MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
SEPTEMBER 8, 2020

The Niceville City Council met in regular session at 7:00 PM, September 8, 2020 in the Council Chambers, 208 N Partin Drive. All Council members and the Mayor was present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; City Attorney, Dixie Powell; Technology Department, Chad Morris; Police Department, Chief Popwell; Fire Department, Chief Mayville; Public Works, Johnathan Laird; Water & Sewer Manager, Ron Mathews; and Finance Director, Steven Rausch. There were approximately 20 citizen attendees.

Mayor Henkel called the meeting to order at 7:00 PM, and an attendee led the prayer, and all present said the pledge of allegiance.

APPROVAL OF MINUTES:

Regular Council Meeting, August 11, 2020
Special Council Meeting, August 20, 2020
Special Council Meeting, August 25, 2020
Special Council Meeting, August 27, 2020
Special Council Meeting, September 1, 2020
Planning Commission Meeting – September 1, 2020
Local Planning Agency Meeting – No Meeting Held

Councilman Nodjomian moved approval of the minutes. Councilman Williams seconded. Council Vote: Schaetzle-yes; Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed.

PUBLIC HEARINGS

Presentations – Mr. Doucet said Mayor Henkel had an award to present. Mayor Henkel asked Councilman Schaetzle to come forward. It’s a real pleasure whenever you get to recognize individuals. I’ve known Councilman Schaetzle for quite a while, and I will tell you he is an outstanding individual. He’s done a lot of good things in his military career, and certainly serving this City, and Northwest Florida League of Cities. It’s a real pleasure to present to him, for being a champion in the protection of municipal home rule, the Florida League of Cities presents the 2020 Home Rule Hero award to Councilman Bill Schaetzle, said Mayor Henkel. Would you like to say something, Mayor Henkel asked Councilman Schaetzle?
Councilman Schaeztle said, for those of you who are not familiar with the Florida League of Cities, they’re an advocacy group in Tallahassee. They have just five words that define their mission: *Local voices making local choices.* So, that means the people in Washington D.C. and the people in Tallahassee can give broad guidance, but then the elected local governments make the choices of how to do something, or how to repair something, how to build something, or how to institute something. I’m honored to receive this award. Thank you!

Mayor Henkel said at this time I’ll ask Councilman Nodjomian to come forward and make a presentation. Councilman Nodjomian stated that for those of you who may have arrived here a little bit early, you got a chance to witness, what I consider some of the brightest members of our future community here. We have a Youth Advisory Council and we’ve had it for six years now. They’re the sixth class that we’ve had and it has continued to build upon itself. The success of each new class seems to build on what came before them. This latest class submitted an award package entitled the Twin Cities Pavilion Parade, and maybe you will remember back in the April/May timeframe, right when we got into COVID, they wanted to do something before their time expired as the 2019-2020 Youth Advisory Council group. They wanted to do one more service project, so they came up with an idea of participating in a drive-by parade that occurred in our own Twin Cities Pavilion, for the senior residents of that place. They did a letter-writing campaign. They got about 45-50 letters or notes of encouragement to all of the residents out there. I think we must have had about 20 or 30 cars in that parade. The entire parade must have had about 70 or 80 cars, but we were responsible for 20 or 30 of them. Long story short, they submitted their achievements to a state-level award competition and I am proud to present this incredible trophy for the great work that you did, and the $250 check that we’re going to use for a service project in the future. Congratulations, said Councilman Nodjomian. He stated the acceptance speech will be part of their update.

Reagan Howell, the Niceville Youth Advisory Council Chairman reported to the City Council. I’d like to thank everybody who participated in the drive-by parade, who helped make that possible for us, and we couldn’t have done it without you all. Thank you so much. We are reviewing and evaluating applications for two new Youth Council member positions since we had two leave us this past year. We are starting to work on another photo contest, and we are going to try to tie it into the election because it is an election year. Sadly, we had to cancel our debate, because of Corona. We were trying to reschedule it but it didn’t work out, said Youth Council Chairman Howell.

We’re going to set the agenda for the next year at the next meeting, once they elect their two new members. Then, we will set all of the goals. We thought it was premature to do that with just three members, said Councilman Nodjomian.
Does anyone from the Council have any questions, asked Mayor Henkel? How are members selected, asked Councilman Donahoo? We have five voting members and 15 non-voting members, said Chairman Howell. Right now, we have three voting members and we are selecting two by the next meeting, which is October 13th. How many applicants do you have, asked Councilman Donahoo? We have six or seven this year; so, we are going to decide within the next few weeks.

They have to complete an application to apply and a short essay for membership consideration. Each of the sitting members will rank the candidates and they will submit their recommendations to me, said Councilman Nodjomian. I will review the recommendations and if I needed I’ll adjudicate a tie. They have some parameters and guidelines to ensure the longevity of the Council such as not putting all seniors on and things like that. So, there are some parameters to keep it going.

Well thank you very much for what you do, and again congratulations for your award, said Mayor Henkel.

Ordinance 20-09-01 – An ordinance for rezoning of certain property in the City of Niceville, Florida; providing zoning for same and an effective date. From R-1A, Single Family Residential to R-1B, Single Family Residential, and have a future land use of MDR, Medium Density Residential. Property is located at 820 Cedar Avenue South. Requested by Audra Nagel and Billie Burnette. (Final Reading)

Mr. Doucet read Ordinance 20-09-01 by title. Councilman Nodjomian moved approval on final reading. Councilman Donahoo seconded. No one spoke for or against. Council Vote: Schaetzle-yes; Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed.

