

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
FEBRUARY 14, 2012

The Niceville City Council met in regular session at 7:00 p.m., February 14, 2012 in the Council Chambers, 208 N. Partin Drive. All Council members, except for Councilman Smith, and the Mayor were present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; Attorney, Dixie Powell; City Planner, Wanda Cruttenden; Police Department, Chief Popwell; Fire Department, Chief Mayville; a member of the press; and visitors in the audience. Councilman Schaetzle offered the prayer and Mayor Wise led the Pledge of Allegiance. Mayor Wise called the meeting to order at 7:00 p.m.

APPROVAL OF MINUTES:

Regular Council Meeting, January 10, 2012  
Planning Commission Meeting, February 6, 2012  
Local Planning Agency Meeting, No Meeting Held

Councilman Thomas moved approval. Councilman Henkel seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

PUBLIC HEARINGS:

PRESENTATION:

Mr Glenn Stephens, Polyengineering,

Mr Corbin stated he recently received an offer from Okaloosa County to purchase the county portion of the Regional Sewer System. Mr Corbin stated that Mr Glenn Stevens, our consulting engineer is here tonight to brief you on the proposal.

Mr Stephens provided an overview of flow capacity at the NVOC as follows:

- The present wastewater flow from the City of Niceville exceeds their ownership in the NVOC facility for some months and the City will definitely need additional capacity to serve growth in the City.

Build-Out Lot Count	-12,133
Wastewater Flow (Gal) per Lot	- 240
Total Build-Out WW Flow (GPD)	-2.912M
Current Capacity in WWTF (GPD)	- 1.462M
Additional Capacity Needed (GPD)	- 1.450M

The current Capital Improvements Plan for the City of Niceville has \$4,250,000 (present day cost) included in FY 2018 for a 1.0 MGD Expansion of the WWTF to be funded by a future SRF loan. Cost per gallon/day of capacity is \$4.25. There could be another expansion needed many years after that.

Okaloosa County has offered to sell their capacity in the NVOC WWTF and effluent disposal system, including their ownership in the Reclaimed water system, to the City of Niceville for their share of the Cost of the current process upgrade project.

Capacity in NVOC Owned by OCWS (GPD)	-1.218M
Engineer's Opinion of Probable Cost of Project	-\$6.659 M
OCWS'S Percent Ownership of NVOC WWTF	-36.37%
OCWS's Estimated Share of Project Cost	-\$2.313M
Cost per gallon/day of Capacity	-\$1.89

The current process upgrade project includes cost for the additional Capacity needed by the City of Niceville in the RIBs (but not at the WWTF). If the City purchases the capacity from OCWS, this additional capacity in the RIBs can be greatly reduced or eliminated, Which would reduce the cost of the current project and the Eglin lease Payments.

Mr Stephens stated the following facts to purchase:

\$2,313,000 offer to the City to pay for the County's 1,218,000 gpd capacity is a once in a lifetime offer.

Leased land from Eglin will be reduced.

If County retains their capacity:

\$102,000 lease payment to Eglin (annual).

\$198,353 – Annual O/M cost going up next fiscal year.

Projected monthly sewer bill for our customers will increase by \$ 2.31 in FY-13.

If City purchases County capacity: \$188,323 Additional Annual O&M Cost Projected

Monthly sewer bill will increase by an additional \$2.19. This increase can be spread out over 2 years since it would take that long for the county to divert their flow out of NVOC.

Councilman Henkel asked how long is this offer good for? Mr Corbin stated a decision needs to be made by the end of March, 2012. Discussion followed. Councilman Henkel moved approval stating the City Manager is to work thru the issues and make a recommendation at our next council meeting. Councilman Thomas seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

PRESENTATION:

Mr Bill McCartney – Florida Forever Grant – Update

Mr Bill McCartney provided an overview to the council regarding the \$4,600,000 approved grant stating that the City of Niceville ranked # 3 statewide.

He briefed the requirement for a Cooperative Agreement with Eglin AFB for the acquisition of interests in real property to support the mission of the Air Force at Eglin Air Force Base:

Proposed Motion

MOVE THAT:

“Council authorize the City Manager to execute a cooperative agreement with the Air Force to expand the scope of the agreement approved by the council on July 13, 2011. Said agreement to provide for DOD funding of jointly approved parcels of land in City ownership which support the mission of the Air Force at Eglin AFB. Said motion subject to: The availability of City funds for land acquisition, and the availability of any property meeting the criteria of the Air Force’s interests.”

