

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
AUGUST 9, 2022

The Niceville City Council met in regular session at 6:00 p.m., August 9, 2022 in the Council Chambers, 208 N. Partin Drive. Councilwoman Alley, Councilman Donahoo, and Councilman Williams were present. Mayor Henkel and Councilman Nodjomian were out of town on business. Mayor Pro Tem Schaetzle was present and led the meeting. Also present were: City Clerk, Dan Doucet; City Attorney, Dixie Powell; Technology Department, Chad Morris; Police Department, Chief Popwell; Fire Department, Chief Mayville; Grants manager Ammy Hanson; Deputy Clerk and Finance Director, Steven Rausch. There were about 35 additional attendees.

Mayor Pro Tem Schaetzle called the meeting to order at 6:00 p.m. and Mr. Bob Steele led the prayer and the Pledge of Allegiance to the United States of America. Mayor Pro Tem Schaetzle explained his role as Mayor Pro Tem in Mayor Henkel's absence. Mayor Pro Tem Schaetzle called roll.

APPROVAL OF MINUTES:

Regular Council Meeting, July 12, 2022
Special Council Meeting, July 28, 2022
Planning Commission Meeting – August 1, 2022
Local Planning Agency Meeting – No Meeting Held

Councilman Williams moved approval of the minutes. Councilman Donahoo seconded. No discussion followed. Council Vote: Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-yes. Motion passed.

PUBLIC HEARINGS

Mr. Bryan Gates – Mr. Gates spoke on behalf of the Niceville Sports Committee and said his presentation was informational and not meant to require a decision tonight of the City Council. Mr. Gates presented a slideshow and spoke in favor of using the City of Niceville's future portion of Okaloosa County's Tourist Development Tax revenue to fund Niceville High School athletic facility improvements. The projects Mr. Gates recommended were improvements to the Niceville High School bleachers, and press box.

Mr. Gates spoke about officials including a Niceville High School Coach Rob Taylor, Niceville High School Principal Charlie Morello, and Charlotte Dunworth, Okaloosa County Tourist Development Deputy Director for Finance and Compliance, indicating their support for requesting these uses for the funds. Mr. Gates said the Okaloosa County

School District had no plans to fund or improve the athletic facilities at Niceville High School. Mr. Gates said the half-cent sales tax for the School District was not available because there is already a standing list of surtax projects that must be completed before any more projects can be added to the list of projects to be funded with those funds.

Mr. Gates listed several past Niceville High School Athletic facility projects that had been funded by donations from community businesses or individuals. Mr. Gates spoke about a two-week springtime event, hosted by Niceville High School, called Kentucky Week, which brings a lot of High School athletes and their families into Niceville for an annual baseball tournament. He explained this boosts local business for lodging, fuel, retail, and dining. The City does not have marketing analysis to show how many people are coming into this County, said Mr. Gates. Councilwoman Alley and I are working on how to make that happen. We can also host more events on those fields, said Mr. Gates. Mr. Gates used his slideshow presentation to show some details of the Niceville High School project for which he was proposing to use City of Niceville distributions of the Okaloosa County tourism tax distribution.

To wrap up his presentation, Mr. Gates said he was not asking for the City to fund the entire cost of the improvements, adding there were some citizens that would have to get together to put funds into this project. He said he was looking for the City to give a number of how much they were willing to help out with the funding. Mr. Gates said it was a shovel-ready project and it meets the definition for the use of Tourist Development funds. It can either be done this year or next year, in between baseball seasons, said Mr. Gates.

Councilwoman Alley asked if Mr. Gates had any idea about what the cost of the project would be for the City? Mr. Gates said it depends. He said he had \$300,000 in mind, but if we can get half or \$150,000 in donations, and donations-in-kind, to make that happen, then \$150,000 may work. This one that we're looking at is \$445,000, said Mr. Gates, because of wind mitigation. But, there are ways we can do wind mitigation or shading without having to do giant metal structures that would need wind mitigation. When I am able to come back with a full-up, this is what we're looking for, that's when I'll be looking for a decision.

Councilman Williams said he had a great deal of respect for what Mr. Gates does to shine a light on youth sports and athletes. Taking my Council hat off, and putting my All-Sports Association hat on, we received a lot of requests from local schools with situations like this. During this historic economic uncertainty, it's tough to fulfill those requests, but this is definitely something to look at. I just wanted to let you know that we've been notified by Okaloosa County, that they'll have one contact with any funds that the All-Sports Association is going to give to the County. All of the schools have to give their

requests to that one person. He's going to be a liaison for athletics, so that may be someone you need to touch bases with, said Councilman Williams. Thank you very much said Mr. Gates.

