MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
FEBRUARY 11, 2020

The Niceville City Council met in regular session at 7:00 PM, February 11, 2020 in the Council Chambers, 208 N Partin Drive. All Council members were present except for Councilmen Schaetzle and Nodjomian who were away on business; and both joined the meeting by phone. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; Technology Department, Chad Morris; Police Department, Chief Popwell; Fire Department, Chief Mayville and 22 visitors in the audience. Mayor Pro Tem Henkel called the meeting to order at 7:00 PM, and a visitor offered the prayer, and led the pledge of allegiance.

APPROVAL OF MINUTES:

Regular Council Meeting, January 14, 2020
Planning Commission Meeting - February 3, 2020
Local Planning Agency Meeting, No Meeting Held

Councilwoman Boudreaux moved approval. Councilwoman Alley seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

PUBLIC HEARINGS

Ordinance 20-03-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; providing zoning for same and an effective date. Property is located at 206 Bailey Dr., owner is requesting re-zoning from R-1, Residential Single Family to R-1B, Residential Single Family and have a future land use of MDR, Medium Density Residential. William and Dara Johns, 206 Bailey Drive. (First Reading)

Mr. Doucet read Ordinance 20-03-01 by title. Councilwoman Boudreaux moved approval on first reading. Councilwoman Alley seconded. Mayor Pro Tem Henkel asked if anyone had any ex parte communication either oral or written, including any other form of non-verbal communication with anyone, or conducted a site visit, outside a public hearing which has significantly influenced your preliminary view or opinion concerning this matter? Councilman Schaetzle stated he had made a site visit to the property. Councilman Nodjomian stated he had not and further stated he had no contact with the property owner outside this meeting. Councilman Nodjomian asked two questions for clarification purposes to determine if there would be any future requests for
special exceptions regarding this property if we approved the rezoning request tonight? Is there anything else in that area zoned R1B, or is it all just R-1? Are there any other multi-family units in that area? Would they come back later to request a variance for setbacks for future homes on a smaller lot? He was also interested in any comments provided by the Planning Commission regarding the request. Mr. Bruce Price explained the differences between R-1, Residential Single-Family rezoning and R-1B, Residential Single Family and Medium Density Residential (MDR) rezoning. He further stated that the members of the Planning Commission approved the request without discussion. Councilman Nodjomian thanked Mr. Price for his comments. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Resolution 20-02-01 - A resolution of the City of Niceville, Florida, establishing Election Procedures.

Mr. Doucet read Resolution 20-02-01 by title. Councilwoman Boudreaux moved approval. Mayor Pro Tem Henkel seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Resolution 20-02-02 - A resolution requesting a special exception to the Land Development Code, Table 7-2, R-2 zoning, to allow for a 20' front setback and a 10' rear setback as opposed to the required 25' front setback and 20' rear setback; and providing for an effective date. Daniel and Edith Taylor, 1321 S Cedar Ave.

Mr. Doucet read Resolution 20-02-02 by title. Councilwoman Boudreaux moved approval. Councilwoman Alley seconded. Discussion followed. Council Vote: Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Resolution 20-02-03 - A resolution authorizing the City Manager to purchases services for Boggy Bayou Invasive Species Treatment Program in the City of Niceville.

