

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
OCTOBER 10, 2023

The Niceville City Council met in regular session at 6:00 PM, October 10, 2023 in the Council Chambers, 208 North Partin Drive. The Mayor and all Council members were present, except Councilman Schaetzle and Councilman Donahoo who were out of town. Also present were City Manager, David Deitch; City Clerk, Dan Doucet; City Attorney, Dixie Powell; Police Department, Chief Popwell; Fire Department, Chief Mayville; Public Works Director, Johnathan Laird; and Deputy City Clerk, Wendy Farmer. There were approximately 45 visitors in the audience, including other City employees. Mayor Henkel called the meeting to order at 6:00 PM. Debbie Lewis offered the prayer and Mayor Henkel led the pledge of allegiance.

APPROVAL OF MINUTES

Regular Council Meeting, September 12, 2023
Special Council Meeting, September 21, 2023
Planning Commission Meeting, October 2, 2023
Local Planning Agency Meeting, No Meeting Held

Councilman Nodjomian moved approval: Councilman Williams seconded.

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

PUBLIC HEARINGS

PRESENTATIONS:

Youth Advisory Council – Update

Adyson Hutchins, Youth Advisory Vice Chair, explained that at today's meeting they discussed future projects to include ornaments, Christmas cards, military care packages, and their video contest that is due next month. She told them of the community clean-up last Saturday that went amazingly well. Mayor Henkel asked her to explain what the video contest was about. She stated that every year the Florida League of Cities has a video contest where they compete with other youth advisory councils. In the video they show the community off and highlight different projects they have done. Councilman Nodjomian asked her what the prompt was for this year? She said: "what you like about your

community”. Councilman Nodjomian stated the group is now nine members with eight being in attendance tonight. He thought they brainstormed great ideas tonight and they are going to show off Friday Night Lights, what it is like to go to a football game on a Friday night in Niceville. They will be videoing a soccer tournament that is happening this weekend. They will also include the crown jewels such as Turkey Creek and the soon to be finished Community Redevelopment area and other locations. Mayor Henkel stated he knows this group and past groups put in a lot of work because they have won a few awards. Councilman Nodjomian counted the trophies behind him and stated they have won six and they have only been around for nine years. Mr. Laird stood and thanked them on behalf of the Public Works Department for the clean-up they did Saturday.

A Proclamation - Making Strides Against Breast Cancer Week

Mayor Henkel read and presented the Proclamation to the survivors who represented the organization.

A Proclamation - Recognizing October As Cyber Security Awareness Month

Mayor Henkel read and presented the Proclamation to Jessie Mason from the City of Niceville Information Systems Department.

A Proclamation – Recognizing October As National Pedestrian Awareness Month

Mayor Henkel read the proclamation and stated how important pedestrian awareness was.

Ordinance 23-10-02 – 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 Land Development Code pursuant to Chapter 166, Florida Statutes; providing for conflicting provisions; providing for severability; and providing for and effective date. (Final Reading)

Mr. Doucet read ordinance 23-10-02 by title. Councilman Williams moved approval and Councilman Nodjomian seconded. No one spoke for or against.

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

Ordinance 23-11-01 – An ordinance for the rezoning of certain properties in the City of Niceville, Florida providing for same and an effective date. Daniel and Ronnie Pettis, 709 Powell Dr, request their property be re-zoned from R-2, One or Multi Family to C-1,

Limited Commercial and have a future land use of mixed use. Lots 5 & 6, Block 10, Powell Subdivision of Niceville, Florida (First Reading).

Mr. Doucet read ordinance 23-11-02 by title. Councilwoman Alley moved approval and Councilman Nodjomian seconded. Dan Pettis, 352 Fir Avenue, stated this address is a rental property he would like to use for an office and parking for the restaurant. Councilman Nodjomian stated it did pass the Planning Commission but not unanimously. He then asked if there had been objections by neighbors? Mr. Pettis stated no, that the two neighbors on either side did not object. Discussion followed regarding future possibility of new tenants, traffic discharging onto Partin Drive only, and full depth parcels. Motion was then amended to add Commercial traffic must egress onto Partin Drive.

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

Ordinance 23-11-02 – An ordinance annexing into the City Limits and be zoned R-1B, Residential Single Family with a future land use of MDR. Lots 5 & 6, Block 16, Pinecrest Addition 2-3 of Niceville, Florida. Requested by Malcolm Spears, 919 47th Street. (First Reading)

Mr. Doucet read ordinance 23-11-02 by title. Councilman Williams moved approval and Councilwoman Alley seconded. Christopher Saul, 1405 Clary Sage Lane, thanked the council for considering this ordinance. Dan Pettis, 352 Fir Avenue, implored the council to pass this.