Councilman Williams said one of the requests was Niceville High School had requested \$15,000 from the All-Sports Association to fund the purchase of their state rings for winning the State Track & Field title. All-Sports could not fund that. I'm willing to put up \$1,000 of my own money if I can get 14 businesses out there that would help this track team get their well-deserved rings. Thank you for all you do, said Councilman Williams.

Ms. Jocelyn Donahoo came forward and said the minute you talk about anything handicap, I can identify. When I went to the football stadium, I was thinking, why don't they have a bar for us to hold onto to go up those stairs? The problem is, if you don't have anybody handicapped, you don't think about it. It's not that you don't care. When you have to deal with it, then every place you go, you wonder why don't they have this or that. If you have the money, donate the money, because it will be well-worth somebody not falling down the stairs, said Ms. Donahoo. More discussion followed about the seating at the Niceville High School baseball fields. Mayor Pro Tem Schaetzle said this would be turned over to our City Clerk and City Manager to analyze it a little bit further and see where we would go with this.

Mayor Pro Tem Schaetzle asked Mr. Doucet for the next item on the agenda. Mr. Doucet said the next item involved the City Charter. Mr. Doucet read Ordinance 22-08-02 by title.

Ordinance 22-08-02 - An ordinance amending ordinance No. 19-08-01, dated 13 August 2019, City of Niceville Charter, providing for changing the City's election cycle from the 3rd Tuesday in July to the 2nd Tuesday in March on odd-numbered years, providing for the election process to be transferred to the Okaloosa County Supervisor of Elections' office. This move would eliminate the need for special and run-off elections and promote voter turnout. Providing for enactment; providing for the continuance of the municipality under the corporate name of the City of Niceville, Florida; providing for the exercise of governmental, corporate, and proprietary powers; providing for the re-establishment of the corporate limits of the municipality as those presently existing; providing for the City Council as the governing body; providing for a Mayor as presiding officer of the City Council; providing for candidate qualification procedures and terms of Council members; providing for a Mayor Pro Tem; providing for a Council-Manager form of government; providing for the financial requirements and procedures of the municipality; providing for the taxation and indebtedness of the municipality; providing for a recall of elected officials; providing for initiative and referendum and providing for an effective date.

(First Reading) Councilwoman Alley moved approval. Councilman Williams seconded.

Ms. Judy Byrne Riley, 1501 Bayshore Drive said she was honored to have been Chair of the Charter Review committee. Ms. Riley introduced the other members of the committee as Mr. Paul Tolbert, Vice-Chair; Mike Hayes, Peter Laufer, August Huber, Bob Steele, and Elisa Mitchiner. They were excellent members of the committee. We met four different times. The League of Cities representative, Lynn Tipton spoke to us about Niceville as it relates to other cities of similar demographics and size. Paul Lux, Supervisor of Elections, also came and spoke to us about the process and how the times of the election would change. They had given some prices for three or four different election locations. We only need one and that would bring the price down. We looked very carefully at the price and timing. We heartily encourage you to vote yes on this Charter, said Ms. Riley. City Attorney Dixie Powell thanked Ms. Riley and the Charter Review committee for doing a great job on the Charter review, working through significant issues.

Councilwoman Alley said in addition to moving the date of the election, the Charter revision changed the election from being managed by the City to being managed by the Supervisor of Elections. Councilwoman Alley said she was running for re-election next year and was very happy about the time change in the Charter for City elections. Ms. Riley said they were aware of the time change but that had not been a significant factor in their decision. They looked at staff time and City funding that had been used for running the local elections. The other thing is this will encourage more participation in the election, said Ms. Riley. Mayor Pro Tem Schaeztle thanked the committee.

Mr. Doug Stauffer, 1373 Maple Avenue, asked what other elections would be taking place during the new election time? Councilwoman Alley said almost all of the other local governments have their elections in March, except Destin is voting to move theirs to November. No further discussion followed. Council Vote: Williams-yes; Donahoo-yes; Alley-yes; Schaeztle-yes. Motion passed.

Mr. Doucet said the final reading of Ordinance 22-08-02 would be on the 16th of August at our Budget Workshop.

Ordinance 22-09-01 – 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 3 and 7, Land Development Code pursuant to Chapter 166, Florida Statutes; providing for conflicting provisions; providing for severability; and providing for an effective date. (First Reading) Councilman Williams moved approval. Councilman Donahoo seconded.

Mayor Pro Tem Schaetzle asked Ammy Hanson to come forward. Ms. Hanson stated the purpose of the article III revisions to the Land Development Code was to update the out of date definitions and terminology that have changed since when it originally passed. The changes are new definitions required by different Code. Some of it came about due to our flood zone changes. Then, in article VII, we added a section to address short-term rentals of tourist homes, to ensure all of the appropriate fees are being paid, explained Ms. Hanson, providing details.