Mr. Doucet read Resolution 20-02-03 by title. Mayor Pro Tem Henkel asked if we had a motion to discuss this. Councilwoman Boudreaux moved approval. Councilwoman Alley seconded. Discussion followed. Mr. Lee Lewis, representing Avcon Inc., provided an update regarding the project stating that only one bid was received and recommended Council approval to award the bid to Bio-Tech Consulting, Inc. 30905 E. South Street, Orlando, FL 32803 as the only responsive bid meeting specifications, to purchase
services for the Boggy Bayou Invasive Species Treatment Program in the City of Niceville at a cost not to exceed $34,699.00. Mr. Lee Lewis said originally this project was part of the Thomas Branch and Boggy Bayou projects that the National Fish and Wildlife Foundation (NFWF) is funding. We looked at the type of work that was involved with removing the invasive species and maintenance that would be required and concluded that it is a specialty service with a much longer period of performance. We looked at breaking this out as a separate contract, putting it out for advertisement with the understanding this would be a 24-month period. Essentially that means taking the project limits of the two projects we discussed and allowing for an initial treatment of both chemical and mechanical means, with three follow-up visits. That way the selected contractor could base their treatment applications on the seasonal variations and when is the best time to apply to attack some of these invasive species. The bid was publicly advertised. The reason we had only one bid was that local firms already had a lot going on right now and had other work to focus their attention on. The sole bidder was well-qualified.

When we have a pre-construction meeting with them, we expect to hear some ideas from them to make them even more effective. We recommend the City approve the sole bid of $34,699, subject to approval of the National Fish and Wildlife Foundation. Mayor Pro Tem Henkel asked, I noticed your opinion that the bid amount seemed reasonable? Mr. Lee Lewis replied the necessity of bringing someone in and incorporating the travel made it a little more difficult to estimate, but we feel the fees are reasonable for what is requested. Councilman Schaeztze asked Mr. Lee Lewis if this Orlando firm would be doing the work or hiring subcontractors to do the work. Mr. Lewis answered that it was his understanding the company’s plan at this point would involve traveling and putting together a team from its offices in Tampa and Jacksonville offices to do the work. Janet Osierman of 115 Edge Avenue asked if the invasive species treatment would affect the local waterways. Mr. Lewis said the plan keeps the scope similar to the original project scopes from the Thomas Branch and Boggy Bayou projects. Council Vote: Henkel-yes; Schaeztze-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

City Manager Update:

Mr. Corbin said Ms. Helen Wise had stopped by and asked him to tell the City Council she appreciated all the City had done for the Wise family since the passing of Mayor Wise.

Dr. Bill McCartney – Update on CRA and Special projects. Mr. Corbin asked Dr. McCartney to bring the City Council up to date on all he has been working on for the
City of Niceville. Dr. McCartney stated he has worked for over 50 Florida cities and no other City he is aware of has done as much in honoring a former City leader with such fine memorial events as the City of Niceville did for Mayor Wise and his family.

Dr. McCartney said there are three projects he is working on for the City. Our City is scored 20th of 164 grant applications the Florida Legislature is considering for $184,000 to implement certain improvements at Turkey Creek Park. This is the Florida Recreation Development Assistance Program (FRDAP). We have been approved for years and years but for the past four years the Florida Legislature has not appropriated any money. I drafted a letter for the City Manager’s signature to go to the Senator George Gainer and Representative Mel Ponder to encourage them to support legislation funding all of the NW Florida projects on the FRDAP application approval list.

Number two, is that we, Ammy and Bill, have submitted to the former Department of Environmental Protection/Florida Communities Trust, a management plan for the $700,000 grant that the City has been tentatively awarded to purchase the old Hardee’s site, to incorporate it into Turkey Creek park. We have not received the appraisal from the State. The State is doing the acquisition as they have in the past for several land acquisition projects that we’ve done at Turkey Creek. As soon as we have an appraisal and Mr. Breland’s okay, we will set up closing on that. It will require certain documentation that will go along with that. They will actually purchase the Hardee’s property in the City’s name.

