nodjomian seconded. James Brown, 4251 Wilco Drive, stated the property he purchased was a unique shape and it was limited due to the width. He also stated he planned to put two townhouses on the property. Discussion followed regarding the shape and access.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Resolution 24-01-03 – A resolution granting a special exception to the Land Development Code Table 7-2, R-1A zoning, to allow for a 7'9" side setback as opposed to the required 10'. Lot 18, Block A, Grand Ridge, Phase II, according to plat thereof on file in Plat Book 10, page 59, in the Office of the Clerk of Circuit Court, Okaloosa County, Florida. Jim Wilson, 300 Riley Rd., Niceville, FL; and providing for an effective date.

Mr. Doucet read title 24-01-03. Councilman Schaetzle moved approval and Councilwoman Alley seconded. Jim Wilson, 300 Riley Road, stated he had been a draftsman and that was the reason for the precise number for the setback. Councilwoman Alley asked if this was to build a deck and Mr. Wilson stated no, it was to build an addition to allow for more room when his grandchildren came to visit. Councilman Nodjomian wanted to know if there had been any comments or concerns from neighbors. Mr. Wilson stated no.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

Mr. Deitch requested the Council to make a motion for the Interlocal Agreement with Okaloosa County for Meigs Park.

Councilman Schaetzle moved approval and Councilwoman Alley seconded. Councilwoman Alley asked if the discrepancy was cleared up in the newest copy they had reviews? Mr. Deitch stated it had been and the amount had been corrected.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Police Department – Update

Chief David Popwell briefed the status of department operations.

During the month of December, the Police Department responded to 2,753 calls for police assistance. There was a total of 43 traffic crash reports written involving 81 vehicles and 2 pedestrians. The estimated amount of damage to these vehicles and related property was \$257,839. A total of 125 traffic citations and 192 traffic warnings were issued, 24 misdemeanor, 18 felony and 1 DUI arrests were made. Chief Popwell stated 2023 was a good year. He told the council they escorted the Niceville High School Band to the Rose Bowl Parade and the new fire arms were in. He also stated a new officer was sworn in, Officer Tummanee.

Fire Department – Update

Mr. Deitch read the Fire Department report for Chief Mayville who could not attend.

During the month of December 2023, the Fire Department ran 166 calls. Three of those calls were overdose/poisoning calls. There was a total of 1,943 calls for the entire 2023 year. The department held their annual children's party, attended the library's Christmas luncheon, and attended the employee Christmas party. Crews welcomed Edge Elementary students during their City Hall tour, escorted Santa to the annual Swift Creek children's party, and drove Santa through several neighborhoods. The department also participated in the Rotary Club's boat parade.

Water/Sewer/Drainage Projects – Update

Johnathan Laird, Public Works Director, briefed the status of current projects.

Water and Sewer:

Supplies are in and we are ready to start the rehabilitation work on lift station #56 next week.

Mr. Laird and Mr. Deitch met with a representative from LiveOak Fiber and things are moving in the right direction.

The water tank contractor will be in town next week doing maintenance on tank #3 at College Boulevard and Cedar Avenue. They will power wash, clean, paint, and fill the tank.

Our new mixing tank will be here any day so we can start the Bryozoa treatment on our reuse system.

Calls: 32 water calls and 25 sewer calls; made 6 water taps and 4 sewer taps; 250-line spots. We changed out 162 meters and have completed 426 service orders.

Stormwater:

We have a stormwater issue at Valparaiso Boulevard and St. Andrews to repair and that was line spotted today.

The paving project around the Meigs Park area (1st Street, 2nd Street, 3rd Street, 4th Street, Park Avenue, Deer Street, and Vat Street) is complete.

Emerald Coast Stripping will be in town on Monday to do the stripping in that area.

Ken Filson, Parks Department, and Ernie Howell, Water and Sewer Department, handled the issues that came up during the storm this morning along with their crew members.

Streets:

We will be starting to asphalt areas around the city next week.

The streets department will start replacing speed bumps around town that were removed due to various projects.

The streets department have torn down the trailers at the Mullet site. This project is complete.