Ordinance 20-10-01 – An ordinance for the rezoning of certain property in the City of Niceville, Florida; be re-zoned from C-2 General Commercial to PUD, Planned Unit Development as per Conceptual Plan. Requested by Valparaiso Realty. (First Reading)

Mr. Doucet read Ordinance 20-10-01 by title. Councilwoman Alley moved approval. Councilman Williams seconded. Mayor Henkel asked if anyone was present representing Valparaiso Realty Company to please come up and state your name and address for the record. Good evening Mayor and members of the Council, Matt Zinke, with Jenkins Engineering, 121 Hart Street, Niceville, Florida. I’m here on behalf of Valparaiso Realty Company. We’re looking to take that 13-acre property, north of Wendy’s, west of Juniper, which is currently undeveloped and zoned C-2 General Commercial, which will allow a variety of commercial uses and also apartments, up to 25 units per acre, which would be about 320 units. Instead, what we’re going to do, with commercial not being as
prevalent now, with COVID and Amazon, it’s just a better use for Valparaiso Realty to look at doing this as a single-family residential development. We also feel it fits better in the neighborhood, especially with the existing subdivision to the North. So, we’re looking at 63 houses right now, which is quite a bit less intense than what currently could be done. Councilwoman Alley asked, so it looks like there’s going to be 63 units in this development, is that correct? Yes ma’am, replied Mr. Zinke. I’m confused with the retention pond across the road, commented Councilwoman Alley? So, what we are trying to do is basically leave as much available room for development, on that parcel, as possible. In a PUD situation like this, we like to show you the maximum number of lots we think we can get, that way we base everything on that. In this case, we think we can get 63. In actuality we are probably going to lose about two lots or maybe more to make stormwater retention work. Valparaiso Realty owns the property to the east of Juniper, and it’s right next to adjacent wetlands so it’s a really good place to put a basically dry retention, grassed area for stormwater, allowing us to develop more of those lots, said Mr. Zinke. Does this meet the stormwater runoff regulations with it being on the other side of the road, asked Councilwoman Alley? Yes ma’am. We would meet the City’s stormwater regulations and actually improve the situation because now you will have a pipe running under the road to the wetlands, to actually get the stormwater to a wetlands area instead of flooding out the road. So, it’s actually a good situation and will improve things. We will meet all of the requirements when we actually go forward with the plans. Thank you.

Councilman Schaetzle asked, right now it is planned for 63 homes and you said it might be a few less depending on the retention ponds? That’s correct replied Mr. Zinke. So, you have 60 homes and two cars in each garage or driveway, that’s 120 additional cars or traffic on to the streets of Juniper or Mark Smith Boulevard, and neither of those streets, especially Mark Smith Boulevard, can handle a lot of traffic the way it’s designed with businesses on one side and the football field on the other side. Juniper Avenue is heavily traveled now, with a lot of people cutting through from John Sims Parkway, up to Highway 285. What intentions do you have to do a traffic study and to alleviate some of the traffic that this development is going to bring? We’ve already done some preliminary analysis and we typically provide a full traffic report when we submit plans and go through, basically, the development order stage, but we did have a preliminary traffic study done and it doesn’t show any level of service change to the intersections or the existing roadways. So, it’s a lot less traffic than would be with 320 apartment units right now, with the ability to do that under C-2 zoning, said Mr. Zinke. Councilman Nodjomian asked if west Juniper was failing traffic engineering standards right now? Mr. Zinke said it was not. A discussion followed about how a traffic engineering study is done. Councilwoman Alley said, I’m assuming that a study will be done on the light there in order to bring traffic off of Juniper, onto Highway 20, is that correct? Yes, the analysis would also include that intersection at Juniper and 20 to see if it degrades that level of service. Councilman Williams asked what is the size of the buffer that you can have from
the existing homes? The person expressing concern at the planning commission meeting, was concerned that we had a 15-foot set-back shown. What we did is we had northern lots, 17 through 25, reset from 15 feet to 20 feet, which basically matches up with the City’s residential zone requirement for a 20-foot set-back. So, we increased that another 5 feet off of those existing residences to give them a little bit more of a buffer there, said Mr. Zinke.

Mr. Powell said, just for the benefit of the Council, this is just for rezoning. The development plan will be submitted for approval. It will have all of the traffic studies and other concerns in there. Like Mr. Zinke has explained, it reduces the availability of commercial property and there is also the traffic concern.

Mr. Carl McCutchen, of 113 Lincolnshire Drive, Niceville, introduced himself and said he lived just north of the area requesting rezoning. Mr. McCutchen expressed concerns about noise abatement for the future residents considering emergency vehicle sirens and the field where the Niceville High School band practices. Councilman Nodjomian thanked Mr. McCutchen for those valuable observations. Council Vote: Schaetzle-yes; Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed.

Ordinance 20-10-02 – An ordinance of the City of Niceville, Florida amending Chapter 3-Alcoholic Beverages, Section 3-3 – hours of sale of the City of Niceville, Florida Ordinance 14-09-01 dated September 1, 2014, amending Ordinance 09-04-01 and amending Ordinance 459 governing the hours of sale of alcoholic beverages; providing for severability and providing for an effective date. (First Reading)

