The Niceville City Council met in Regular session at 7:00 PM, October 13, 2020 in the Council Chambers, 208 N Partin Drive. All council members were present and the Mayor was out of town on business. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; Steven Rausch, City Finance Director; Wendy Farmer, newly appointed Deputy City Clerk; Police Department, Chief Popwell; Public Works Director, Jonathan Laird; and Technology Department, Chad Morris. There were approximately 25 visitors in the audience. Pastor Doug Stauffer offered the prayer and the pledge of allegiance. Mayor Pro Tem Schaetzle called the meeting to order at 7:00PM.

PUBLIC HEARINGS

APPROVAL OF MINUTES:

Regular Council Meeting, September 8, 2020
Special Council Meeting, September 10, 2020
Special Council Meeting, September 24, 2020
Planning Commission Meeting - October 5, 2020
Local Planning Agency Meeting, No Meeting Held

Mayor Pro Tem Schaetzle requested a motion to approve the minutes. Councilman Nodjomian moved approval. Councilman Williams seconded. No one spoke for or against. Council Vote: Schaetzle-yes; Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed

PUBLIC HEARINGS

PRESENTATIONS

Youth Advisory Council - Update

James Baird, the Vice Chairman of the Youth Advisory Council stated tonight we appointed 2 new members to serve on the Executive Board of the Council. They are Aleena Ponto and Phoebe Barron. He stated that all applicants who were not selected were appointed to the non-voting board. We have Michael Panarisi present tonight.
Katherine Johnson is not present tonight; however, she was in charge a project to survey former members of our Youth Advisory Council asking them to provide input such as would they have done anything different to include any advice they may have. Councilman Nodjomian added that we have had a youth advisory council for 6 years now and 5 members make up the Executive Council and we are limited to 15 non-voting members. James stated that we covered Parliamentary procedures, the Sunshine Law and we use Roberts Rules of Order to conduct our meetings. Councilman Nodjomian stated that it's a great training environment since the Youth Council adheres to the same rules followed by or regular council.

2021 Library Interlocal Agreement - Ms. Vicky Stever

Ms. Stever briefed the council regarding the highlights of this year's agreement. This agreement along with other participating municipalities are submitted to the Board of County Commissioners for their approval. The council asked several questions regarding the agreement. Discussion followed.

Visiting Scouts – Troop 553

Mayor Pro Tem Schaetzle announced that he wanted to recognize a group of scouts that are attending our meeting. He asked that the Scout Leader for Boy Scout Troop #553 to have a representative come up and tell about the purpose of your visit. Adam Jervis stated that he is the assistant patrol leader for our troop #553. He advised that we are located in Bluewater Bay and the reason they are here is they are working on a Communications Merit Badge which requires us to attend a council meeting, take notes and summarize what has happened during the meeting. Discussion followed.

Early Learning Coalition - Ms. Renee W. Black, Executive Director

Ms. Renee Black stated that she has been in her position for 5 years and wanted to come tonight to express her appreciation for the support received from the City and long before she worked in the position. This year we are requesting increased funding which will allow to draw down matching funds from the State of Florida. She stated that our current School Readiness Program funding allows the Early Learning Coalition of the Emerald Coast to serve children and families living at, or below, 150% of federal poverty level. As of July 1, 2019, local cash match donations can be used to serve children and families living between 151% and 200% of the federal poverty level. They requested $2,750 from
the City of Niceville qualifies the Early learning Coalition to receive additional funding in the form of federal match, this funding will expand the provision of services to a vulnerable population in our community. Asset Limited, income Constrained and Employed -ALICE families. According to the 2017 ALICE report by United Way, approximately 30% of household income in Niceville are ALICE families. The Early Learning Coalition has increased their request for funding this year to provide additional financial support to childcare programs continuing to operate during these unprecedented times. We propose to use $2,000 toward mini-grants to childcare programs in the Niceville area. 100% of these funds would provide grants for purchasing health and safety cleaning supplies and/or support infrastructure (rent, mortgage, payroll, insurance, utilities, etc.) for the childcare programs. These programs have remained open to provide child care to ensure essential service personnel, i.e. first responders and health care workers could continue providing vital services within our community. Ms. Black thanked the Council hoping that the City will continue to partner with the Early Learning Coalition of the Emerald Coast in these worthy endeavors.

