MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
JUNE 9, 2020

The Niceville City Council met in regular session at 7:00 PM, June 9, 2020 in the Council Chambers, 208 N Partin Drive. All Council members were present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; Finance Director, Steven Rausch; Technology Department, Chad Morris; Police Department, Chief Popwell; Fire Department, Chief Mayville; Public Works Director, Jonathan Laird. There were 18 visitors in the audience and a member of the press. Mayor Pro Tem Henkel called the meeting to order at 7:00 PM, and Councilman Schaetzle offered the prayer and led the pledge of allegiance.

APPROVAL OF MINUTES:

Regular Council Meeting, May 12, 2020
Planning Commission Meeting - June 1, 2020
Local Planning Agency Meeting, No Meeting Held

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

PUBLIC HEARINGS

Presentations – Mayor Pro Tem Henkel asked that Councilman Schaetzle step forward to be recognized. Mayor Pro Tem Henkel stated that Bill Schaetzle is a tremendous servant to this community; to Northwest Florida and the State of Florida, and has done an awesome job. He’s been very busy and even found time to complete a training program offered by the Institute of Elected Municipal Officials which is a series of training sessions designed for Elected Officials conducted by the Florida League of Cities. Mayor Pro Tem Henkel presented the framed certificate and exchanged a socially - distanced “virtual” handshake. Councilman Schaetzle expressed his appreciation for taking the time to recognize him and he made reference to the Florida League of City’s Web Site which includes a wealth of programs and information available to potential leaders who are interested in serving in a variety of capacities in local government. Applause by all in attendance followed the presentation.

PUBLIC HEARINGS

Ordinance 20-07-01, an ordinance the City of Niceville, Florida to obtain a commercial bank loan up to the maximum amount of $315,000.00 to purchase certain properties within the
City of Niceville, Florida; authorizing for solicitation of sealed proposals from commercial banks for said commercial bank loan at a fixed and competitive rate; providing for terms and conditions of said loan; authorizing City Attorney to provide an opinion letter and to prepare any and all loan and/or closing documents necessary to accomplish said commercial bank loan; providing that interest will be tax exempt to the holder as a "qualified tax exempt obligation" within the meaning of §265(b)(3) of the Internal Revenue Code; providing for proper advertisement; and providing for an effective date. (First Reading)

Mr Doucet read Ordinance 20-07-01 by title. Councilman Nodjomian moved approval on first reading. Councilman Schaetzle seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Ordinance 20-07-02 – an ordinance authorizing the City of Niceville, Florida to obtain lease/purchase financing from a commercial bank up to the maximum amount of $190,000.00 for the purchase and installation of a 2020 Generac industrial generator; authorizing the solicitation of sealed proposals from commercial banks for said commercial bank loan at a fixed and competitive rate; providing for terms and conditions of said lease/purchase financing; authorizing City Attorney to provide an opinion letter and to prepare any and all loan and/or closing documents necessary to accomplish said commercial bank loan; providing that interest will be tax exempt to the holder as a "qualified tax exempt obligation" within the meaning of §265(b)(3) of the internal revenue code; providing for proper advertisement; and providing for an effective date. (First Reading)

Mr Doucet Read Ordinance 20-07-02 by title. Councilman Nodjomian moved approval on first reading. Councilwoman Alley seconded. Mr Corbin explained the purpose of the generator which will add needed protection for library books, artwork that is on display, and plans include going under the parking lot to the financial side of the house which will be an asset during hurricanes if we ever get hit in the future such as the category 5 hurricane in Panama City. He stated it's essential to be in a position to put out our water billing and other financial services to our customers. He stated the cost of generator is approximately $131,000 we have talked to two businesses that install these types of generators and they can do it for less than $31,000. The actual cost for the generator and the installing we project to be approximately $ 160,000. We feel it's a good investment and we have the money budgeted for it. Discussion followed. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Ordinance 20-07-03 - 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 307 Palmetto Ave. The owner is requesting re-zoning from R-1, Residential Single Family to R-1B, Residential Single Family. Lots 5, 6, and 7, Niceville Heights Addition to
Valparaiso, Florida. As per plat thereof recorded in Plat Book 1, page 102, of the Public Records of Okaloosa County, Florida. Gerald Nedrow, 307 Palmetto Ave. (First Reading)