Mr. Doucet read Ordinance 20-10-02 by title. Councilman Nodjomian moved approval. Councilman Donahoo seconded. Councilman Nodjomian asked, isn’t this to match up to what Okaloosa County did? Who’s going to talk about this? Does anyone want to come up and educate us, asked Councilman Nodjomian? Mr. Tim McCool introduced himself, and gave his address 2181 Chase Drive, Niceville, Florida. Yes; it’s Ordinance 20-10. Okaloosa County passed it on July 7th, due to corona virus and several things. It allows alcohol sales on Sunday prior to 1 pm. I did present letters of support last time. One was from the Chamber of Commerce. The other was from Walmart Corporate offices. You can drive across Rocky Bayou bridge to Winn Dixie and purchase alcohol on Sundays before 1 pm but you cannot in the City of Niceville at Publix, Walmart, or wherever, said Mr. McCool. Mayor Henkel said, just so everyone understands, currently there’s no alcohol sales from 4 am to 1 pm on Sunday in Niceville, and they’re asking that it be changed to no alcohol sales between 4 am and 7 am on Sundays, said Mayor Henkel. Matching Sunday to every other day of the week, said Councilman Nodjomian. Would anybody else like to come forward before the Council to address this issue, asked Mayor
Henkel? No further discussion. Council Vote: Schaetzle-yes; Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed.

Resolution 20-09-01 – A Resolution to vacate and abandon an undeveloped portion of the property/right-of-way of Hickory Avenue, between 316 Fir Avenue and 647 Crestview Avenue, located in Niceville, Florida; authorizing vacating and abandonment of said property/right-of-way; authorizing disclaimer of said property/right-of-way; and providing for an effective date. Requested by Robert McElroy owner of McElroy Enterprises, Inc.

Mr. Doucet read Resolution 20-09-01 by title. Councilman Nodjomian moved approval. Councilman Schaetzle seconded. Mayor Henkel asked if anyone would like to come forward to address this? Mr. Robert McElroy, 1411 Bayshore Drive, Niceville, Florida. I’m the owner of the property. Can I answer any questions? What’s the intended use of the property, asked Councilman Nodjomian? I’m going to develop another lot, said Mr. McElroy. There are two lots there. I’m going to make it three. So, the intent is to make three distinct lots? Yes, single-family, said Mr. McElroy. Thank you. Do we have anyone from our City staff to discuss the impact of vacating this property, asked Councilman Nodjomian? Ms. Hanson were you at the meeting when that was discussed, asked Mr. Corbin? Ms. Hanson came forward. Hello; I’m Ammy Hanson and I was at the planning commission meeting for this. Hickory Avenue, this short portion, has never been developed. The City has no utilities there and also has no prior plans to install a road there. It’s maybe one lot long, for the right-of-way, so it’s not a huge section of property. So, from the City’s planning perspective, vacating the property has no impact on us, asked Councilman Nodjomian? No impact from this at all, replied Ms. Hanson. Thank you, any other questions, asked Mayor Henkel? No further questions were asked. Council Vote: Schaetzle-yes; Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed.

Resolution 20-09-02 – A Resolution to vacate and abandon an undeveloped portion of the property/right-of-way of Hickory Avenue between 316 Fir Avenue and 647 Crestview Avenue, located in Niceville, Florida; authorizing vacating and abandonment of said property/right-of-way; authorizing disclaimer of said property/right-of-way; and providing for an effective date. Requested by Mr. Keith Holt, owner of Holt Land Development, LLC.

Mr. Doucet read Resolution 20-09-02 by title. Councilman Nodjomian moved approval. Councilman Williams seconded. Councilman Nodjomian asked Ms. Hanson to discuss the impact of vacating this property. Ms. Hanson said basically any time the City abandons a right-of-way, or vacates it, half of the property goes to this property owner, the other half goes to the other adjacent property owner. These are both property owners
who own property right next to this Hickory Avenue. This will give us the opportunity to get taxes on that property. Thank you. There was no further discussion. Council Vote: Schaetzle-yes; Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed.

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

Mayor Henkel asked Mr. Corbin for his update. Mr. Corbin said, we’ve talked about re-use water for several months, maybe longer than that. We finally have gotten an agreement together. I sent out the agreement along with the meetings we had prior to that. Mr. Mark Wise is here tonight. Mark please come up and explain this issue to the Council.

Thank you for having me here tonight Mayor and Council. I’m Mark Wise, Okaloosa County Water and Sewer, 1804 Lewis Turner Boulevard, Fort Walton Beach, Florida. This has been a great partnership that we’ve been working on for six or seven years now. It started out in 2013 or 2014 with the Air Force base. Some of you all were involved in that process. It was a pie in the sky project. The concept was to take effluent out of our wastewater plant in Fort Walton which could be re-used for irrigation in Niceville. We have an extra supply and Niceville has a corresponding deficit, especially when you consider long-term growth, like Deer Moss Creek and other areas. We’re in the water resource caution area in south Okaloosa County. This was an opportunity to work together to do what’s best for the water supply for the long term.

So, we entered into a partnership in 2014. I have a lot of great news to share with you this evening and some background before we talk about the agreement itself. The project is now fully funded. It’s a $10.5 million project. It’s 11 miles long, from our plant in Fort Walton Beach to, basically the Mullet Festival site at Twin Oaks, and the project has now been fully designed and permitted. We have all of the easements that we need except one final one from the US Air Force. It should be signed any day now. Half of the $10.5 million dollars funding the project comes from State grants, and the other half is funded by the County in-house. We just got the final $2.5 million a few months ago, making this dream now a reality.

What’s before you are an interlocal agreement, between Okaloosa County and City of Niceville, that really does one main thing. There’s a lot of attorney language in there and stuff like that, but the one purpose of it is to establish a rate. That was something we discussed back in 2014. This is not something where the County is looking to make a profit off of this. We are simply looking to cover some of our operation and maintenance cost and get those recouped. We’re paying about $5 million of upfront costs of this
project, so the O&M costs of this pipeline result in a rate and it’s 21 cents per 1,000 gallons.