Councilman Thomas moved to proceed. Councilman Rominger seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

Niceville Community Redevelopment Agency (CRA):

Mr McCartney stated there are 177 CRA’s in the State of Florida. He stated that Ms Carol Westmoreland is the Florida League of Cities representative. He advised the City puts out no funding. It’s a tax break for the businesses that participate. Mr Corbin stated there is a lot of potential for Niceville. Discussion followed.

Proposed Motion

MOVE THAT:

“Council authorize the City Manager to conduct an assessment of the need for the creation of a Community Redevelopment Area (CRA) within the City of Niceville for the purpose of expanding or improving City facilities to promote the development and/or growth of private business and investment.”

Councilman Henkel moved approval. Councilman Thomas seconded. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

FINAL REVIEW:

Mr. Mike Parish requests final approval of Parish Waterview.

Legal: An 8 lot subdivision. Metes and bounds description.

Mr Doucet read the request for final review. Councilman Thomas moved approval. Councilman Henkel seconded. Ms Lena Williams, 629 29<sup>th</sup> Street and Ms Rhonda Tippett, 621 29<sup>st</sup> Street, both addressed the issues and concerns as outlined in their letters to the Planning Commission. They expressed their opposition to this development plan because of safety concerns regarding a new street; lighting; and noise from traffic; safety; and the potential for flooding in the neighborhood. They expressed a desire to add buffers and fences along the street and near lot lines of lots 1, 2, and 3, and the retention pond. They want to conserve as many of the oak trees as possible. Discussion followed. Ms Rita Engel, 301 Anchor Street expressed her concern about a street at the end of Anchor Street that has no name. She stated it's very narrow making it difficult for fire trucks to enter/exit. She expressed concern for child safety making reference to a concrete bump that resembles a speed bump. Discussion followed. Ms Judy Donovan, 307 Anchor Street suggested the developer build two really nice homes, otherwise a total of 8 properties would result in more traffic and it would no longer be a quiet neighborhood. Discussion followed. Mr David Parrish, 621 29<sup>th</sup> Street and Mr Bill Williams 629 29<sup>th</sup> street asked several questions regarding the development. Councilman Rominger invited the residents to visit his neighborhood which will give them the opportunity to see how the proposed development my look in regards to one way in and one way out, etc. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

Ordinance 12-03-01 – A ordinance renewing and extending an exclusive franchise to Waste Management, Inc., of Florida for the purpose of Residential Garbage Collection; and providing an effective date. (Second Reading)

Mr Doucet read Ordinance 12-03-01 by title. Councilman Thomas moved approval on second reading. Councilman Henkel seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

Ordinance 12-03-02 – A ordinance renewing and extending an exclusive franchise to Waste Management, Inc., of Florida for the purpose of Commercial Garbage Collection; and providing an effective date. (Second Reading).

Mr Doucet read Ordinance 12-03-02 by title. Councilman Thomas moved approval on second reading. Councilman Rominger seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

Ordinance 12-04-01 – An ordinance for the rezoning of certain properties in the City of Niceville, Florida; providing zoning for same and an effective date. James Finlayson and Warren Cook. (First Reading)

Mr Doucet read Ordinance 12-04-01 by title. Councilman Henkel moved approval on first reading. Councilman Schaetzle seconded. Attorney Powell provided a brief overview regarding the background regarding this request. He stated that both parties met for mediation as directed by the court, however, no final action came about since only the City Council can approve/disapprove rezoning requests. Discussion followed. Attorney Bert Moore representing the requestors stated his clients have complied with the proposed zoning that meets the intent of the Comprehensive Plan. Discussion followed. Ms Delores Avery, Executive Director of the Niceville Housing Authority stated she opposed the rezoning since the property in question borders on 3 sides of Housing Authority property and expressed her concerns for increased traffic/child safety. She opposed the two story office building stating that occupants could see the inside of nearby homes from the second story. Discussion followed. Councilman Thomas moved to table this issue until the next council meeting. He further stated the owners should come back and be prepared to provide information regarding what type of business will be operating out of this property location, etc. Motion seconded by Councilman Henkel. Councilman Rominger expressed concern that the property was surrounded by residential. Mr Corbin asked if the necessary letters were sent out to the surrounding neighborhood advising them of the requested rezoning. The City Planner advised that it was accomplished. Attorney Powell advised the need to advertise this item again for public hearing. The City Clerk acknowledged the ordinance will be re-advertised as appropriate. Discussion followed. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

Ordinance 12-04-02- An ordinance by the City Council of the City of Niceville, Florida, amending the City of Niceville, Florida Code of Ordinances to repeal Ordinance No. 02-11-01, Code of Ordinances Chapter 7, Flood Prevention and control; to repeal Code of