Mr Doucet Read Ordinance 20-07-03 by title. Councilman Schaetzle moved approval on first reading. Councilwoman Alley seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Ordinance 20-07-04 - 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 714 Elm St. The owner is requesting their property be re-zoned from R-2, One or Multi Family, to C-1, Limited Commercial. Lot 15, Block 12, Powell Subdivision, according to the map or plat thereof as recorded in Plat Book 1 Page 96, of the Public Records of Okaloosa County, Florida. Jessica and Jonathan Olson, 714 Elm St. (First Reading)

Mr Doucet Read Ordinance 20-07-04 by title. Councilman Schaetzle moved approval on first reading. Councilwoman Boudreaux seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Resolution 20-06-01 - A resolution requesting a special exception to the Land Development Code, Table 7-2, R-1 Zoning, for a 21′6″ rear setback as opposed to the required 25′ rear setback; and providing for an effective date. Anita and Stanley Skipper, 1103 Pin Oak Cr.

Mr Doucet read Resolution 20-06-01 by title. Councilman Schaetzle moved approval. Councilwoman Alley seconded. Councilwoman Alley requested an explanation requiring the need for this special exception. Mrs Anita Skipper, 1103 Pin Oak Circle explained the reason for the exception if for additional storage. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

Water/Sewer/Drainage Projects - Update

Mr Jonathan Laird briefed the status of current projects:

WATER AND SEWER:

Well 11: He stated that Well 11 has failed again since our update during our last Council Meeting. We chlorinated the well on Monday and will pump it off on Wednesday. Hopefully we’ll receive good results. Mr Corbin stated that this time we went down and
Maintenance approval

FDOT STREETS

The AVCON: We also stated that the City is drilling a new substation at the old 21st Avenue Pump Station. The startup for the new Deer Moss Lift Station should be Wednesday, June 10th. Mr. Corbin stated that the Council will recall that the City paid for 3/4 of the cost to purchase and install this lift station. We did this as a trade for property that will be large enough to build a substation for the Police and Fire Departments and if we add more property to it will be the largest property for a soccer field or other recreational activities. So we made all those agreements with Ruckle Properties for that lift station.

STORMWATER:

Thomas Branch: They hauled 10,000 Cubic Yards to the Breland Property. They will start forming up for the structure after June 4th. They have started installing the filter system and the evasive species spraying started June 9th; Kiwanis Park, Edge Avenue, Thomas Branch and Boggy Bayou Headwaters from the shoreline at the rock pile to the marina. Mr. Lee Lewis from AVCON will further discuss the Thomas Branch project later this evening.

We have also completed our 2 year annual NPDES permit required by the Florida Department of Environmental Protection.

Boggy Bayou Headwaters (Update): Still awaiting the Army Corp of Engineers Permit approval.

STREETS:

Maintenance: Due to the loss of the inmate crews, city workers are currently maintaining the holding ponds. Maintenance of sidewalks; concrete work; potholes citywide; sweep the FDOT Right of Ways. We will be getting reimbursement from March till the inmates return;
which could be as early as Monday, June 15th. Construction Services started clearing 3.54 acres between Stephens and Rocky Shores Drive.

**Rocky Bayou Drive:** Mr Laird stated that we have started the turning lane improvements on Rocky Bayou Drive Monday, May 11th, these improvements include the reduction of the large median, installation of ribbon curb, and the installation of lane street marking. We added 300 feet of stacking and it is complete. Construction Services assisted with the project.