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

Resolution 23-10-01 – A Resolution accepting liability associated with the closing of a state roadway for purposes of a parade.

Mr. Doucet read resolution 23-10-01 by title. Councilman Williams moved approval and Councilman Nodjomian seconded.

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

Resolution 23-10-02 – A Resolution of the City of Niceville recognizing Florida City Government Week, October 16-22, 2023, as “Florida City Government Week”, by joining cities throughout the state in celebrating Florida City Government Week and encouraging all citizens to support the celebration and corresponding activities.

Mr. Doucet read resolution 23-10-02 by title. Councilwoman Alley moved approval and Councilman Nodjomian seconded. Councilwoman Alley asked if the city was doing anything this year for Government Week and Mr. Deitch stated not this year.

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

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

Police Department – Update

Chief David Popwell briefed the status of department operations.

During the month of September, the Police Department responded to 3,139 calls for police assistance. There was a total of 49 traffic crash reports written involving 94 vehicles and one pedestrian. The estimated amount of damage to these vehicles and related property was \$291,946. A total of 107 traffic citations and 231 traffic warnings were issued, 17 misdemeanor and 8 felony arrests were made.

Chief Popwell stated that today they had executed a search warrant at 195 College Cove and it resulted in arrests. Councilwoman Alley asked if there were any children in the home and Chief Popwell stated no. Mr. Deitch commended the team on a flawless execution of the warrant. He stated the property owner wants to turn his life around and we will help him do that.

Fire Department – Update

Division Chief Scott Funchess briefed the status of department operations on behalf of Chief Mayville who was in Ohio inspecting the new fire truck.

During the month of September, the Fire Department ran 184 calls. Three of those calls were overdose/poisoning calls. Crew members attended four varsity football home games at Niceville High School and one at Ruckel Middle School. B-Shift crew members raised the flag for the 9/11 Stair Climb Tribute with several participants completing the 2,071-step challenge. Multiple fire department shifts also attended many PR events to include the opening of Jeremiah's Italian Ice, the Veterans Helping Veterans event at Twin Cities Pavilion, and raising the flag at the Field of Valor opening ceremonies. The station hosted a preschool playdate station tour and prepared for a busy month with multiple visits to schools for Fire Prevention Month.

Councilwoman Alley asked if there had been any deaths as a result of the overdoses and Mr. Deitch replied no. Mayor Henkel asked about the program Friday night at 6 PM and Division Chief Funchess stated they were holding their annual Halloween party.

Water/Sewer/Drainage Projects – Update

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

Water and Sewer:

The force main project on Cedar Avenue was completed.

Gulf Coast Underground was in town a few weeks ago to finish up our yearly sewer rehabilitation work.

A camera was run through 6400 feet of sewer line Deer Moss Phase 7.

Calls: 72 water calls and 28 sewer calls; made 13 water taps and 7 sewer taps; 286-line spots. We changed out 254 meters and have completed 577 service orders. Mr. Laird commended the department on the work they had done being short staffed.

Stormwater:

Stormwater project on Ponte Vedra Lane was completed.

Stormwater project on Fir Avenue was completed.

Stormwater project on 1st Street was completed.

There was a stormwater issue at Valparaiso Boulevard and Saint Andrews that needs to be repaired, it was temporarily fixed.

Streets:

The repaving on Bayshore Drive from Lanman Road to 27th Street was completed.

Our asphalt contractor will be here in the next couple of weeks to pave Cedar Avenue from 31st Street past the city yard. A rough date of completion will be October 16th.

We are reviewing our paving assessment study to start our yearly paving projects.

We have partnered with DOT to repair the hole on John Sims Parkway in front of Taco Bell.

We replaced the lights on Turkey Creek Bridge East and West bound.

We are finishing up our edging on our DOT Right-of-Ways on Highway 20 and Highway 285.

We are designing a sidewalk for Palm Boulevard and redoing the walk trail on Bayshore Drive.

We are looking at replacing the asphalt walk trail on Rocky Bayou Drive with concrete from the roundabout to Rocky Shore Drive.

Sidewalks and handicap ramps are being installed now on Highway 285.

The pickleball courts were completed at Meigs Park. Stripping will be done October 17th and a ribbon cutting will be held October 19th at 10 AM.

We are finishing up our maintenance at Turkey Creek and will be reopening again on Monday October 23, 2023. Due to daylight savings time, the hours will be from 6 AM to 5:30 PM on Monday starting November 6, 2023.