**PAWS Contract Update - Ms. Tracey Williams, Executive Director**

Ms. Tracy Williams stated that she has been in her position for about 3 months and is here tonight to discuss the contract for services for the City of Niceville. She stated that we have 32 employees who work for PAWS and we have 2 functions; we have the Animal Shelter which is a non-profit entity and the other half is our animal control contracts we do with the County and several of the municipalities. So, we serve approximately 217 thousand citizens with the animal control functions that we do. We see about an average of 7,000 animals and we engage with approximately 3,000 animal control cases. So, that includes the stray dog pickups, the dangerous dog cases, injured animals and includes investigations. We have 7 officers that do this work throughout the whole County. They work emergencies along with law enforcement. If there is a crime scene, a fire, or natural disaster or even a death of a resident our officers have to go in and take care of the animals. We have cute pictures of puppies and kittens that are up for adoptions but there is a complete other side of what we do. We also have Vet Clinic services available to citizens. The cost is typically 60% less than what you pay on the economy. The goal is to have more responsible pet owners to have their pets spade and neutered. Since we have started that, we have had over 50 thousand animals spade and neutered. We have about 350 volunteers to help us out. Ms Williams provided information regarding the contract. Basically, what we are charging is the per capita rate. The lowest rate we can find nation-wide using this method is $7.00. Currently we are charging $3.50 to $3.75 depending on the municipality. We have been at that rate for a
very long time. So, in order for where we need to be and to continue our operations we are asking to raise that rate to $5.50. Then increase it to $6.50 next year and $7.50 the following year. We will still be under the national average, but we have to get to where we can keep our vehicles up. She stated that most of our staff is paid $9.00 to $10.00 an hour. This is what our officers are paid when they come in and usually the most is $12.00 an hour. Our vehicles have over 200,000 miles on them and so the previous administration operated as a rescue shelter. So, now we need to operate like a business so we can do better for the community. We certainly have to do better as far as our reputation is concerned and we are working on that. This is where we are right now. We have put the rate out to all the municipalities and the counties. We will be charging $5.50 effective 1 October 2020. One thing that I have talked to some of your officials about is that what I would like to pursue a County Contract instead of by municipality. I have looked at Niceville’s rate and yours would cost about $10,000 a year more; meaning that if the County billed you based on usage and your usage was 10% of the call and Crestview’s was 90% of the calls then why would you want to pay the same rate if your usage was much less. Discussion followed. We will be working on that, however, tonight we have to have a contract signed. Councilman Schaetzle stated that he has not seen this until tonight and wanted to know the deadline for signing the contract. Ms. Williams stated that we will operate month to month until the contract is signed but no later than the end of the year. Mrs. Williams stated that we did adjust the population numbers; and our numbers are slightly over $80,000 a year. She stated that one municipality stated that this is a 40% increase. This is true; however, we have been suffering for so long it’s necessary to increase rates in order to provide the services. Attorney Powell stated that he represented the City in a litigation involving PAWS and the City was successful in that litigation. He requested the opportunity to review the new contract to make sure that certain language is included in the contract before approval. Ms. Williams stated that she will send the contract to the City for his review. Councilman Nodjoman stated that we have discussed animal control in the past and stated that it’s to our advantage to partner with PAWS vs. handling this program in-house. He asked if this increased cost can be absorbed in our budget. Mr Corbin stated that we will review our budget and stated we should be able to draw on our reserve funds to fill the shortfall. Discussion followed.

Ordinance 20-10-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida be re-zoned from C-2, General Commercial to PUD, Planned Unit Development as per Conceptual Plan. Valparaiso Realty. (Final Reading)
Mr Doucet read Ordinance 20-10-01 by title. Councilman Nodjomian moved approval on final reading. Councilwoman Alley seconded. No one spoke for or against. Council Vote: Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-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. (Final Reading)

Mr Doucet read Ordinance 20-10-02 by title. Councilman Nodjomian moved approval on final reading. Councilwoman Alley seconded. Mayor Pro Tem Schaetzle asked if anyone from the audience wanted to come forward and speak regarding this ordinance. Pastor Doug Stauffer addressed the council providing numerous reasons against passing this ordinance. Mr Francis Camosse 1838 Shaylin Court in Niceville stated that as a small business owner he supported changing the ordinance to be in line with the County ordinance to extend the hours for selling alcoholic beverages and appreciated the opportunity to speak. Discussion followed. Council Vote: Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-yes. Motion passed