**PARKS:**

**Maintenance:** Crews are continuing to cut Right of Ways, spray for weeds; installed walls, poured concrete, and set pavers at the Senior Center; poured concrete at the City yard; mulch at the triangle; selected new plants for the library.

**REPAIR AND MAINTENANCE AND ELECTRICAL:**

**Senior Center:** working to complete the gazebos at the Senior Center; finish up new building; working on backflow room for the Water and Sewer.

**Regional Sewer System – Update:**

No report.

Mr. Lee Lewis of AVCON, INC. provided the Council with updates on the three ongoing City projects funded through their National Fish and Wildlife Foundation (NFWF) grant:

**Thomas Branch Stormwater Improvements:** This project, located immediately south of Niceville High School on SR 20, is under construction and is approx. 45% complete. The project will provide treatment of stormwater runoff from more than 60 acres of developed land, including NHS, portions of Ruckle Middle, as well as portions of SR 20, Cedar Ave., and Palm Blvd. The project is on schedule with no unforeseen conditions to date despite the amount of earthwork involved. Mr. Lewis recognized efforts made by the contractor, RBM Contracting, in maintaining a clean project site and minimizing dirt and debris on the roads.

**Boggy Bayou Headwaters Improvements:** This project was submitted for state (FL Dept. of Environmental Protection) and federal (U.S. Army Corps of Engineers) permitting more than a year ago. The state permit was received almost a year ago; however, the federal permit is still under review. The federal review has results in a few minor questions focused on marine grasses and related concern which have all been addressed. Indications are the permit
may be issued within the next month or two. Once the permit is received, the final bidding documents will need to be finalized prior to advertising the project.

**Invasive Species Removal:** This project essentially evolved from the initial two NFWF projects and was advertised and contracted separately based on the specific nature of the work involved. It involves removing the invasive species (i.e. popcorn trees, Phragmites, etc.) from the project limits of both projects mentioned above. Bio-Tech Solutions, a licensed firm from Orlando, was awarded the work, but the project was initially delayed due to travel concerns with the onset of the coronavirus pandemic. Bio-Tech Solutions arrived in town today and will be applying their initial treatment this week, including mechanical and chemical (herbicide). They will return in approx. two weeks to remove the treated materials and have guaranteed to have the areas surrounding Kiwanis Park cleared by June 27, well before the 4th of July fireworks event. Their contract requires them to return on multiple maintenance trips over the next two years to retreat any areas as required.

Mr Corbin asked Ammy Hanson to brief the Council on the Breland property purchase and the purchase of the Wetlands as part of the project.

Ammy addressed the Council and stated she will start with the Wetlands. She explained that the Nagels own a piece of property that is near a church on Cedar street that connects to Thomas Branch. The wetlands has a creek in it and runs all the way to Cedar St. That would allow us access to the Thomas Branch site if we ever need it. The wetlands is nearly 2 acres and will never be developed in the future. Mr. Corbin explained that the property was appraised for $115,000 and they are asking for a purchase price of $20,000. He further stated that we have more than adequate funds in our Stormwater Utility to purchase the property. He felt it would be a smart thing to purchase the property from the Nagel’s. He stated that we can do a lot with the wetlands. We could add a trail from Cedar Street to where the pond is going to be and make it a nice area. Councilman Henkel moved approval to purchase the property. Councilwoman Boudreaux seconded the motion. Discussion followed. Mr Corbin stated that Jo is here tonight and the only thing they request is that we add a bench near the pond area in memory of her parents. He further stated that this request will be no problem to add. Council Vote: Henkel-yes; Schaetzle-yes; Boudreaux-yes; Nodjomian-yes; Alley-yes. Motion passed.

Mr Corbin asked Ammy to bring us up to date on the Breland Property. She stated that FCT, Florida Comminutes Trust, made an offer to Mr Breland to purchase the property. She stated our match was slightly under $200,000 and the purchase price was nearly $400,000. Mr Corbin stated that we budget $740,000 for the purchase, so, we are well under the budgeted amount. The FCT grant is to purchase the old Hardee’s site on John Sims Parkway. The grant
requires the City to supply 41% of the total cost in cash and in-kind services, the other 59% is paid by the FCT.