On behalf of the Public Works team we would like to thank the Youth Council again for the clean-up last Saturday. They picked up 8 bags of trash around Ruckel Middle School and Niceville High School. This is really beneficial to our stormwater program.

Employee Spotlight, our Shining Penny of the month is Joey Collins. He has worked for the City since July 2021 and we are proud of him and the work he does for the City.

Update on Adopt a Drain from Bobby Jenkins and Samantha Hanson.

Ms. Hanson stated they were here to inform the council of the new Adopt-a-Drain Program. She passed out a flyer and explained how one would go about signing up for the program. She stated “the goal of this initiative is to bring awareness to the importance of keeping our storm drains clean, help protect our waterways, and provide an opportunity for members of the community to take initiative in keeping our community clean.” She also explained the importance of keeping the drains clean due to the fact that the drains lead straight to the creeks and bayous. Councilman Nodjomian asked how to sign up? Ms. Hanson stated they can go to www.adopt-a-drain.org and Mr. Jenkins stated there was also a link on the

city website as well. Ms. Hanson stated it was also on the Facebook page, two billboards and they are planning to do an insert in the water bills. Mr. Laird stated the GIS department is doing a great job mapping the city water meters and lines. Councilwoman Alley asked if there would be an award. Ms. Hanson explained that everybody who registers will receive a sign to put in their yard, they are looking into doing stickers, and top achievers will receive a shirt.

Bills Payable:

Councilman Nodjomian moved approval. Councilman Williams seconded. Council Vote: Nodjomian-yes; Alley-yes; Williams-yes. Motion passed

Other Business:**Johnson Control Water Meter Presentation – City Manager Mr. David Deitch**

Mr. Deitch requested approval to enter into a project development agreement for a guaranteed energy, water, and wastewater performance savings contract, under Florida Statue 489.145, with Johnson Controls. This would be for a holistic study and implementation of a project to upgrade water meters and the water distribution system. He explained the study would run from October 2023 to March 2024. It would cost \$201,960 for the study with no obligation to enter into a follow-on contract. This contract would piggyback off the City of Jacksonville Beach project, eliminating the need to bid out the project. Discussion followed regarding our current failing system, the steps that would be taken, adding reclaimed, and process transparency. It was questioned whether Attorney Powell needed to review the contract to make sure the sole source was legal? Attorney Powell stated it would be acceptable since the Jacksonville Beach project followed the proper procedures. Councilman Nodjomian moved approval and Councilwoman Alley seconded.

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

School Zone Speed Cameras – City Manager Mr. David Deitch

Mr. Deitch stated there is a speeding problem in Niceville and he would like to get after it. He is recommending contracting with Altumint to install and maintain speed cameras in school zones. Between August 28-31, 5,824 speeders were clocked going 11 MPH or more over the speed limit around Ruckel Middle School, Niceville High School, and Edge Elementary. This does not include speeders going 10 MPH or under. This contract will never cost the city any money but would be a new revenue source for not only the City of

Niceville, but also for the school district and crossing guards. The city would need to pass an ordinance with proper advertising first. Councilwoman Alley asked how much revenue it would generate? Mr. Deitch stated it would be \$100 per ticket, which could bring in approximated \$4 to \$5 million a year in revenue. However, the principal goal is speeding, not the revenue. Mayor Henkel asked who the enforcement branch would be and Mr. Deitch stated the magistrate. Councilman Williams asked if it would only be used during school times? Mr. Deitch stated it would only be during the times that the school zone lights are on.

White Hat Productions – Mr. Matt McKinnon – Mullet Festival Proposal

Matt McKinnon and Mark Wagner came before the council to request collaboration in reviving the Mullet Festival since they had received numerous requests. Mayor Henkel strongly suggested they wait until November to ask for a vote. Since there were only 3 members of the council in attendance tonight, all 3 would have to agree or it would be denied. They agreed they could wait. Councilman Nodjomian stated the council could still ask questions tonight so they would be better prepared next month. Mr. McKinnon stated they wanted to make it a family event, where children 10 years and younger would get in free, no alcohol would be served on Sunday, and where military and county workers would get a reduced rate. Councilman Nodjomian asked if it would be for profit and Mr. McKinnon stated yes. Councilman Nodjomian stated the Mullet Festival Committee was not for profit. He suggested for them to refine their proposal and bring it back as they are looking to benefit off our brand. Councilman Nodjomian is supportive but not with what was presented. Discussion followed regarding sponsors, parking not being on the ball fields, security, asks from the city, and benefits to the city. Councilwoman Alley asked what time commitment they were asking for since she has a project for a sports complex on that site that she is trying to get through Eglin Air Force Base. Mr. McKinnon stated it would be a year by year and may have to be moved. This was tabled to the November meeting.