We are working with our engineers on the design for Hart Street and Hill Lane.

Construction Services tied in the force main on Marc Smith Boulevard. Once the sidewalks are installed, they will be done.

DOT is still planning to have the Highway 285 project completed by February 7th but with the cold weather they may not complete it by then.

The CRA would like a turn lane onto Armstrong Avenue, included in the new paving project on Highway 20.

We are still looking at replacing the retaining wall around Meigs Park.

All the signs for the WALKABLE Niceville are in with the exception of the banner. Next will be getting the sign posts installed.

Our Parks team did another wonderful job on the Christmas lights around the City Hall complex.

Employee Spotighting our Shining Penny of the month is Joey Carnley.

Mr. Laird stated that on December 28th at 9 PM we lost a fellow coworker then read the following: Joey started work with the City in the Parks Department on December 2, 2005.

After about three years there he decided to upgrade and transferred to the Recreation Department, where he would stay until his passing. I could always count on Joey to come in to work, even on our days off, to get fields prepared for tournaments or other events that we might have. Joey was dependable and a hard worker. Born and raised in Niceville, he enjoyed hunting and fishing and spending time with his wife Sharon and their two sons, Will and Sam. He was proud of those boys! Sadly, he lost his wife a few months ago to cancer, he tried his best to hold it together for his children and make the best out of a very trying time for his family. Joey also had a great sense of humor, you never knew when he was going to come up with this next “Joeyism”! We would be scratching our heads sometimes trying to figure out what he was talking about, but he knew. We all not only lost a coworker, but also a friend and we will miss him greatly. Pastor Stauffer said a prayer.

Councilman Nodjomian stated if there was anything the council could do for the family to let them know.

Councilman Schaetzle asked about LiveOak Fiber. Mr. Laird explained how lines that are both marked and unmarked are getting hit but there is a plan in place to fix the problem. They have about six to nine more months before the project is complete.

Councilwoman Alley asked when the building on Edge Avenue would come down? Mr. Laird stated as soon as the Police Department and Fire Department are done with training.

Bills Payable:

Councilwoman Alley moved approval and Councilman Schaetzle seconded.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Other Business:

White Hat Productions – Comprehensive Parking Plan for 2024 Mullet Festival

Mark Wagner gave an update regarding the parking issue, then stated he got deflating news tonight. At this Mr. Deitch stated there would not be a lease in place by October with the Real Property Office of Eglin Air Force Base. Discussion followed regarding what was still needed for the license and parking at Northwest Florida State College. Mr. Deitch added that the concerns expressed to them earlier have waived and he was hopeful to get Eglin AFB on board and bring this to fruition. Eglin AFB is in the driver’s seat since it is their property.

City Clerk:

Aid to Organizations

Mr. Doucet briefed the council on the following aid to organizations. He stated we budgeted \$22,500 this fiscal year to fund Aid to Organizations. The total amount of their requests is \$28,250. If the Council wants to consider funding their total requests of \$28,250 it would be necessary to transfer \$ 5,750 from another area in the General Fund Budget. Otherwise, we recommend the following spread in the “Recommended Funding Column.” Or, if the Council wants to offer changes we can certainly accommodate those changes as well. Please note that 3 organizations did not request funding this year.

	FY 2024 REQUESTED	“RECOMMENDED” FUNDING	% OF REQUEST
1. Niceville H. S. Track	2,500	2,500	100
2. Economic Development Council	5,000	5,000	100
3. Chamber of Commerce	6,000	5,000	83.3
4. *Bridgeway Center	2,000	1,900	95
5. *Okaloosa-Walton Early Learning Coalition	2,750	1,950	70.9
6. *Shelter House, Inc	No Funding Requested		
7. Northwest Fla Symphony Orchestra-NWFSC	3,000	1,600	53.3
8. *Children’s Advocacy Center, Inc.	3,000	1,950	65
9. *Okaloosa County Comprehensive Head Start - Child Development, Inc.	No Funding Requested		
10: Sharing and Caring	No Funding Requested		
11.. NW FL Guardian Ad Litem	2,000	1,600	80
12. Heritage Museum	<u>2,000</u>	<u>1,000</u>	50
TOTAL:	28,250	22,500	