So, with this arrangement, the City of Niceville would still get the bulk of your reclaimed water from the regional plant. This is supplemental reclaimed water, wholesale reclaimed water. We can produce six million gallons per day, so that would give you as much as you possibly need for a long time. We’re already sending it to the City of Fort Walton Beach, so this would just be another place to send reclaimed water out, just to give you water magnitude, if this agreement moves forward, we’re talking about a $60,000 per year expense. At 21 cents per thousand gallons, if you calculate that based on anticipated flows it would be about $60,000 from the City Budget annually. Of course, we can revisit the rate if we need to as circumstances change. That clause is in here as well.

If this is approved, the next step would be to go to our Board of County Commissioners, and we need that last piece of the puzzle to get the Air Force base to sign the easement documents. It’s actually in San Antonio waiting on the Air Force Test and Evaluation Center (AFTEC) still. Then we would order pipe, and start construction in January 2021, and hopefully we’d be done by the end of next calendar year in December 2021. So, with that I’ll answer any questions that you might have, said Mr. Wise.

Councilman Schaetzle said thank you for coming out here and briefing the Council. The question I have is, if Niceville would not take this re-use water back, what would the County do with it? Mr. Wise said, we have about 200 acres of Rapid Infiltration Basins (RIBs), so right now when the effluent leaves our wastewater plants it goes there. They are basically large retention basins and it goes into the ground. So, this goes back into the environment. It would be better to re-use that for irrigation rather than to let it go back into the environment in the RIBs. So, we do have capacity right now for our flows, but this is a benefit to us as well. It’s not that this is just a benefit to the City. We all benefit from this. For us, it gives us extra disposal capacity, said Mr. Wise.

My follow-on question is to Mr. Corbin, said Councilman Schaetzle. As we know there are people within the City of Niceville who already get re-use water but don’t pay a charge. Now that we are going to get a yearly invoice, do you anticipate that we will be charging people who get re-use water? I anticipate it, said Mr. Corbin, but that’s a decision the City Council will make, because obviously they are going to charge us for re-use, and unless we charge for it, we are going to be paying $60,000 annually for it. That’s none of my business, said Mr. Wise, but I want to tell you, before we put out a rate to you, we looked at what other utilities in the State were doing. Typically, it’s between
20 cents and 80 cents per 1,000 gallons. It is the norm to charge for reclaimed water. I live in the City. I’m a customer. I would pay in a heartbeat if I could have reclaimed water. Councilman Nodjomian said we are in an unusual situation since we do not currently charge for unclaimed water. It’s very unusual.

Councilman Nodjomian said, a couple questions Mark, you said six million gallons per day. What’s currently being sent out right now? For Fort Walton Beach, we’ve committed to send them 1.5 million gallons per day. They’re taking on average about 600,000 gallons per day, said Mr. Wise. So, we might take 1.5 or 2 million gallons per day maximum. Is there plenty of capacity for that even with Fort Walton Beach? Yes sir; and I think through my retirement plus another 30 years, platform can give all of the reclaimed water you could need. Eglin doesn’t have an immediate need right now, and they’re contributing by not charging fair market value for these easements. They are posturing for this down the road one day, said Mr. Wise. The City of Valparaiso has expressed an interest in this said Mr. Corbin. Yes; this is a great regional partnership, said Councilman Nodjomian. I was there on day one when we hatched the idea and it’s exciting to see. Thank you, and just so I got the construction schedule right, we’re anticipating a starting date of January 2021 and a completion date of, hopefully, December 2021? Mr. Wise said, yes assuming we get the Eglin easement signed soon, we’re going to start procurement. The material list is ready. That takes three or four months and then we could potentially see an excavator putting teeth in the ground in January 2021. Are you going to do this in-house, asked Councilman Nodjomian? Yes sir, replied Mr. Wise.

Mr. Corbin said, we all know that we paid, how much was it Mark on what we paid up front to increase the size of the line going out that way? I think it was about $900,000 paid by the City of Niceville and the City of Valparaiso combined to upsize the sewer line going west. So, eventually when we reach a certain size in our plans, we can send it that way with a lift station, said Mr. Corbin. Councilman Nodjomian said we’re going to have a decision to make about our plant in the not-to-distant future. Correct, said Mr. Corbin.

I have a question about cost that we’re going to have to consider charging, said Councilwoman Alley. I’m assuming it’s to all of the reclaimed water users. Is that correct? It would have to be; yes, said Mr. Corbin. Do we have any idea how much that would be for each household? I do not; probably $15 or $20 per month. It would not be metered, and it would just be charged per household. I got a call a couple days ago from a person who just got through paying an $800 water bill for watering his grass. So, I think
$15 or $20 is a good deal for the folks who are going to be receiving that. I don’t know the cost for that yet. We will have to see how many people in Deer Moss Creek are on it. The price depends on the volume versus the demand, but I think it will be around that price, said Mr. Corbin. Are we attempting to model it based on a residential rate versus a commercial rate? A commercial rate is based on x number of thousand square feet, if I recall, Mr. Corbin, last year or a few years ago, asked Councilman Nodjomian? It was somewhere in that ballpark.

A discussion followed about reclaimed water billing and usage at Swift Creek. Councilwoman Alley spoke in favor of obtaining more detail on the potential cost to end users. Councilman Nodjomian spoke in favor of charging for reclaimed water. Mr. Corbin said we’d have to know approximately how many homes were involved, the number of potential customers, and we could come up with an amount. I think that would be the number I mentioned, but it would be a lot cheaper than using City water for your irrigation. Mr. Wise said this property used to be owned by the County years ago. The County did have an agreement with Ruckel Properties, which said we would give them reclaimed water for free for a certain date. I don’t remember what that date is, but that date has come and gone. So, that is the one legally binding document that no longer applies. Thank you for that information said Councilwoman Alley.