Library Cooperative Interlocal Agreement – Mayor Henkel

Councilwoman Alley moved approval and Councilman Williams seconded. Councilman Nodjomian asked if there was a down side with the county being able to use our library? Ms. Bishop stated no. Councilman Williams stated each library in the county had their own specialties that they provide.

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

Mr. Deitch explained that last Friday the library hours expanded to include being open on Mondays. Mayor Henkel asked if the Children's Park would be open seven days a week as well? Mr. Deitch stated the Children's Park is short four part-time employees, but once those positions are filled the park would be open 7 days a week as well.

Appointment of a Mayor Pro Tem – Mayor Henkel

Councilwoman Alley nominated Councilman Williams. Council Vote: Nodjomian-yes; Alley-yes; Williams-yes. Councilman Williams stated he was humbled and honored and looks forward to serving.

Approval of CRA Budget for FY 2024

Mrs. Hanson stated this was the same budget that was they had previously seen and there had been no changes made to it.

Councilwoman Alley moved approval and Councilman Williams seconded.

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

City Manager updates

Mr. Deitch asked what the council would like him to do with the property at 114 Edge Avenue now that the final tenant has vacated the premises? Councilman Nodjomian asked how much it would cost to bring the building up to code? Mr. Laird stated it would be \$1.4 million. Discussion followed regarding Amanda Grande being allowed to walk through the property and determine if it would be feasible to repair the property for the project she would like to undertake.

Mr. Deitch requested a motion to approve the remaining \$96,691.60 needed to complete the Walkable Niceville Signs. Councilwoman Alley moved approval and Councilman Nodjomian seconded.

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

Mr. Deitch requested a motion to increase the line of credit at Synovus Bank for the purchasing cards from \$50,000 to \$150,000. He stated Synovus required council approval before they could move forward with the increase. Councilman Nodjomian moved approval and Councilwoman Alley seconded.

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

Public Comments

Paul Reese, 1002 Alderwood Way, went over the tree removal points brought up last month regarding the reasons for their removals. He stated he could not find a storm drain where roots were infiltrating, the actual cause of the road buckling was not roots it was pavers, and one person having trouble backing out of their driveway should not be the reason for trees to be removed. He requested to have one tree back as the trees helped slow down traffic and they were less annoying than speedbumps. He also requested more tree conservation in the city. Councilwoman Alley asked if the fire truck could get down the road when the trees were there? Division Chief Funchess answered no.

Bryan Gates, Colleen Cove, was in favor of the sports activity center and thanked Councilwoman Alley for saying the Mullet Festival site could not be a parking lot.

Buddy Brown, 114 Cedar Ridge Way stated he did not understand why the trees were taken down.

Mathew Low, 1129 47th Street, complained the Skate Park was not open enough hours and that one of the employees working was rude and foul any time he was there. Mr. Deitch stated the council had approved funds to update the park and that he would look into the customer service issue.

Debbie Lewis, 2446 Duncan Drive, asked what happened to the aluminum can collection dumpster that was behind city hall? Mr. Deitch stated it was moved to the Valparaiso City Hall. Ms. Lewis asked why the lights were off at Highway 20 and Roberts Drive? Mr. Laird stated that would be a DOT question but that he would reach out to them. Lastly, she asked Chief Popwell if there was a way to keep children off Palm Boulevard after the parade? Chief Popwell replied that there are barriers up and police officers in place, but they needed to have the parents help to keep the children back.

Rachel Reese, 1002 Alderwood Way, wanted to know why we were not adopting more tree protection zones? She claimed that her neighborhood is the most walked in all of Niceville. She suggested meeting in a workshop setting to fix the tree situation. Mr. Deitch stated he may have a solution to the issue. He explained that on Marc Smith Boulevard they would be removing 22 trees to make room for the sidewalks, force main and sewer lines. While they would be retaining 16 trees, 22 would have to be removed. His proposal was to possibly plant trees in the Cedar Ridge tree zone for those 22 and the ones removed from Cedar Ridge Way.

Doug Stauffer, 1737 Maple Avenue, stated he was amazed by the city. There were contentions from last month that could have carried over to this month, however the City Manager already had a plan in the works.

Councilwoman Alley thanked the City Manager and city staff for being in attendance. She thanked them for bringing other employees as well, since this is the only time they get to meet some of the staff.

Mayor Henkel reminded the council that the Okaloosa County League of Cities dinner was being held on October 19th and to get with Mrs. Farmer to sign up if they had not already.

There being no further discussion, the meeting adjourned at 8:20 PM.

MAYOR

ATTEST:

CITY CLERK

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