Mr. Doug Tolbert, 709 Mullet Creek Run, came forward and introduced himself. For informational purposes only, this item was tabled at the last planning commission meeting, for lack of time to review, and asked to be reviewed at the next meeting, said Mr. Tolbert. It was a surprise to me that it was still on the agenda. City Attorney Dixie Powell said, it was tabled but it was on the agenda for this meeting, so it comes to the Council for a decision. Mayor Pro Tem Schaetzle thanked Mr. Tolbert for that information and said the City Planning Commission is an advisory body to the City Council. Mayor Pro Tem Schaetzle said I understand it may have reached you through distribution a little late. I understand your concerns. Mayor Pro Tem Schaetzle asked Mr. Tolbert if he had any other concerns, with Article III or Article VII, now that he had a chance to look it over? Mr. Tolbert said, this is process driven; that's all.

Mr. Doucet said, I wanted to add, backing up to the Charter review, Ammy Hanson did a great job. As we made our changes, she had a laptop and made all of our Charter changes on the spot for the Charter Review. I just wanted to give her credit, said Mr. Doucet.

Councilwoman Alley asked if Ordinance 22-09-01 needed to be sent back to the Planning Commission? Attorney Powell said he did not think so because it was advertised for today properly. Councilman Williams said, with it being involved with short-term rentals, he knew that ordinances passed before 2011 were grandfathered in, and asked if these changes would affect any of that? And, with HB 325 being struck down in March, is that going to affect this ordinance? Attorney Powell said it shouldn't affect our City ordinances in the Land Development Code. It should be confined to the State statutes, said Mr. Powell. Councilwoman Alley said it was her understanding the Land Development Code changes were not restricting short-term rental property owners, but was ensuring compliance with existing laws concerning fees that are required for short-term rentals, correct? Attorney Powell said correct. No further discussion followed.

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

Mayor Pro Tem Schaetzle thanked Ammy for her work with the Land Development Code revisions and Charter Review Committee revisions.

Ordinance 22-09-02 - An ordinance for the rezoning of certain properties in the City of

Niceville, Florida providing for same and an effective date. Kiani Torres and Cody Richardson, 227 Palmetto Ave., request their property be re-zoned from R-1, Single Family Residential to C-2 Commercial. Metes and bounds description. Parcel ID 01-1S-23-1730-000-009F. (First Reading) Councilwoman Alley moved approval. Councilman Williams seconded. Mayor Pro Tem Schaetzle asked if anyone would like to address the Council on this issue.

Kiani Torres, 227 Palmetto Avenue, introduced herself. Cody Richardson, 227 Palmetto Avenue introduced himself. Ms. Torres said we are the ones asking for this property to be rezoned as commercial. Ms. Torres explained the details of her request speaking in favor of passing Ordinance 22-09-02, listing her credentials and other businesses nearby. Ms. Torres said she had attended the City Planning Commission meeting last week and listened to her neighbors' concerns, including traffic, the smell, there already being too many shops in the area, and the sounds from an automotive shop. Ms. Torres addressed each concern. The automotive shop would be open 8 a.m. to 5 p.m. These are normal working hours and should not affect children's sleep schedule she said. This will be an automotive repair shop and not a body shop, so it should not bring any paint fumes into the air. Ms. Torres said because there is limited public transportation in the area, people must own their own vehicles and this shop will help the community with the repair of their vehicles.

Ms. Torres said another thing that came up at the meeting last week was there were too many schools. The Montessori School uses non-traditional teaching methods. Not all of the children are the same, so having a Montessori school here will be a benefit for the children and families in this community, said Ms. Torres.

Councilman Donahoo asked if it would be new construction? No; it is already constructed, said Mr. Richardson. It was supposed to be used as a personal garage, but it's a 30 foot by 40 foot garage, and I thought it could actually be used for a business, said Mr. Richardson. Eventually my teen boys would work with me, said Mr. Richardson. It is just a small two-bay shop... family business. Where will people park, asked Councilman Williams. I have a driveway and eventually I will expand the driveway, said Mr. Richardson. It's a pretty big property in the back.

Mike Clements, 232 Palmetto spoke against passing the rezoning ordinance due it being a very narrow street and traffic concerns. There are no other commercial properties on that street, said Mr. Clements.

Justin Reed, 229 Palmetto, said he strongly opposes the rezoning. He said the property in question borders his property to the South and East. Mr. Reed said if this property is allowed to rezone, he did not know what it would do to the value and resell-ability of his

property. In addition, the shed was permitted but was not permitted to commercial building codes, said Mr. Reed. There was a large slab of concrete poured there recently. I have concerns about stormwater retention as well said Mr. Reed. There are going to be two businesses, an automotive repair shop and a school. I don't wish that to be directly beside my residence, said Mr. Reed.