The last thing, and I asked Dan Doucet to hand out a copy tonight, is the CRA workshop that we’ve tentatively scheduled. We have Mr. Jeff Burton, President-Elect of the Florida Redevelopment Association, who will take his Spring vacation in Okaloosa County in order to visit with us in a workshop setting on the sixth of March. It’s a Friday and Mr. Corbin has arranged for it to be at the Senior Center in order to get it out of the Council Chambers and make it a little more informal. There will be no action at that meeting, just a presentation by Jeff Burton and then an initial review on behalf of the CRA Commissioners of the draft CRA plan. The plan then will be brought back to a public forum to the CRA Board on March 17, 2020 in an official modification action. So, we have a CRA workshop. We have a couple of grants, and things are looking pretty good. The CRA plan that I’m working on today and tomorrow is going to make a strong request or recommendation that we include more than the City Council in the planning process. I think we were remiss on some of the earlier projects that the planning and zoning commission was not aware of the CRA priorities. Also, very effective in the town of Pompano, as Mr. Burton will talk about, is the utilization of program advisory committees that will work on specific areas of the plan. Dr. McCartney asked if there
were any questions. Councilwoman Boudreaux said she appreciated all that Dr. McCartney had done for the City, saying he has made such a difference. Dr. McCartney explained Mr. Corbin had been working at his side on most of these projects.

Technology - Update

Chad Morris stated that everything is going well in the Technology Department. We are getting ready to spin up new servers on hardware we put in for our new network upgrade. Everything seems to be working really well so we are moving forward with that project. He stated that he is supposed to be in Tallahassee next Thursday to attend a new cyber security meeting. Mr. Corbin asked me to attend to receive the latest info on Ransomware and other concerns. The City has received the Restore Act grant money and now the City must submit annual reports for a while. Discussion followed.

Police Department - Update

Chief Popwell stated that during the month of January 2020, the Niceville Police Department responded to 2,201 calls for police assistance. There were a total of 60 traffic crash reports written involving 120 vehicles. The estimated amount of damage to these vehicles and related property was $241,730. A total of 125 Traffic Citations and 142 Traffic Warnings were issued, 17 Misdemeanor, 15 Felony and 1 DUI Arrests was made at Bayou Plaza. In January we attended the Chief’s Police conference and received a very in-depth briefing on the future of possible legalization of the recreational use of marijuana in Florida and impact it is going to have on law enforcement. It was very informative so we will incorporate that into some of the things that we do. We also performed for the Mayor Wise honor guard service. We did active shooter training at the college. The biggest news I just got on the way over here. Our canines were at the regional field trials at Pinellas County competing against 20 other teams from Alabama, Georgia, and Florida, and Blue came in second place in room searches. He missed first place by one second. Cody came in second place in vehicle searches and outdoor searches again missing first by one second. Overall, as a combined team, we got an overall rating of third. For their first event, I think that is pretty good!

Fire Department – Update

Chief Mayville stated that during the month of January 2020, the Fire Department had 2 structure fires, 52 medical calls, and 12 vehicle accidents involving transport by EMS to
the hospital. We had two elevator lock-ins, a weather-related power line down, 7 community service calls, 16 good-intent calls, and 14 alarm activations in commercial businesses. We responded to a total of 106 calls. There were 100 calls located in the City and 6 mutual aid calls. Partners from Ocean City, Fort Walton Beach, Destin, and North Bay all participated in our structure fires. We had 32 and 36 firefighters on scene from all other agencies working mutual aid and automatic aid, so our team policy is alive and well. Our Fire Department was also instrumental in getting our radios working with the State’s 800 system. Now all of our 800 radios have been reprogrammed to broaden our coverage area when we go to the north end of the County, like Mossy Head or Crestview to help out, so we expanded our coverage area to include the Santa Rosa and Escambia area as well. We’ve been instrumental in helping out with sending our girls off to Nationals in Orlando, where they placed, along with Ruckel Middle School. Ruckel placed fourth in the Nation and Niceville girls placed fifth in the Nation. Our boys’ soccer finished first for the district, so we’re real excited for our high school.