Ordinance 20-11-01 - An ordinance amending Chapter 5 of the City of Niceville Code of Ordinances adopting the Florida Building Code, adopting the National Electric Code (NEC), referencing Section 105 of the Florida Building Code, building regarding permits, referencing Section 110 of the Florida Building Code, Building regarding inspections, adopting language for dangerous, unsanitary or nuisance building; providing for findings, providing for severability; providing for repeal of all ordinances in conflict herewith; and providing for an effective date. (First Reading)

Mr Doucet read Ordinance 20-11-01 by title. Councilman Nodjomian moved approval on first reading. Councilman Williams seconded. Discussion followed. Council Vote: Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-yes. Motion passed

Resolution 20-10-01 - A Resolution granting a special exception to the Land Development Code, Table 7-2, R-2 zoning to allow for a 20' front setback as opposed to the required 25' setback and a 10' rear setback as opposed to the required 20' setback at 623 McKinney Street, Niceville, FL; and providing for an effective date. Richard and Wanda Clark 623 Mckinney Street.
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Mr Doucet read Resolution 20-10-01 by title. Councilman Nodjomian moved approval. Councilman Donahoo seconded. Mr Richard and Mrs. Wanda Clark, 623 McKinney Street addressed the Council. Mr Clark stated that they inherited this property which has been in the family since 1951. He stated that the condition of the home is not repairable and we are asking for this special exception so we can demolish the home and rebuild it to code since we are unable to obtain insurance on the property in its current condition. Discussion followed. Council Vote: Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-yes. Motion passed

Resolution 20-10-02 - A Resolution granting a special exception to the Land Development Code, Section 7.08.00, B, to allow for a 30" setback for a detached structure as opposed to the required 10' setback and a 24" front yard setback as opposed to the required 25' setback at 212 21st Street, Niceville, Florida; and providing for an effective date. Connie Jinks 212 21st Street.

Mr Doucet read Resolution 20-10-02 by title. Councilman Nodjomian moved approval. Councilman Williams seconded. Ms. Connie Jinks, 212 21st Street explained that her brother had purchased this hurricane rated carport intending to obtain approval of the required permit. After finding out the process, he went to several neighbors and asked if anyone was against what he had built and had them sign letters giving their approval for the structure. A lengthy discussion followed the requestor’s explanation of this request. The council asked several questions regarding the special exception. The real concerning issue being the permit was not obtained prior to the construction of the requested structure. The Council asked several questions regarding this request for special exception. Council Vote: Nodjomian-no; Alley-yes; Donahoo-no; Williams-yes; Schaetzle-no. Motion failed

Resolution 20-10-03 - A resolution accepting liability associated with the closing of a State Roadway for the purposes of a parade. The parade is scheduled for December 12, 2020.

Mr Doucet read Resolution 20-10-03 by title. Councilman Nodjomian moved approval. Councilwoman Alley seconded. No one spoke for or against. Council Vote: Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-yes. Motion Passed

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

Water/Sewer/Drainage Projects - Update
Jonathan Laird, Public Works Director briefed the status of current projects.

**WATER AND SEWER:**

**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 early this week or next week. 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 completed Fir Avenue, water installation phase one (1) and Phase two (2) which will go from 46th to 48th Street will start next week. In the process we have installed two (2) fire hydrants.

The sewer rehab will be completed by next week; Gulf Coast Underground out of Mobile is doing the work.

**Calls:** 34 water calls and 33 sewer calls; made 0 water tap and 2 sewers tap; 192-line spots.

During the aftermath of Hurricane Sally, we had 28 lift stations down, we finally got power restored Thursday night around 7pm.

**STORMWATER:**

**Thomas Branch:** The holding pond behind Niceville High School is scheduled to be completed by the end of the year. Sod has been installed at the berms.

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

**STREETS:**

**Maintenance:** We have received a reimbursement from the State of $16,855, total of $33,710 for both squads. We have gotten back one (1) inmate squad and they have started maintaining the ponds and ditches. The other squad should be back in the next few weeks.
Sidewalks: We have completed installing curbing in sidewalk on Bayshore Drive across from Armstrong Avenue. We are waiting on Construction Services with the revised pricing on their contract.

During Hurricane Sally we lost over 30 trees due to excessive rain and wind.