Rebecca Fray and Joseph Patterson, 199 Nathey Street, each introduced themselves. Ms. Fray spoke against allowing the rezoning. Ms. Fray said there were already four other auto repair shops within 2 blocks of the area, so she did not think it was needed. It would be disruptive and in the back yard of multiple homes. They are in a U-shape around that property. The fact that it would be disruptive in terms of noise goes without question, said Ms. Fray. It would probably affect home values. I do not know many people who would want to willingly move in with an auto repair shop in their backyard, said Ms. Fray. I looked at the future plans for Niceville, said Ms. Fray. The intention is for this to be a family-friendly area, which is what we were hoping for when we bought our house. Ms. Fray said the Planning Commission decided last week the rezoning would not be necessary for the Montessori school, but rezoning to C-2 commercial would be necessary for the auto repair shop. I would not oppose the Montessori school, but oppose rezoning to C-2 commercial, said Ms. Fray.

Keith Mayo, 224 Palmetto, said he lived directly across from the property in question. I am also opposed to it going to commercial. I bought in a residential neighborhood. I don't want a school. I don't want an auto repair shop across the street. There is commercial property adjacent to ours, but everything is in between Tom Brown Road and Early. There's nothing beyond Tom Brown Road, said Mr. Mayo. It would be surrounded by houses. I want it to stay residential, said Mr. Mayo. This property is all zoned residential. Any rain that falls on commercial property is supposed to be retained and treated, said Mr. Mayo. I'm opposed to having a business across the street from my house.

David Scannell, 226 Palmetto Avenue, introduced himself. Mr. Reed and Mr. Mayo have the same concerns that I have, so I back them up about the property values and the noise, said Mr. Scannell. Thank you. No further discussion followed. Council Vote: Alley-no; Donahoo-no; Williams-no; Schaetzle-no. Motion failed.

Mr. Richardson asked what the laws were concerning working on vehicles in that neighborhood. Attorney Powell said he did not know off of the top of his head, but would review the City Charter. Mayor Pro Tem Schaetzle asked Ammy Hanson if she had any comments on that from a Land Development Code viewpoint? Ms. Hanson said we have quiet hours within the City. You can start work no earlier than 7 a.m. and you have to be finished with your work by 10 p.m. Discussion followed.

Ms. Fray asked if it was true that if they opened a Montessori school, they would not need to rezone the property to commercial? Ms. Hanson answered, correct; they would not. So, if they don't need to have it rezoned to commercial for the Montessori school, do they have to prove that they have enough parking spaces on their property in order to operate it, or can they just go straight forward, operating the Montessori school, asked Ms. Fray? They will need to come before the City Technical Review Committee (TRC) and show us their plans for the Montessori school, as well as the parking they would have available for that school, said Ammy Hanson. They would have to get a business license, said Attorney Powell. Yes, agreed Ms. Hanson, through the Building Department. More discussion followed about the details of the school.

Mayor Pro Tem Schaetzle said Ms. Torres, I have a follow-on question, even though we already voted on this. What is the maximum number of children that you might have had in this building for the Montessori school? Ms. Torres said it's 35 square feet per child for a license. So, I did the math. It is 40 children. That would be counting 18 toddlers, and 20 children, 3 to 6 years old. What is the ratio of teachers to students, asked Mayor Pro Tem Schaetzle? With toddlers, it is six children for one teacher. So, for toddlers there will be three teachers, and in primary, there will be two teachers. Thank you for that information, said Mayor Pro Tem Schaetzle.

Ms. Byrne-Riley said, I was just going to speak on behalf of the Planning Commission. We really turned it down because of the neighbors and because of the second business, and not because of the school. We were hoping the school, since it did not need the C-2 zoning change, would still be possible, said Ms. Byrne-Riley. Discussion followed about the permitting requirements.

I noticed on the agenda this was the first reading. Is this going to come up again, or is the matter closed, asked one of the neighbors? It is closed, said Attorney Powell. As for the rezoning, added Councilman Williams.

Mr. Doucet read Resolution 22-07-02 by title. Resolution 22-07-02 – A resolution granting a special exception to the Land Development Code, Table 7-2, R-2 zoning, to allow for a 20-foot front and a 15-foot rear setback, as opposed to the required 25-foot front and 20-foot rear, and to build on a lot 7,405 square feet as opposed to the required 7,500 square feet. Metes and bounds description, parcel ID number 12-1S-23-0000-0045-0000. Padgett Builders and Scarmazzo Property Investments, 1135 Fink Rd.

Councilman Williams moved approval. Councilwoman Alley seconded.

Councilwoman Alley asked if this request went through the Planning Commission? Councilman Schaetzle said it did in a previous month. We tabled it last month because we did not have a representative attending, said Councilman Williams.

James Padgett came forward and said he was here to represent Padgett Builders for the properties. We're asking for the exception to the setbacks because this is an odd-sized lot. Mr. Padgett explained the right side of the property, looking from the street, would be encroaching on the allowable setback limits, without an exception to the Land Development Code's setback requirements.