Mr Corbin asked Steve Rausch to bring us up-to-date on our Finances. Mr. Steven Rausch addressed the Council and stated that he was pleased to provide the update on our finances as it relates to the COVID-19 pandemic as it impacts Fiscal 20 and 21. He stated that he looked at the revenue streams that were budgeted and those that were impacted which includes revenue sharing. The State advised us that they will be reducing that revenue by 50% for the remainder of their fiscal year which is June 30th and I would expect that to continue until things return to normal. That will affect our revenues for this fiscal year which ends on the 30th of September negatively by about $190,000. We have a 19 million dollar General Fund budget so we are talking about 1 percent of budget. The half-cent sales tax and discretionary sales tax will impact our revenues by approximately $600,000. Of that amount $373,500 less for the half-cent sales tax and $225,500 less for the discretionary sales tax. Of course, we only have the information through the end of March since they are 2 months behind in giving us the revenues. So, we’ll have a better idea in another month or so. Then in 2 or 3 months we’ll have the answers. Councilman Nodjomian stated before you move on, is this projecting to the future? Steve stated this is projecting to the end of this fiscal year that ends on 30 Sept, 2020. So, you are using only known losses? Steve stated that the only losses we know are for the month March that came in at the end of May. They collect it in March and everyone knows that in March there was little affect on the Revenues. I estimated a 35% loss on those months we don’t know about yet. Steve stated he felt that was conservative. Mr Corbin stated he would like to add to that in looking at the half-cent surtax we did not put that in our regular budget. It was put in projects which were streets and sidewalks. He stated it is not included in O/M for the City. We’ll have to cut back on something unless we want to use the money for balancing the budget for O/M. Councilwoman Alley asked what is the total amount you are projecting? Steve stated that if you are talking about the General Fund it’s approximately $980,000, and about $174,000 for charges for services. I would like to add that the City is in very good shape financially as you heard last month regarding the results of presentation made by Ms Tammy McGaughy that our reserves are very strong because of the decisions made by the Council, Mr Corbin and Dan Doucet. He stated it a pleasure working for the City with little stress financially. We don’t have to worry that we won’t have the funds to make payroll, and won’t have the funds to provide services to the citizens. The City has been managed very well and in very good shape financially. Councilwoman Alley stated that the increased property values should help offset the short fall. Discussion followed.
Mr Corbin stated that one thing that hasn’t been covered is water and sewer fund, the Stormwater and the Sanitation fund. Mr Corbin stated that our monthly water cutoff for non-payment is typically 100 to 125 residents and because of COVID-19 that number is increased to nearly 400+. He stated that these funds do not affect the General Fund, however, it does affect the overall revenue picture. Discussion followed. Councilman Nodjomian asked Mr. Corbin for the directions that he will be giving your departments heads as they develop the upcoming FY-21 budget, in view of the fact that because of COVID-19 we know that our revenue stream will be affected downward but we are not certain how much? It could be as much as several hundred thousand or upward to 1M. What direction did you give to them with this in mind they should be submitting budgets that have to be widdling down. The widdling down should be made before it comes to us. Mr Corbin stated that he hasn’t giving out that guidance but he will. Discussion followed. Mr Corbin stated it’s too early to determine the impact until the Department of Revenue releases their revenue projections. Steven Rausch stated that, getting back to the customers who have not paid, we will be asking them if they need more time and we will work with them. He stated that Mr Corbin has given myself and Dan the flexibility of working with our customers in this regards. Steve explained that he is developing a waiver approach that we will send to the customers who have not paid their bill. We will ask if they are experiencing a hardship since many of them may have lost their jobs. If this is the case they need to let us know so we can come up with a payment plan. In any case, the City will not turn their water off unless they do not complete the paperwork required to give them more time. We plan to implement this procedure when we send out our billing at the end of July. We want to work with those people who really need help. We hope that this issue we are facing will be behind us by the end of September and we can work with those customers by providing a payment plan to bring their accounts up to current status. I might add that the City is in very good shape financially and this country is faced with the worst financial disaster in a hundred years. Our reserves are very healthy and this is what reserves are for. Councilwoman Alley asked what our normal delinquency rate. Steve Rausch stated 100 to 125 a month out of approximately 9,000 accounts which is about 1%. Discussion followed.