We continue monitoring all of the new construction with technical committees. We’ll be meeting with Bruce Price and his team tomorrow to review plans, new construction, and we are keeping up with Valparaiso bridge quality. Post testing, hydrant testing, pump testing, CPR classes, knox box… we have a committee for monitoring all of that. This is a lightning prone area, so we keep our residents informed about that. If your home gets struck by lightning while you’re on vacation, and you have a knox box, we can make entry into your house and check everything out without tearing everything up. I highly recommend you check into that. The flu is in a moderate swing right now. Don’t get it mistaken for the 48-hour bug that is going around right now. The pollen is falling, so there are also a lot of sinus infections. If you are ever in doubt you can call the fire department and we will help you out as we can. We also do vital signs for the community, take your blood pressure and monitor your pulse. So, we highly recommend you get checked out on a routine basis. Anything from the Council? Mr. Corbin thanked Chief Mayville.

Water/Sewer/Drainage Projects - Update

Mr. Bruce Price greeted the City Council and briefed the status of ongoing projects.

Water & Sewer
Deer Moss Pump Station: The necessary utility easements have been secured allowing Gulf Power to install the power service to the new lift station leaving only the installation of the Supervisory Control and Data Acquisition (SCADA) System to be completed.

Well 11: We are awaiting the results of the sampling. We are hoping those results will identify the problem and provide treatment options that will not require pulling the well. The well will remain off line until a solution is reached.

New Equipment Storage Building: The roll up doors have been installed on the new O&M equipment building. Remaining work includes the interior lighting, electrical receptacles, and insulation.

New Reclaim Filter System: A majority of the installation of the filter screen system for the reclamation system has been completed. According to Poly Engineering the start-up will be scheduled in 2 weeks. In the meantime, City crews will be installing some wiring and restoring areas disturbed by the installation.

Stormwater

Thomas Branch: The preconstruction meeting is scheduled for tomorrow for Thomas Branch.

Boggy Bayou Headwaters: We are still awaiting the final permit approval from the Army Corps of Engineers.

Invasive Species Removal Contract: The contract calls for mechanical and herbicide treatments over a span of 18 to 24 months for a 95% removal of all the invasive plants within the project limits of the Boggy Bayou Headwaters and the Thomas Branch projects.

Streets

Dolphin Point Cul-de-sac: The contractor will begin the reconstruction of the Cul-de-sac as soon as City crews complete the installation of the drainage system. That work will include the removal and replacement of the roadway base and repaving along with new valley gutter curbing and inlets to alleviate the standing water. As soon as we put in some drainage the contractor will work on that.

Street Resurfacing: A representative of Advanced Paving Systems visually inspected some City roadways to determine which segments are good candidates for the full-depth reclamation process. We are awaiting the results of his inspection and recommendations. The list of City-maintained roadway segments included in this inspection were: Rocky
Bayou Drive, Bayshore Drive, Palm Boulevard, a short section of Bullock Boulevard, Juniper Avenue, 27th Street and 37th Street. We’re still waiting on what he has to say about that; but we’re pretty sure that the two roads, that he thinks this process will be most effective on, are going to be Rocky Bayou Drive and that short segment of Bullock Boulevard. Most likely those other roads will probably be milled and resurfaced as a more practical application. There may even be some of them that are candidates for micro-resurfacing.

Disaster Debris Contractor: Last week members of the Public Works Staff and the Purchasing Department held an introductory meeting with a representative of the City’s Disaster Debris Management contractor, DRC. He explained their processes. Our plan is to contact the Debris Monitoring Company and set up a joint training workshop with both of these companies sometime in April. This workshop is intended to educate the City staff on the operational aspects and the FEMA guidelines for the removal and disposal of disaster-generated debris. We intend to have staff from Public Works, Purchasing, Finance and any other departments that may want to participate. They have done this before with other communities. They’ve come a long way with all of this stuff since the early 1990s. Everything is digitized now. We’re going to probably set that up some time in April.

Development Updates

Active Residential Developments include: Osprey Ridge, Magnolia Woods Phase 3, Deer Moss, Fir Avenue, Oak View & Cottage Court. In January and February there were nine certificates of occupancy issued and 12 new building permits issued.