Mayor Pro Tem Schaetzle said he noticed in the letter to the Planning Commission back in May, it was going to be a two-story home with a single car garage? That is correct, replied Mr. Padgett. Mr. Padgett offered to show a survey if anyone wanted to see it and Councilwoman Alley asked to see it. Ms. Hanson said she just wanted to check, because Mr. Padgett had said, at the Planning Commission meeting that it was a duplex. Is it a single-family home, asked Ms. Hanson? Yes, it is a single-family home with a double-car garage, said Mr. Padgett. Upon further assessment, we realized putting apartments on it, because it was going to be for sale, would be too many problems. We were going to go with the same size dwelling that we originally wanted to put apartments on, said Mr. Padgett. It is going to be a single-family dwelling with a double-car garage, Mr. Padgett confirmed.

Did we have any opposition from any of the neighbors, asked Councilwoman Alley? I don't remember. I think we might have had a few calls on it, but it's been two months, and I apologize for not refreshing myself, said Ms. Hanson. Okay, said Councilwoman Alley. No further discussion followed. Council Vote: Williams-yes; Donahoo-yes; Alley-yes; Schaetzle-yes. Motion passed.

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

Chad Morris said Mr. Corbin had something personal to attend to tonight and had asked him to sit in for Mr. Corbin tonight. We'll go ahead and do our reports.

Fire Department – Update

Chief Mayville said for the month of July we have responded to 197 calls. A lot of those were heat-related calls. Keep hydrated. We go to a lot of contractors who are not drinking enough fluids. We highly encourage hydrating when doing yardwork. Right now, it's extremely hot out there. Crews have been out flow-testing, putting down reflective markers and painting hydrants and oiling up the threads, getting them ready for another year.

We also held a lot of send-offs for our youth activities. We are very big supporters of our High School and all of our youth activities in the area. Our girls' softball team went to Southeastern Regional Finals and played four games. We applauded them. Wow! I don't think that's ever been done in the area for a little league association. To get to Williamsport is a big deal, but to get over there to the Southeast Regionals in Georgia is a real big deal too. You're playing the best of the best in every state, and we sent a team from Niceville, Florida. So, that was really big.

Also, we have done send-offs for the High School and all of their activities. We constantly are moving along. Down at the High School today, we were watering the grass for them. Their sprinkler system went out, so we were down at the high school helping them out.

Testing procedures for new hires is complete. We selected two candidates and they'll be starting with us shortly. We had multi-agency active shooter training at the college, before school starts. Our public safety teams are ready to go in case anything happens. We constantly train, on top of the schools, inside the schools, and around the perimeter of the schools. All agencies, Police, Fire, EMS, and Okaloosa County are prepared. I think we're in good shape with our administrators as well, at each school.

We also have crews actively working on their certifications. We're fixing to step up our game a little bit. We started off with service to our community with EMT training. It was good, but we're looking to up the ante a little bit. The fire departments are on scene for some time before EMS gets there. So, we're looking at going with advanced life support. We're sending some firefighters to paramedic school. So, we could possibly administer clot-buster drugs and things like that for strokes. We'll be talking more with the Council and hopefully get your support with that. I have individuals within our department who are willing to step it up, and we're willing to send them to school and put some paramedics in place. In our case it will be fire medics. It will be a great asset to our citizens. Why should you have to wait? You should have the best service in this community. You have a great fire department. I think it needs to be a little bit better. Service is going to be outstanding for our citizens. We're looking at that. I'll be talking with the City Manager and also the Council.

Also, our Battalion Chiefs have been busy updating our Standard Operating Procedures (SOPs). We're constantly growing. We've exhausted our 5-year and our 10-year plan. So, we've developed another 5-year and 10-year plan for the future and will present that to the Council for your recommendations and to look it all over, said Chief Mayville.

Councilwoman Alley asked, do you have a schedule for the new fire truck? Chief Mayville replied I do. I have talked to them and as I told you it was going to be two and a half years, because Meritor is the only axle company in the United States that makes axles for all 18-wheelers and big trucks. Our truck is on schedule. So, it will arrive in June of next year. I am also working with Valparaiso to order another truck. It will be exactly the same. So, it will give us four new trucks in the fleet which will be very nice for the community.

Councilman Donahoo asked, with the two new hires, where does that put you? We currently have 24, said Chief Mayville. We're in the budget for a couple more, due to the expansion in the Deer Moss area. That is quite a big parcel of property and it does affect us. It takes a bit of time, and I have been talking with the City Manager about expanding our department. We'll be talking more with the Council on that as we grow, said Chief Mayville.