Mayor Henkel asked Mr. Corbin if we needed to make a motion to approve or disapprove this agreement at this time? Mr. Corbin replied affirmatively. Councilman Nodjomian motioned approval. Councilman Schaetzle seconded.

Mayor Henkel asked if anyone would like to come forward to address the Council on this issue? Mr. Tolbert came forward and introduced himself, Doug Tolbert, 709 Mullet Creek Drive, Niceville. As this water is transferred here, will it be stored or directly used? We have retention ponds on Eglin Golf Course, where it will be pumped to, said Mr. Corbin. Which is kind of the root of our problem here, that retention pond, said Mr. Tolbert. We’re going to pump more water to that retention pond? That is correct. So, it is clean water coming out, and its extra water we’re putting into that retention pond. Is it going to change the level of the pond, lower the pond, raise the pond, or add additional retention storage asked Mr. Tolbert? I think the pond is going to draw up quicker when this occurs. The pond’s not going to get any bigger. It’s at its capacity when it is full. I think a lot of the problems that were encountered a couple of years ago had a lot to do with the water that was in there and the algae bloom that occurred. So, with a faster use and higher circulation of that water, that should work much more efficiently, said Councilman Nodjomian. So, the water quality will improve with this? I don’t think
anyone’s done a water quality modeling projection, but I think intuitively, if the water moves and gets used, it will improve. We were in a water restriction, you may recall, a couple of years ago, said Councilman Nodjomian.

I would argue, before bringing more water to this pond, we ensure we have an appropriate water facility, said Mr. Tolbert, before we add to it. We discussed adding tanks, especially out in Deer Moss Creek. That’s something the engineer’s looking at and it could be costly said Mr. Corbin. We’ve added a couple of filters to what we send out to Swift Creek. We’ve added additional chlorination to it. So, just the Swift Creek water is being filtered, or is everybody’s water being filtered, asked Mr. Tolbert? Everybody’s water is being filtered replied Mr. Corbin. I’d argue that we cut Swift Creek out of this argument and talk about all of the water that goes onto the ballfields back here. We’re minor users compared to the overall City usage, said Mr. Tolbert. It’s also at the Swift Creek Preserve. It’s also at the Plantation, Mr. Corbin.

Do we have a current water issue that I’m not aware of, asked Councilman Nodjomian? We have an ongoing current water quality issue. I can show you my filter weekly, said Mr. Tolbert. And, I thought we isolated that as a Swift Creek issue because we look at other neighborhoods and we’re not getting the same issue. The same issue is not occurring at the Preserve. It’s not occurring at the Planation. Our grounds maintenance guys using reclaimed water on the fields, and Public Works, feel free to comment, said Councilman Nodjomian. So, they’ve sampled the water there or just, nobody’s looking at it, asked Mr. Tolbert? I just know it’s not an issue that’s being brought up, said Councilman Nodjomian. Do we have somebody from the City who can speak to that, asked Mayor Henkel? To any issues that we’re having with reclaimed water that we know about, continued Councilman Nodjomian? Mr. Laird you might want to take this question, said Mr. Corbin. Ever since we added a strainer to that pond, everything that comes out of that pond goes through a strainer to the City. We haven’t had any calls or any issues about the re-use system, said Mr. Laird. We have chlorination, so there’s chlorine in it. We’re straining it when it leaves the pond and we haven’t heard anything… any complaints or anything in probably two- or three-months regarding re-use water, said Mr. Laird. Thank you, said Councilman Nodjomian.

I just want to point out that I’m not against this. I just think that if we are going to spend $60,000 for reclaimed water coming out of Fort Walton Beach, then what is this going to cost our citizens to get this, that we’re going to have to then turn around and charge them, said Councilwoman Alley? I just want more information. Thank you, said Mayor Henkel.
I will tell you that since we started this chlorine process, we’re starting to discover that what they’re finding in the filter is what the chlorine has killed. It seems to be working pretty well. We haven’t had any calls. If there is a problem, I’m not aware of it, said Mr. Laird. Thank you very much, replied Mayor Henkel. Actually, while you’re up there, said Councilman Nodjomian, correct me if I’m wrong, but we’re also at a point where we are at capacity with our current system, and if we intend on getting re-use water to any of the new developments, we don’t have that capacity. That’s correct, said Mr. Laird. So, any growth is hinged on it, said Councilman Nodjomian. Thank you.

Any other discussion from the Council asked Mayor Henkel? No further discussion followed. We have a motion and a second on the floor to approve. Council Vote: Schaetzle-yes; Nodjomian-yes; Alley-no; Donahoo-yes; Williams-yes. Motion passed.

Police Department – Update

Chief Popwell stated that during the month of August 2020, the Niceville Police Department responded to 3,142 calls for police assistance. There was a total of 42 traffic crash reports written involving 78 vehicles. The estimated amount of damage to these vehicles and related property was $163,722. A total of 141 traffic citations and 168 traffic warnings were issued, 17 misdemeanor arrests, 8 felonies and 2 DUls. The DUls were at SR 20 and Armstrong and they wouldn’t tell us where they to get their drug of choice. The other one was at a 76-gas station at 220 North Partin, and same thing. They didn’t want to tell us. The first one was at 8:13 pm. The other one was at 8:09 pm. They were on August 12th and 20th. Chief Popwell spoke more about some of the other challenging issues the Police Department has dealt with successfully and thanked the community members who had shown appreciation to members of his department. Councilman Donahoo asked for an update on the bank robbery, which Chief Popwell provided. Thank you Chief, said Mayor Henkel.