Hideaway Ridge Development. This development is being platted and when the clearances are received building permits can be issued for this project. Single family homes will be built.

Active Commercial Development sites include: North Light Showroom Expansion, the Townhome Suites and the Parking lot curbing and Base installation is underway at the Turkey Creek Phase 3 site.

Commercial Site Plan Reviews: City Staff have also provided site plan review comments for a storage facility on SR 20 east of the CEFCO Station and a small commercial building at Spencer Place and Government Avenue.

Speed Calming Measures: We are currently working with the PD, having speed studies conducted at two locations, to determine if some speed-calming measures might be
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necessary. At the area on Bayshore Drive, I think the best alternative is going to be to just post a lower speed limit. On Spencer Place, the initial survey did not show a whole lot, so we are going to do a weekend survey. They’re claiming they’re having a problem there. Mr. Corbin thanked Mr. Price.

Mr. Corbin spoke to the City Council saying, Bruce Price talked about building, let me bring you up to date about last year. Last year we had 119 single-family homes, 6 new commercial buildings, 30 commercial remodelings, 136 residential remodelings, and 33 swimming pools. So, last year we had a total 324 in building for close to $50 million in valuation and that did not include the lots. So, you can add at least another third to that. That was a good year for building. Some of the things Bruce didn’t mention, we are actually having a crematory built on Highway 85N. Peppers in Shalimar is opening by the new Holiday Inn Express. The Townplace Suites has 72 units. It’s part of the Marriot Group and that’s on Highway 85N. There are two more businesses that are going to be put in by Holiday Inn Express. The Huff’s are building close to 6,000 square feet of potential commercial buildings in that area. The Emerald Coast Marine is building a new showroom that looks like about 6 or 7 thousand square feet.

We had a very successful fundraiser with the Boston Butt sale. We now have about $390,000 in that fund and that’s not accounting for the revenue that we made on this last sale. We started off with about $105,000 from the Hemby fund and that has really taken off. We are guaranteed that we can have fireworks for the next 10 years just from the revenues that we have in house, but we plan on building that fund. One other thing I’d like to mention. Third Planet started off in a little building right behind 120 Bistro. Actually, that building was initially a Sears Roebuck building and that’s where they started. Then they built a new one out past Walmart. After the Boston Butt sale, they invited us down to their bonfire to sell sandwiches and barbecue plates and we made another $4,000 with that. So, those folks are not only a successful business but they’ve become a real valuable part of our community.

Councilman Nodjomian added, last week several of us attended the annual Niceville Awards dinner and they were recognized as the small business of the year, and a lot of this was for the philanthropy you just mentioned, so I’m glad you said that. I think they were duly recognized by our community. Mr. Corbin said yes, they have had a fundraiser for autism, a fundraiser for veterans’ groups, and they have really been a great part of our community. Tim McCool and his partner are both retired military and I’m glad they stayed here in Boggy.
I met with Mark Wise on re-use water, and that project is moving quicker than we thought. Hopefully in the area of Deer Moss Creek, where the water bills are still high as they try to get things to grow in new places, that will be moved up at least a year. Mark Wise with the County is doing a good job. We just finished this week the re-use filter installation on Eglin golf course. That should eliminate a lot of the algae that you folks are concerned about from Swift Creek. We are still working on the Senior Center and the Courtyard in the back is taking shape. We're going to add a walking area, putting greens, a gazebo. The pickleball courts are full most of the time. I think the community is supporting the Senior Center. We started with zero and now we have 1,751 members. The average daily attendance is over 150, so it really has become a valuable part of our community. I mentioned re-use and Bruce has brought us up on the building. There is a meeting you may want to go to that is being sponsored by the Economic Development Council. It is March 6th at 7:30 to 9:30 am. It is an infrastructure and sales surtax meeting. That is something that will be on a referendum. It is going to be monitored by Dr. David Goetsch. It is at 1500 Miracle Strip Parkway, in Fort Walton Beach, at the Island Hotel. That's all I have.