What is the average time for response when you arrive compared to when EMS arrives, asked Councilman Williams? It depends on what time of year it is. In the summertime, you could be looking at anywhere from 15 to 30 minutes. I'd like to get a patient to the hospital in anywhere from 10 to 15 minutes, said Chief Mayville.

Police Department – Update

Chief Popwell greeted the Council and all attendees. In July, we responded to 3,243 calls for police assistance, and handled 44 traffic crash reports involving 83 vehicles and one pedestrian. The estimated damage to these vehicles was \$295,836. A total of 90 traffic citations and 118 warnings were issued. A total of 12 misdemeanor arrests were made and 29 felony arrests were made. We had no DUIs. The reason the property damage estimate was so high was because a car hit a house. The pedestrian was hit at Tom Thumb on Palm Boulevard. EMS showed up, but we didn't transport because it was not necessary.

We also handled the protests when one of our politicians was here. There was an opposing group that wanted to protest. They were here. It was peaceful. There were no issues, and we made sure everybody played by the rules.

Everybody knows about the recent passing of our canine. One of our officers was involved in a traffic crash Sunday night. It was an unfortunate accident. The vehicle collided with one of our vehicles. Our officer was not at fault. It caused our patrol car to roll several times, and our canine was ejected and killed. Our officer is still in the hospital in ICU. Hopefully he will be released in the next two to three days. Our canines are part of our department. They are officers. So, all of our officers will be wearing our mourning

badges. We also have a memorial service set up, August 26th, 10 a.m. in the Community Center. Chief Popwell spoke more about the details and logistics of the event.

In case you all saw, on Sunday night, the Florida Highway Patrol, the Okaloosa County Sheriff's Office, Eglin Air Force Base Fire Department, Eglin EMS, Niceville Fire Department, and Fort Walton Beach all showed up. So, we had a bunch of vehicles escorting Blue to the animal clinic on Sunday night, and we're going to do the same thing when we do the transport back here. We're going to escort him back as a fallen officer, from the Bluewater Bay Animal Clinic back here to the Community Center. Then the next morning, we'll have our Memorial Service.

Where will you bury him, asked Ms. Boudreaux? We're not going to bury him, said Chief Popwell. We're going to have him cremated. We're having an urn built for him, involving him being a canine officer. Then we will present the ashes to the handler, said Chief Popwell. When did you say you were going to bring him back here, asked Councilwoman Alley? Probably the 25th, said Chief Popwell. Chief Popwell spoke more about the details of the arrangements and the impact of the loss of Blue on the Niceville Police Department and the City of Niceville.

Just so everybody knows, we have had citizens contact us, wanting to buy or to pay for a police dog for the Department. We have had several people from within the State of Florida, and outside the State of Florida who have already said that. A dog cost about \$14,000. That's a lot of money, but people are very supportive.

Ms. Judy Boudreaux, 2423 Duncan Drive, said this brings up the issue of making the ride more safe for animals that are with a patrol officer. They're in the car a lot. So, is there some sort of seatbelt or safety belt for them? Chief Popwell said no ma'am. You can't put a safety belt on a police canine because they have to be able to get out of the car in case there is an attack, but all of our cages are compacted to where the dog has plenty of room to move around and is safe. I will tell you, because I was an on-site investigator, no safety equipment that you can buy on the market would have prevented this from happening, said Chief Popwell. That's how violent this crash was. We do have steel cages on the windows.

Did he actually get out of the cage during impact, asked Ms. Boudreaux? Yes, replied Councilwoman Alley. He was thrown from the vehicle. Ms. Boudreaux asked, he was thrown from the vehicle, but was he still in the cage? I was wondering how he got out of the cage she asked? No, ma'am. The cage is the whole back part of the car, said Chief Popwell. It is an iron box that replaces the back seat. Ms. Boudreaux asked, and he was able to be ejected from that? Yes ma'am, said Chief Popwell. It was very violent.

Chief, thank you. Our thoughts and prayers are with our other officer who is still in the hospital. Hopefully he'll be back out of there in a couple of days. Thank you, replied Chief Popwell. Give our condolences to Officer Blue and Officer Ritcheson. He seems to be in good spirits and I told him God has more plans for him here, so by the grace of God, he made it out, with some injuries but alive, said Councilman Williams.

Chief Popwell said, I want to say again, I've done some interviews on TV, but I want to thank the Niceville Fire Department, Eglin Fire Department, EMS, Okaloosa County Sheriff's, and Florida Highway Patrol. They stayed out there with us until everything was done. They also joined us on the escort, taking him to the hospital. They're going to be on the escort when we bring Blue back home.

Thank you Chief, said Mr. Morris. Johnathan Laird, our Public Works Director, is out of town. I'm going to just run through his briefing quickly, said Mr. Morris.

STREETS:

Gator Boring had completed some work on Florida Street for the re-use line going out to Deer Moss Creek. The by-pass pump installation for the project for our four major lift stations is probably about 75 percent complete now. I believe we're waiting on one of the bypass pumps to come in. They should be just about finished with the other three, said Mr. Morris.