Fire Department – Update

Chief Mayville stated that during the month of August 2020, the Fire Department had 124 calls with 115 of those being located within the City limits. There were 9 mutual-aid or automatic aid calls, one trash fire, 72 medicals with Okaloosa County EMS transport to the hospital, 8 vehicle accidents with injury and transport to the hospital, one extrication using the jaws-of-life, one water rescue with 5 people rescued, 2 wave-runner accidents, 3 power lines down, one illegal burn, 8 service calls, 20 good-intent calls, one smoke scare, and 8 business alarm activations.
Where are we at with the virus? Since the beginning of school, at 3:35 this afternoon, the Health Department reported 27 cases in Okaloosa County Schools, that were positive since the beginning of school, nine staff members and 18 students have been confirmed positive for COVID-19, so we are closely monitoring that with the Okaloosa County Health Department. We are not at an alarming rate whatsoever. We’re staying on top of that. Our guys are continuing to do sanitary procedures within our building. We spray in the morning. We take temperatures to check individuals and are constantly doing all of that. We’re still monitoring our safe distances. We’re really focusing a lot of attention on the schools to see where we are at with it after the Labor Day holiday. Thank you, Council, said Chief Mayville.

How’s the health of your staff, asked Councilman Williams? Overall, good; we had 12 individuals that went home. We had seven that actually had the virus. There were really only two cases that we were concerned with, and those individuals did their quarantine and came back to work. So, all is good, said Chief Mayville.

Chief we’ve had a lot of successful meetings with the bargaining unit over the last few months. I guess we’ll be in a position to talk about it at the next meeting, asked Councilman Nodjomian? Yes sir, replied Chief Mayville.

Let me just say publicly here, both Chiefs, Chief Popwell and Chief Mayville are outstanding individuals and we are very blessed to have them as our Police and Fire Chiefs, and you all really need to recognize what a great program they run and I thank you both, said Mayor Henkel.

Grants – Update

Ms. Hanson, bring us up to date on our grants, said Mr. Corbin. Ms. Hanson said, I just want to let you know that the City has received a $145,000 Florida Recreation Development Assistance Program (FRDAP) Grant and I’ve talked to you before about this grant money. We are signed off on our side of the agreement. We sent it back to the State and they will sign off and send us a notice to commit. We should receive that within the month and then we can begin the project. We’ve budgeted the money for the upcoming fiscal year. So, that part’s taken care of. The City will have a 25 percent match which comes to $36,250, and most of that is in-kind services. We’re going to use our Repair and Maintenance Department to build the structures and to create what’s needed.
So, what that $145,000 will cover is an ADA-compliant new kayak launch/recovery system there at the new property. It’s just to the north of Turkey Creek South which is right on Highway 20.

There’s a house on that property. We’re not touching the house. We’ll be building on the water. So, we’re installing the new kayak launch/recovery. We’ll put in a fishing platform. Then on the upland part, we’ll put in an observation deck where people can climb up and see Turkey Creek. We’ll also put in an elevated boardwalk that will get you to all of these, and to the south park as well as the parking lot. We’re going to recreate the parking lot and put gravel there, so there’ll be an area similar to what’s already at Turkey Creek South. Did you say the launch is ADA-compliant, asked Councilman Nodjomian? It will be; yes, replied Ms. Hanson. We are not going to use a lift. I’ve seen that design, said Councilman Nodjomian. The concern about using a lift, said Ms. Hanson, is number one it is so expensive, but number two it breaks. Yes; this one has a neat design, said Councilman Nodjomian. It will be a nice opportunity for people. So, they can launch there and go down or it provides an opportunity for people who float down to get out at Turkey Creek and not go under the bridge if they don’t want to, said Ms. Hanson.

We’ve also received our Army Corps of Engineer permit for the Niceville Landing project. This will actually allow us to now finally build a structure over the water. There were a lot of issues that were involved with that but they’ve all been reconciled now and we will once again apply for the boater improvement fund grant to help us build this facility when it comes back out next year, said Ms. Hanson.

Where are we on the Breland Property, asked Mr. Corbin? That will be tied into the Turkey Creek Master Plan, asked Councilman Nodjomian? Yes; so, that is what I’ve always referred to as the “old Hardees site” said Ms. Hanson. It’s now Comfort Suites and the Department of Transportation (DOT) retention site that’s on the corner of Evans and Highway 20. It’s sort of two parcels. It has a billboard on it. The State did their very own environmental assessment and we received the results and we are waiting on the property owner to clean up an issue. Then they’ll move forward with the purchase and their drop-dead date to purchase that property is the end of October 2020 said Ms. Hanson. Thank you said Mr. Corbin.

**Information Services Department – Update**

Mr. Morris. stated that the Information Technology (IT) department is still in the process of doing our upgrade. Our network upgrade is pretty much completed. We’ve got a
couple more servers we’re migrating over. Now we finally have the Police Department operational fully again. We are getting ready to roll out our desktop replacements with thin clients, going to a virtual desktop environment. So, we’ll be using imaginary desktops along with our imaginary servers. I think I’ve spoken to most of you about different things. We will be getting with all of you on the virtual desk when we get to that point and are ready to move over with that. That’s about it, said Mr. Morris. Does that mean no laptops, asked Councilwoman Alley? You’ll have to use something to access the data, but you may not have to have a laptop if you don’t choose to carry one.