Regional Sewer System – Update

No report.

Other Business:

CITY CLERK

Aid to Organizations Funding - Update

Mr. Doucet stated that this item came before the City Council for recommended funding as we typically do this during the month of January each year. The decision was to bring this back for consideration during the month of February since there were recommendations made that warranted further review. We provided three options for consideration during the January meeting and decided to offer option four for review/consideration. Option one recommended a funding spread that totaled $22,500 which is what we budgeted for in FY 2020. Option two totaled $22,750, which included funding a portion of the request submitted by Niceville Strong. Option three was an option to fund the requested amount by all agencies that totaled $33,500. Option four...
recommended that the Council consider funding the Children’s Advocacy $ 3,000 and NW FL Guardian Ad Litem program $ 1,800 which is 100% of their request and it also included Niceville Strong $ 250 since they are now a 501c3 non-profit organization. Councilman Nodjomian motion to approve for discussion purposes. Councilman Schaetzle seconded. The Council deliberated over the different options and the majority made a decision to fund at the Option one level which is as follows: Niceville H.S. Track - $2,500; Economic Development Council - $5,000; Chamber of Commerce - $5,000, Sharing and Caring $2,000; Bridgeway Center $1,000; Okaloosa-Walton Early Learning Coalition $1,000; Shelter House, Inc. $1,000; Northwest FL Symphony Orchestra-NWFSC $500; Children’s Advocacy Center, Inc. $1,500; Okaloosa County Comprehensive Head Start - Child Development, Inc. $1,000; NW FL Guardian Ad Litem $1,000; and Heritage Museum $1,000. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-no. Motion passed.

Proclamation/Resolution to dedicate Niceville Post Office in honor of the Doolittle Raiders.

Councilman Nodjomian stated that he was contacted by Congressman Gaetz recently and requested that I bring up the idea of local support to bestow the honor of designating the Niceville Post Office on 90 Palm Blvd as the servicing post office for the Doolittle Raiders when they trained here at Eglin years ago. Discussion followed. Councilman Nodjomian moved approval to come up with a Proclamation or Resolution of local support for this purpose. Mayor Pro Tem Henkel seconded. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-no; Nodjomian-yes; Alley-yes. Motion passed

BILLS PAYABLE

Mayor Pro Tem Henkel requested a motion to pay the Bills. Councilman Nodjomian moved approval. Mayor Pro Tem Henkel seconded. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Mayor Pro Tem Henkel asked if there was any other business to bring forward. Councilman Nodjomian said he would like to share that our Youth Advisory Council is heading to Tallahassee in the morning to take part in the Legislative Days out there. They have a full agenda that they’ll be taking part in as part of the Youth Advisory Council from around the State. The most youth advisory councils ever will be attending.
so I am excited our Youth Advisory Council will get a chance to share our programs with what others are doing. So, I want to thank Mr. Doucet and others who helped take care of that in my absence. Councilwoman Boudreaux also thanked Dan Doucet. Councilwoman Alley said the first round of playoffs in boys' soccer will be hosted. Councilman Schaetzle said he was in Tallahassee for the Florida League of Cities Legislative Action Days and tomorrow marks the midway point of their legislative session. There are over 3,000 bills filed. Some of them have gone through committee, some are yet to go to committee, and some have close votes. There are a couple that affect our City. One of them is the impact fees. This will clearly affect our City's general revenues. Another one that's coming up is the Communications Service tax and that will clearly affect our City's general revenue. I will put together a little summary when I get back to Niceville later this week. For those who have not seen it, the NWF League of Cities is going to offer free Ethics training again on April 10th in Fort Walton Beach. This is going to be important as we go into our CRA. If we ever have a CRA board other than our elected officials, they are also required to have ethics training every year.

There being no further discussion the meeting adjourned at 8:10 PM.

ATTEST:

Daniel Doucet
CITY CLERK