Force main work on Rhonda Drive has been completed. The paving has been completed on Ronda Drive. They're going to be getting ready to start repaving Juniper fairly soon, said Mr. Morris.

WATER AND SEWER:

The Water and Sewer Department had 50 water calls, 20 sewer calls, and made 30 water taps, 17 sewer taps, 190 line spots, and changed out 11 meters. They have completed 430 service orders in July.

STORMWATER:

In the Stormwater area, we're still waiting on the Corps of Engineers permit for the Boggy Bayou Headwaters project. The stormwater project on Nathey Street I believe is complete, and the sidewalks are finished there. They've got all of the sod down and that project is complete. We have not received an invoice yet for it, so I'm not 100 percent positive, but I'm pretty sure they're done with that.

PARKS UPDATE:

The floating dock and observation deck at Turkey Creek are complete, and they're now open for business.

SIDEWALKS:

We're about half-way finished with the two blocks we're doing down on Valparaiso Boulevard in front of the Church down there. Nathey Street is finished. The staging is moving along with John Sims Parkway. If you've traveled John Sims, you've seen a lot of the sidewalks going in on the North side. I believe they're just about ready to turn around and start on the South side. Then they're going to resurface that road. College Road Bridge was completed. I believe that was finished last month. Highway 85, from the triangle North, I think that's two projects that they're going to be working on, said Mr. Morris. That should be starting fairly quickly because the contractor is finishing up in Crestview.

Just a heads-up, the school system had asked for some help with a traffic-control lane for Ruckel Middle School. So, Palm Boulevard, because of construction they're doing over on the campus there now, they've got Old Coastal Road closed completely to traffic. Our crews went in and helped them do some gravel surfacing on the side of the road to allow more parent vehicles to get off the side of Palm Boulevard to hopefully allow traffic to flow more easily through there. I'm sure that's going to be a nightmare for a while, so anyone who can avoid that area during school letting in or out, it might be a good idea, said Mr. Morris.

Councilwoman Alley said I have a question about Rocky Bayou. The cars were backed up all the way to the Oaks on 285 today. Is there talk about how they're going to alleviate traffic on 285? Ms. Hanson replied, they're currently in the process of developing a lane that would go all the way around the back of the school for pick-up. Do you know when that's going to be done, because all of that construction has gone on, asked Councilwoman Alley? They're building, and then it will be done once the construction is finished, I believe, said Ms. Hanson. That construction is not going to be done for quite a while. So, they're going to be backed up on 285 for a year or so, asked Councilwoman Alley? Hopefully not, I think they plan to finish the construction in a few months, said Ms. Hanson. They're building a 25,000 square foot building. I don't think it's going to be done in two months, said Councilwoman Alley. But once they get things staged, then they should be able to have access, hopefully before the end of the school year, said Ms. Hanson. More people are picking up their children and not letting them ride the bus. They are working on alleviating the problem, said Ms. Hanson.

Chief Popwell said Rocky Bayou Christian School is not unique. Every school in the City: Plew, Niceville High School, Ruckel Middle School, Edge Elementary. We've gone to the high school numerous times because they've blocked John Sims, all the way up to the stoplight, said Chief Popwell. More discussion followed about traffic problems around schools in Niceville.

I didn't mean to interrupt you, said Councilwoman Alley. That's okay, Mr. Morris said; I'll make a note to look into that a little bit too. The new lighting at the Library is complete. We've replaced the lights that were out along the front along the sidewalk with some new light poles. The new mural at the sign down at Evans across from Turkey Creek South is moving along.

Johnathan Laird wanted to give a special thanks to the Niceville High School football team for their community service work, said Mr. Morris. They came out and worked for four hours one morning and got a lot of work done. They helped out a lot with some ball fields and some work at the Senior Center. They just did a lot and were very helpful.

Information Services Department – Update

On the IT side of things, we had a security briefing the other day with one of the security companies we deal with. They told us they had monitored, in the last quarter, so a 3-month period, 30 million events that were logged on the network. Not all of those were bad events. Some of those were good events. A large number of those were attempts to infiltrate the system, and things like that, which were not really directed at the City, but are out there on the web and internet.

We were made aware that there is a new threat. I don't have the details on it. They briefly mentioned it and were sending us more information about it. With the Russia-Ukraine thing going on, and now with the China-Taiwan issues that are going on, they're saying there are a couple of threats that the threat actors have targeted at State and Local governments. So, our security people are aware of those. We have things in place to catch them, so they don't get into our system. I'm not stressing a whole lot over them because we know about them. It's the ones that we don't know about that really give me problems. That's pretty much all I've got, said Mr. Morris. Are there any questions?