WATER AND SEWER – Update

Public Works Director Johnathan Laird briefed the status of current projects:

Well 11: Water System Engineering (Kansas) has sent our data back and we are working with Lane Water and Well Drilling out of Pensacola. They will be starting to disinfect the well starting in early October. Well 11 is the newest well in our water system. It was drilled in 1998 and is located on the College Boulevard Extension east of SR 285 north of the Rocky Bayou Golf Course. This well pump 1,100 gallons per minute. Cost of repairs $68,200.

We have started the Fir Avenue water installation phase one (1) is done and we started at Crestview Avenue. In the process we have installed two (2) fire hydrants. Phase two (2) which will go from 46th to 48th Street will start next week.

Calls: 37 water calls and 23 sewer calls; made 5 water taps and 3 sewer taps; 181-line spots. The holding pond across from Niceville High School is moving forward. Hopefully it will be completed by the end of October.

Mr. Laird said I contacted the prison staff this morning. There’s a little bit of movement from the Governor, she told me this morning, so hopefully in three to four weeks we could possibly get our inmate work crew back.

STORMWATER – Update

Thomas Branch: The holding pond behind Niceville High School is scheduled to be completed by the end of October.

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

Streets Maintenance: We have received a reimbursement from the State of $16,855, total of $33,710 for both squads. We have contacted the prison and they cannot give us a time line on when their crews will be back; we have put a City work crew together to maintain 60 of the ponds and have a contract with Landscape Workshop out of Valparaiso to maintain the other 20 that are in Swift Creek, the Plantation, the Preserve and Gracie Lane.

Sidewalks: There has been a delay in this project with Construction Services; we hope to get started back on that around the end of October. In the next few weeks we will begin working on the installation of new sidewalks around the City. We started installing curbing in sidewalk on Bayshore Drive across from Armstrong Avenue to control some of the stormwater that comes off of Bayshore Drive into Mills Creek.

PARKS - Update

The new City park at 998 Rocky Bayou Drive has been surveyed and we will be starting the asphalt trail around the end of October.

MAINTENANCE – Update

Crews are continuing to cut right-of-ways, spray for weeds, install walls, pour concrete, and set pavers at the Senior Center; pour concrete at the City yard; mulch at the triangle; and select new plants for the library.

We are working to complete the gazebos at the Senior Center, finish up the new building and working on backflow room for the Water and Sewer.

Mr. Corbin said by the way, talking about sidewalks, I know you all may have gotten some letters from Swift Creek about sidewalks. Swift Creek is included in the list for sidewalks. There are a couple other streets that have not had sidewalks forever, so we’re going to do those first and then do Swift Creek, hopefully sooner rather than later.

Mayor Henkel asked Mr. Corbin do you have anything else? Well, sadly we have lost one of our regulars, Gene Eller and now Fred Jones; they attended a lot of our meetings.

I’ve been talking to the Chief about whether we are going to have a Halloween or not. I think we’re going to go with it; aren’t we? Yes sir, said Chief Popwell. What day is that? Saturday evening October 31. Are we going to have a Christmas parade, asked Mayor
Henkel? Good question, said Mr. Corbin. That’s going to be a Rotary Club question, but if they decide to go with it, we will support it. Alright, said Mayor Henkel. So far, they are going forward. They were about four or five deeps in past years said Mr. Corbin. We’ll have to look at that and space a little better said Councilman Nodjomian. That’s all I have said Mr. Corbin.

**Other Business:**

Bills Payable

Councilman Nodjomian motioned to pay the bills. Councilman Williams seconded. Motion passed unanimously.

Councilman Schaetzle said this Friday is September 11th, 2020. As you all recall on September 11th, 2001, we had the attack on the twin towers in New York, as well as the attack on the Pentagon and a fourth one that was foiled. I bring this up not only because of its significance, but also because the Exchange Club of Niceville and our local Fisher House of the Emerald Coast partnered together and they have a “Field of Valor”. It’s held up at the Mullet Festival grounds, on Friday only from 9 am to 4 pm. For the ceremony, the guest speakers are going to start at 11 am. It’s a one-hour change from previous years. If you have an opportunity to attend I would recommend it to you because they have a flag in the field for every Floridian who was killed in action in Afghanistan or Iraq, since 2001, and it’s over 350 flags. Thank you.

Councilwoman Alley said I don’t know if you remember over a year ago, Amanda Grande came forward and talked about creating a walkable Niceville, so we have been working on that for the last year, developing the signs, and what they’re going to look like, where they’re going to be. We have finally got to a place where this is what the sign is going to look like, and this is the street map. (Sign image passed around.) This is where the signs are going to be at, starting at Turkey Creek, coming down Bayshore Drive, and over to Palm and back up to the City, and then back around to Turkey Creek. Mr. Greg Pope of Accent Signs has been working with us, developing all of this and putting this together to show where the signs are going to be, how tall they are going to be because of course we have to be within regulations from the Florida Department of Transportation (FL DOT) coming down SR 285. There are going to be some signs going down SR 285 that we will be able to put banners on, so at Christmas time we can change them.

The next step is that everything has to go to the engineers to design the signs to where
they are going to be placed. Finally, we’re moving forward. They are going to be quite large signs. They are different sizes, depending on where they are at on the route. They’ve been working on getting approval from FL DOT to do a cross-over at Highway 20 and Highway 85 South. Right now, there is not a cross-over over Highway 20. So, if you leave Turkey Creek, and you want to cross over Highway 20 and go to Bayshore Drive, the DOT said they would approve that, so we’re working on possibly being able to do that to get people off of Highway 20 more quickly, and onto Bayshore Drive.