**Police Department - Update:**

Chief Popwell stated that during the month of May, the Police Department responded to 4,276 calls for police assistance. There were a total of 21 traffic crash reports written involving 38 vehicles and 1 pedestrian. The estimated amount of damage to these vehicles and related property was $148,954. A total of 118 Traffic Citations and 173 Traffic Warnings were issued 24, Misdemeanor, 23 Felony and 1 DUI Arrest was made. He stated
that the department sponsored several birthdays because of COVID-19. Mr Corbin stated that he appreciated the drive by event honoring Mrs Betty Kennison who was our second City Librarian who was hired in 1974 which is where she met Sheila Bishop and a life-long friendship began. She retired in 1984, however, she remained committed to the library over the years in a variety of capacities and was wonderful person. He further stated that the Police and Fire Department and several City of Niceville employees participated in the event which was much appreciated by Betty. She passed away a few days later at the age of 92. Mr Corbin asked Chief Popwell to bring us up-to-date on what’s going on nation-wide as it relates to the Police Department. Chief Popwell stated as we know there’s a lot of disturbances through out the United States over the last couple of weeks. He stated that we are deeply involved with all appropriate agencies by monitoring what’s going on. We have not had any issues in Niceville since we have a different type of demographics. We interact with our citizens on a daily basis which is 90 percent of the problems in other areas. However, on Sunday afternoon there will be a protest in the City of Niceville from 5:00 PM to 7:00PM. The BLM Organization is going to protest in the City of Niceville. I have met with them 3 times on the prearranged format that was agreed to. They will form up here in the parking lot near the softball field to park their cars. They will take their signs (without sticks of any kind). They will walk down the parking lot near the Senior Center and turn right on Palm Blvd. They will use the sidewalk and will not interfere with traffic. They will proceed down Palm Blvd and turn right on Partin Drive and will meet in the grassy area near City Hall. They will have 2 guest speakers to address their issues during their 2 hour planned event. After the event they will either walk back to their cars through the complex or down Partin and heading back to the parking lot off of Palm Blvd. Chief Popwell stated that all rules were explained to them and they plan to comply. He further explained to the Council police polices that are in place as compared to what’s going on in other states. Mr Corbin thanked Chief Popwell for working with this group by making them feel welcome to participate in the event, as compared to the events that took place in Fort Walton Beach and Crestview. There were approximately 200 attendees that participated in those events. Discussion followed

Fire Department - Update:

Chief Mayville stated that during the month of May 2020 the Fire Department responded to a total of 133 calls. There were 117 calls located in the City and 16 mutual aid calls. He stated that the Fire Department sterilizes the station and equipment and decontaminate firefighters after medical calls. Temperatures are checked regularly with a thermometer. He further stated that we constantly stay informed and up to date on the COVID-19, educating
firefighters on safety and prevention. He advised that we are in the process of an ISO Inspection and have been busy collecting all pertinent information required by the Insurance Services Office for this inspection. He stated the results of our inspection has a positive affect on home owner insurance policy and commercial rates as well. He explained that our department was one of the first on the scene when the F-22 went down recently and further stated that the department’s drone aided in pinpointing the crash site. Discussion followed.

**Technology Department - Update:**

Chad Morris cautioned everyone to be alert to virus type e-mails and phishing attacks and ways to get into your computers and your bank accounts. He cautioned everyone especially with the virus situation and demonstrations going on at the present time. He advised that the technology department is busy with the switch installation and computer transfer project. Discussion followed.