SANITATION:

During the aftermath of Hurricane Sally, the SA department hauled 267 loads totaling 5340 yards of debris to the Publix site which is owned by Pat Burns.

PARKS:

The New City Park at 998 Rocky Bayou Drive has broken ground; crews are installing a walk path (Construction Services).

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

REPAIR AND MAINTENANCE AND ELECTRICAL:

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

Police Department – Update

Chief Popwell stated that during the month of September the Police Department responded to 3,278 calls for police assistance. There was a total of 21 traffic crash reports written involving 43 vehicles. The estimated amount of damage to these vehicles and related property was $108,522. A total of 111 Traffic Citations and 165 Traffic Warnings were issued, 12 Misdemeanor, 8 Felony and 0 DUI Arrests were made. Discussion followed
Fire Department – Update

Chief Mayville stated that during the month of September 2020, the Fire Department responded to a total of 122 calls for assistance. There were 117 calls located in the City with 5 mutual aid calls. Firefighters raised the Flag on Tower 21 at the Field of Valor and also, at Rocky Bayou Christian School for their Prayer at the Pole”. Shift Firefighters check all vehicles out daily to make sure everything is operating correctly; Boat 21 is checked each week on Monday. He stated that football season has begun for High School and shift firefighters are attending the games for any medical emergencies with players or those attending. He further stated that new construction in and around the City is continually monitored. Prevention has been postponed due to COVID-19, educating all employees on safety and prevention. Firefighters wear protective equipment and decontaminate after medical calls; all touched surfaces in the station are sterilized each day and temperatures are checked regularly with a thermometer. Discussion followed.

Technology Department - Update

Chad Morris stated that department personnel are very close to finishing our server migration to a virtual system. We are rolling out our new thin client system that replaces all the traditional CPUs in the City. Each workstations data will be stored in technology department. Discussion followed.

Other business:

Mr Corbin stated that the Children’s Park is now open to the public. The Senior Center is opening slowly such as outside exercise will open on Monday the 19th and hopefully by the first part of the year we will be completely opened as it was before. The sidewalks are behind because of the storm and COVID-19. Hopefully we’ll get started to complete the sidewalk project that was planned for the previous year.

Appoint/Reappoint a Mayor Pro tem

Mayor Pro Tem Schaetzle stated that by our charter the City Council appoints a Mayor Pro Tem during the month of October to perform the duties of Mayor in his absence. He stated that he was appointed a few months ago and will volunteer to continue serving unless there is someone on the Council that wants to volunteer. Councilman Williams moved approval to appoint Councilman Schaetzle to continue serving as Mayor Pro Tem.
Councilman Nodjomian seconded. No one spoke for or against. Council Vote: Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-yes. Motion passed

Discuss Emergency Ordinance 20-03-02 - COVID-19.

Attorney Powell stated that we intended to discuss this item during our last meeting. His recommendation was to keep this Ordinance in effect for another 60 days and then determine the status of the virus at that time and consider extending it again if warranted. Councilman Nodjomian moved approval. Councilwoman Alley seconded. No one spoke for or against. Council Vote: Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-yes. Motion passed

Committee Assignments

Mayor Pro tem Schaetzle stated that the Mayor wants to consider amending committee assignments when he returns to consider our newly elected incumbents to possibly expose them to appropriate committees to gain insight by participating in these committees as appropriate. Discussion followed.

Fire Department Union – Update

Councilman Nodjomian provided the update to the Council. He stated that he was the Council representative in the negotiations with this process. He stated that the City Attorney, City Manager, City Clerk, Finance Director, HR Director participated in the Union Negotiations. We had 6 meetings that lasted 6 months. There we 50 some articles covered in the process and he felt it was a very good agreement which is good for our firefighters and for the City. He appreciated the open-minded approach that was taken by all participants and is looking forward to great service from our Fire Department. Attorney Powell stated that the Council received a copy of the agreement and recommended Council approval. Councilman Donahoo moved approval. Councilwoman Alley seconded. Mayor Pro tem Schaetzle asked if anyone in the audience wanted to speak regarding this item. No one spoke for or against. Council Vote; Nodjomian-yes; Alley-yes; Donahoo-yes; Williams-yes; Schaetzle-yes. Motion passed
BILLS PAYABLE

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

The meeting adjourned at 8:45PM.

ATTEST: ____________________________

MAYOR

CITY CLERK

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