The next part of that will be the wall that we’re going to put up at Turkey Creek. Artists are already submitting renderings to go on that wall. That’s been extended to October, so that’s next, said Councilwoman Alley. They’ve done a good job said Mr. Corbin. We’ve had several meetings and I think Greg Pope is doing a great job supporting us. This is a great thing we’re doing for Niceville.

I have a quick question for you, said Councilman Nodjomian. These are all going to be custom, with a certain number of points of interest where they are? Correct, said Councilwoman Alley. Will you have distance to go on there, asked Councilman Nodjomian? Well we can talk about that. I’m not sure; we’ve talked about it, but we haven’t decided yet, whether we are going to put distance to go on them, said Councilwoman Alley. The ones I’ve seen in more dense urban environments have distance to go. If it’s a walk, people like to have an idea of how far that walk is, said Councilman Nodjomian. Right, said Councilwoman Alley. We’ve walked it and driven it. We’ve marked the different points of interest, walking around. A lot of new people who come to the area don’t realize what we have to offer, so I think this is really going to set us up, said Councilwoman Alley. Does the audience have any questions about what we are going to do? We would like to do a walkover at Turkey Creek and on the side, it could say “Welcome to Niceville”, but that would be a lot of money. That’s my presentation for tonight, said Councilwoman Alley. Thank you, replied Mayor Henkel. Mayor Henkel asked would anyone in the audience like to come forward to speak on an issue? Please come forward and state your name and address.

Mr. Michael Hicks introduced himself and said I live at 1909 Benton Avenue. I’ve lived there for 21 years in the same home. My father was USAF. We moved here in the early 1980’s and I graduated high school here. At any rate, the reason I’m here before you tonight are that I’ve purchased a piece of property next to mine, 1911 Benton Avenue. Mr. Hicks spoke in detail about his knowledge of the history of that property. Mr. Hicks explained he had a dispute with a builder who claimed the existing water meter belonged to an adjacent property and not 1911 Benton Avenue. A lengthy discussion followed and
Mr. Hicks stated he did not think he should have to pay an impact fee. Mr. Corbin spoke at length also, and explained there has never been a second water meter at that location and we have never metered any water for any other meter.

Mr. Powell asked Mr. Hicks was there a contract when you purchased the lot? No sir, replied Mr. Hicks. Did you get a deed for the lot? Yes sir, we went through normal closing procedures. I purchased it from the executor of the estate. In the deed did the description of the property say it included any of the utilities? I don’t know replied Mr. Hicks. Mr. Powell said you may have a claim against the person who sold you the lot if the information wasn’t included in the contract or the deed.

So, lot 1911 did have a house on it, said Councilwoman Alley, but does not now? Is that correct? Well, at that time, his address was 1911. Lot 1911 is the lot adjacent to my home. His home actually was on lots 1913 and 1915. Lot 1911 was always vacant since I’ve lived near there, but his home was over on the other two lots which Mr. Carrington purchased. Lot 1911 is the one directly next to my house. If you’re facing the homes, mine is to the right. Then an empty lot. Then, the house that Mr. Butch Woods lived in was sideways on what has since been divided into two lots, 1913 and 1915, said Mr. Hicks.

Mr. Corbin said Mr. Carrington is the builder who bought the two lots, Mr. Butch Woods’ property. We’ve already charged him one impact fee and told him that the impact fee for Mr. Butch Woods’ house had already been paid. So, really if he wants a water meter in front of his property, we would be glad to put one there, but if he wants to tap onto that water meter, he’s got to pay an impact fee like anyone else would. We’re not trying to charge him something that we would not charge anyone else. There is only one meter that we have any record of being there. That’s the one we read every month, and that’s the one that went to Mr. Butch Woods’ house, said Mr. Corbin.

Mr. Hicks said Mr. Powell my question would be, does Mr. Carrington’s deed say it came with all utilities? Would that matter? If you send me all of your closing documents, I’ll be glad to look at them for you, offered Mr. Powell. Would that make any difference though? Well, it may. If no one has any right to it and it’s in front of my house do I assume right, asked Mr. Hicks? No sir, replied Mr. Powell. The meter and the top would go to whoever was paying for it said Mr. Powell. I’ll be glad to look at your closing documents and tell you if you may have a claim against the title company that closed the property, or the seller. Okay; the address I purchased was 1911, said Mr. Hicks. Just because the house was not on that property, how does that work, asked Mr. Hicks? Mr.
Hicks and Mr. Powell continued a detailed discussion about the water meter and lots.

Mr. Hicks, I think you may want to take advantage of what Mr. Powell said, and maybe you can have him take a look at the closing documents. I'm not sure we'll be able to resolve this tonight based on the questions. I would say, let's have him look at some of the documents and go from there, said Mayor Henkel. Thank you, sir, said Mr. Hicks. If you get with Mr. Doucet, he'll get the documents to me, said Mr. Powell. Yes sir, replied Mr. Hicks. Mr. Corbin, can we give you the authority to resolve this without having to come back to the Council again, asked Councilman Nodjomian? Yes, that will be fine, said Mayor Henkel. Mr. Hicks, that will save you from having to wait until we meet again in a month because we're giving authority to the City Manager to basically work on our behalf, said Councilman Nodjomian. Thank you, said Mr. Hicks.

Would anyone else like to speak to the Council on an issue, asked Mayor Henkel? Charles Jones, 121 Winding Waters Way, I'm here to put a face to all of those emails. I really appreciate the consideration for the sidewalks. It's a huge deal. My family will use them a lot, so I appreciate it. You bet, said Mayor Henkel.

There being no further discussion, the meeting adjourned at 8:30 PM.

ATTEST:

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MAYOR

CITY CLERK

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