**Other Business:**

Mr Corbin stated that Marian Ruckle has about 5.3 acres of land near Lion’s Park. I explained the situation that we are currently as Steve just briefed you on. She stated that she will not sell it until we are ready to move forward with the purchase. Mr Corbin asked the Council if they had been to Lions Pare recently? He stated that every open place to park is filled all the way to Cedar Street. The 5.3 acres will help solve this parking issue in the future. Discussion followed.

Mr Corbin stated that plans are underway to reopen the Senior Center on July 13th; We look forward to opening the popular Senior Center, initially for a maximum of 50 people at a time, every other booth will be occupied- 4 per table. Allowed occupancy would increase later as COVID-19 restrictions are relaxed, assuming no major resurgence of infection. Mr Corbin stated that although older people are thought to be among the most vulnerable to the virus, the reopening of the senior center has been the most frequent subject of phone calls he has received from city citizens since it was closed earlier this year due to pandemic fears. He stated that he has received about 50 such calls, mostly from people willing to take the risk of exposure in order to socialize with friends at the center. We do plan to have exercise classes, etc. Discussion followed.
Mr Corbin also stated that the July 4th fireworks display over Boggy Bayou is expected to go on as scheduled. He further stated that most businesses in Niceville are now open, at least on a limited basis, as Covid lock downs ease. He stated that we are looking at re-opening the Community Center and the Children’s Park in the near future. Mothers, kids, and grandparents have been very patient. All of the parks are open and we plan to have our traditional fireworks display on the 4th of July unless there is another round of the virus that would prevent it. Mr Corbin stated that he spoke to Pat Bryne yesterday and said that he owns over 80 commercial businesses and they are all open. Discussion followed.

BILLs PAYABLE

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

Mayor Pro Tem Henkel asked if anyone in the audience wants to speak to come forward and state your name and address.

Mr Pat Tolbert, 709 Mullet Creek Run in Niceville addressed the Council and Mr Corbin. He asked about the status of Re-use water. He stated that he was hoping there would be an update tonight. He stated that he appreciated all the work that has been done, however, there is still a lot of green Algae in the system and wanted to know if there is anything to report on the issue. Mr Corbin stated that you sent pictures regarding the situation and Mr Corbin thanked him for the pictures. Mr Corbin stated that we have spent a great deal of money working to remedy the issues that’ve been affecting the re-use system. I do not have an answer tonight, however, we will be working to resolve the issues. We hired what is called a pond doctor. We added things to the pond such as a grinder that takes things out of the pond and it is still an issue. We are working with our engineer to get to the bottom of the problem. Discussion followed.

Michael J. A. Parrisi addressed the Council. He stated that he lives at 8019 Fox Head Branch Trail in Niceville. He made reference to the Public Works update regarding the park that was donated to the City by the County. He agreed with the temporary clearing of the property because of COVID-19 and it’s impact on the City budget. He expressed appreciation for the comments made by Councilman Nodjomian regarding the future potential that could be added to this park as the City moves forward. He proposed that the City consider charging a nominal fee to park in locations such as Lions Park and this newly acquired park once it’s
further developed to help offset the cost of park maintenance, etc. He stated that the City of Florala, AL has a drop box at their main park for a nominal fee. He wouldn’t recommend the more expensive charges that the City of Destin imposes for parking at some of their locations. He also made reference to Councilwoman Alley’s recommendation of having a trail or walking path thru the newly acquired park. He also supports more bicycle paths and walking trails in the City as part of planned development in the future. He express appreciation for the opportunity to speak. Note: Michael Parrisi has submitted an application to become a member of the Niceville Youth Advisory Council.

There being no further discussion the meeting adjourned at 8:37 PM.

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MAYOR PRO TEM

ATTEST:

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CITY CLERK

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