* Receive Matching Funds

Councilman Schaetzle moved approval to accept as presented and Councilman Nodjomian seconded. Councilman Nodjomian stated that he understands this is always a challenge to line up available dollars with requests. Historically we have not fully funded requests and we have had discussions in the past regarding why we give any money at all. The answer is that many of these organizations do good on behalf of the City and provide service that we would otherwise have to provide. Councilman Nodjomian stated that given we have a limited budget he personally does not see why we put \$1600 to the Northwest Florida Symphony Orchestra and we underfund the Children's Advocacy Center and the Bridgeway Center. His proposal would be to zero out the Orchestra and add the additional dollars to those that provide tangible services. Councilwoman Alley stated the program provided by the Orchestra brings children in from the schools to teach them music. Chief Popwell spoke for the Children's Advocacy Center (CAC) stating every child they have to interview for a sexual assault has to be taken to the CAC. He requested the CAC be fully funded. Councilwoman Alley inquired about the funds allocated in the budget and Mr. Deitch responded \$22,500. Councilman Nodjomian stated there are other programs that we are only partially funding like The Okaloosa-Walton Early Learning Coalition and that would leave money on the table as they are a two to one match program. So, every dollar they get from us they can match double. He stated he could see the funds from the Orchestra and the Heritage Museum go to organizations that can help our children. Councilwoman Alley stated she would like to leave the \$1600 in the Orchestra because of what they do for the children in our area and then somehow fund the Early Learning Coalition, CAC, and Guardian Ad Litem.

Councilman Schaetzle amended his motion to have the funding matrix as presented today be postponed and the City Manager and City Clerk rework the numbers and present it to us next month. Councilman Nodjomian amended his second.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Williams-yes. Motion passed

Councilman Schaetzle congratulated Mr. Deitch on his six-month anniversary as City Manager.

Councilwoman Alley stated she was doing a Disney ½ marathon.

Christopher Saul, 1405 Clary Sage Lane, stated when it comes to donations everybody made great points. He asked for money to still be considered for the Heritage Museum and the Orchestra since they are vital pieces of our culture and important aspects of his children's lives.

Paul Reese, 1002 Alderwood Way, mentioned a friend of his had a hard time finding his house because the trees were gone. He then held up two pictures of his road, one with trees and without. He turned and shared the pictures in silence for the remainder of his three minutes.

Rachel Reese, 1002 Alderwood Way, passed out a picture and started reading the Pale Blue Dot by astronomer Carl Sagan for her three minutes. She ended with we lost our trees, you won. They aren't going to fix anything. We lost, you won, but at what cost?

Doug Stauffer, 1737 Maple Avenue, stated he was proud to have a council who works together and proud of how they represent the City. This is a city we can be proud of and he is proud to say he is a citizen of Niceville.

Councilman Williams tendered his resignation effective immediately. He stated regrettably, due to personal circumstances he was compelled to relinquish his responsibilities as Councilman. He stated it had been a privilege to serve the City of Niceville and citizens in a capacity that upholds the principles of civic duty and governance. He extended his sincerest gratitude to the City Council, staff and constituents for their unwavering support and collaboration throughout his time on the council. He wished the best for the future accomplishments and growth of the City of Niceville.

Councilman Nodjomian asked what was to be done in this circumstance of a resignation of a council member? Mr. Doucet stated that by City Charter, the Council would appoint someone to serve the unexpired term. Councilman Nodjomian then asked if a special meeting would be conducted. Mr. Deitch stated that could certainly be done and that he would get with Mr. Doucet, set something up, and get back with the Council before the next council meeting. Attorney Powell asked if there was an alternate for Mayor Pro Tem and Councilman Nodjomian stated there was not. It was agreed that would be addressed at the special meeting.

There being no further discussion, the meeting adjourned at 7:28 PM.

MAYOR

ATTEST:

CITY CLERK

Minutesregularcouncil01092024

UNAPPROVED