Councilman Schaezle said, when the development started to improve and build out in back of the McDonalds and Suncoast Rentals, Huff Development has all of these and they said they would get a sidewalk built along Marc Smith Boulevard. Now, summer has passed and the kids are going to be there walking to school, and you're going to have a

lot more traffic. Will you please ask Mr. Corbin or yourself to give an update on that sidewalk project? If you don't have it now, next meeting would be fine. I know there have been some discussions, said Mr. Morris. We're going to have to acquire a little bit of property from the School Board. I know that Mr. Corbin has been in touch with Mr. Bill Smith with the School system, because we're going to need to move that fence back off the road a little bit, by the practice fields. I will talk to him and find out the latest. I haven't heard anything in the last few weeks. I know the Huffs still are on board with constructing that sidewalk. We're working on getting that done, but I'll follow up, said Mr. Morris. Thank you replied Mayor Pro Tem Schaetzle.

I think it's getting a little urgent. We're going to start renting those houses soon, and with the amount of traffic that we're going to have around the schools and down Marc Smith, I think it's prudent that we get moving on that project, said Councilwoman Alley. I will pass that along, said Mr. Morris. Ms. Hanson said she heard that they were waiting on a survey from Gustin, Cothorn & Tucker, Inc. (GCT) before beginning the work, but it had all been approved. It's just the processes of government and you have government on two sides, said Ms. Hanson.

Mayor Pro Tem Schaetzle said, as a further consideration, when this all is put in, will you please look at, and this may involve Chief Popwell, having traffic go, when they come out to Palm Boulevard, to only make right-hand turns up towards the post office, instead of making a left-hand turn toward John Sims? It might help prevent accidents especially with the increase of traffic on that road, said Mayor Pro Tem Schaetzle. I will talk to Mr. Corbin about that, and we'll get with Chief and whomever we need to get with on that; yes, replied Mr. Morris. Or, even just when the school's in and out time periods, because we aren't going to be able to turn left onto Palm Boulevard anyway, said Councilwoman Alley. We'll look into that, said Mr. Morris.

Dan is there anything else on the agenda, asked Mayor Pro Tem Schaetzle? No sir, replied Mr. Doucet. Is there anyone in the audience who would like to come before the Council and speak?

Ms. Mitchiner came forward and said, I bring the Council some good news. Our first historical marker is here. It arrived Thursday. I received an email this morning from Sewah Studios, Inc. that the second one left this morning and is due to arrive Thursday, and then we'll just have one left. Then we can plan the dedication and unveiling of Niceville's historical markers. I thought you might want to know the progress on that, said Ms. Mitchiner. Thank you, replied Mayor Pro Tem Schaetzle. A follow-on to that;

do we have locations picked out? Where will these markers go asked Mayor Pro Tem Schaetzle? The first one is the Boggy Mill Company and that will be at Lions Park. The second one is the Niceville Fire Department, and that will be at Niceville's old historic downtown area. Old Maritime City will be at the landing, said Ms. Mitchiner.

Just so you know, these historical markers come with an octagonal-shaped location marker. They have to go in a specific location provided in this application which had coordinates of where they were going to go, said Councilwoman Alley. Those specific coordinates were required for the approval of the historical markers. Steve Rausch, with the City Manager, went to those locations and identified those locations, said Ms. Mitchiner. Thank you very much for that update. We appreciate it, said Mayor Pro Tem Schaetzle. No further comments from the audience were made.

Councilwoman Alley said, I just want to say I will not be here for the ceremony. I'll be out of town. I'm very sorry that I won't be here for the ceremony on the 26th. I'm saddened by that. I'll be out of town on a business trip.

I also want to talk about the new mural wall. It's up and waiting for the schematic to be developed for that wall to be finished. If you haven't seen it, it's at Turkey Creek. It's on the corner. You can see the wall. It's sitting there as big as day waiting for the mural, so I can't wait for the unveiling of the mural once it's done. The City did a great job. It's incredibly awesome, so I'm so excited about that, said Councilwoman Alley. I'll pass that along to Johnathan, said Mr. Morris.

Councilman Donahoo said School starts tomorrow, so plan accordingly. If anyone wants a schedule, I have it here for you.

Mayor Pro Tem Schaetzle said, I'd just like to say thank you again for all of the citizen-servants that we have in our community who have stepped forward when we've asked them to help out with different projects. It makes our job a lot easier. It makes City employees' work a lot easier when you help them, and a shout-out to our employees too for everyone who has been involved.

Bills Payable

That's all I have, so I'd like to ask for a motion to pay the bills, said Mayor Pro Tem Schaetzle. Councilwoman Alley moved approval. Councilman Donahoo seconded. Motion passed.

There being no further discussion the meeting adjourned at 7:31 PM.

MAYOR

ATTEST:

CITY CLERK

Minutes0809.22