Ordinances Chapter 10 Article II, minimum housing standards; to adopt a new code of ordinances Chapter 7; to adopt flood hazard maps, to designate a floodplain administrator, to adopt procedures and criteria for development in flood hazard areas, and for other purposes; to adopt local administrative amendments and local technical amendments to the Florida Building Code pertaining to the design and construction of buildings and structures in flood hazard areas; providing for applicability; repealer; severability; and an effective date. (First Reading)

Mr. Doucet read Ordinance 12-04-02 by title. Councilman Thomas moved approval on first reading. Councilman Rominger seconded. No one spoke for or against. Council Vote: Henkel-yes; Schaetzle-yes; Thomas-yes; Rominger-yes. Motion passed.

#### CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

##### Water/Sewer/Drainage Projects – Update

Mr Price briefed the status of ongoing projects.

##### **City Hall Pump Station Project:**

The station is operational and all diversions of flow into the station are in with the exception of the flow from the Swift Creek Development on the east side of SR 285. Because that is an active force main from Swift Creek a special insert valve is required and that is scheduled to be installed. With the activation of this station NWFS College, Cedar Ridge, Swift Creek Plantation, Swift Creek Preserve, Wood Ridge and the north palm service all flow into the new facility. When the tie in and diversion work on SR 285 is completed Swift Creek will also be served by this station. (The sewer collected from all of these areas originally flowed down to the pump station on South Cedar and then had to be pumped to the treatment plant from that station.) With the new City Hall Station fully on line this will create additional capacity at the South Cedar Station which will be receiving the flow from the new 1100 acres recently annexed and any service area expansion in the east Niceville and Rocky Bayou service areas.

**Pump Station # 1 Replacement:** The pump station wet well is in place and the force main connection across the parking lot to Kiwanis Park is underway. Gulf power is preparing to install power to the station site.

**Water Well # 11 Repairs:** The contractor has pulled the well and discovered a hole in the column pipe. We are acquiring and evaluating estimates to have those repairs done.

**Well # 6 Well House Replacement:** The special door and frames have been ordered along with other building materials and this project will begin when those materials arrive.

**Storage Tank Maintenance:** The tank contractor has completed the maintenance at three of our water storage tanks. The complex Tank was repainted on the outside along with the high tank at the corner of Cedar and College Boulevard. The lower tank at Cedar and College was cleaned and repainted on the inside and has been put back on line.

**Fire Hydrant Repairs, Replacement & Installation:** We are continuing our program to improve the fire protection in our water service area. In the last two months city crews have installed **5** in new locations and we have also raised and repaired **2** existing hydrants. New installations in Edgewater & Rocky Bayou area.

**Dana Pointe Drainage Issue:** We held a meeting with one of the residents affected by the drainage issue on Yacht Club Drive in Dana Pointe and discussed the alternatives to increasing the capacity of the outfall system. The resident agreed to grant an easement for the additional outfall pipe so Polyengineering is now designing that system upgrade.

**Stormwater Projects Update:** Baskerville Donovan has completed the final design changes and we will be submitting the Baptist Church Stormwater Treatment Vault and the Valparaiso Boulevard Projects for permit approval within a couple of weeks. Both of these projects have been submitted to the NRDA B P Restoration Program for possible funding. The permit upon approval is good for 5 years so in the event that funding does not come through there will still be adequate time to complete these projects through our storm water utility.

**Sidewalk Repairs and Replacements:** City crews are preceding with the city wide sidewalk repairs. Our initial inspections reveal 377 sidewalk sections which posed trip hazards of which 121 have been corrected. An additional 407 damaged sections of which 10% have been replaced.

**Softball Complex Bathroom Construction:** The demolition of the remaining structure is completed and the footer has been poured for the new building. The underground plumbing and the slab construction will begin this week.

**Twin Oaks Concrete:** City crews have completed the installation of @ 500 linear feet of concrete sidewalks and bleacher pads at the Twin Oaks Baseball fields. These walkways and pads are a big improvement to this facility and provide better accessibility.

**Magnolia Woods Development:** We held a preconstruction meeting with the site contractor and project engineer for this development. And the clearing of right of way is underway.

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#### Regional Sewer System – Update

No Report.

#### FIRE DEPARTMENT UPDATE:

Chief Mayville advised that during the month of January the Fire Department responded to a total of 128 calls. There were 127 calls located within the city limits and 1 mutual aid call. Chief Mayville stated they sat in on a promotional board for the Eglin Fire Department. He stated the State Fire Marshall for Florida Fire Incident Reporting gave us a Certificate of Appreciation for our reporting. The Fire Dept was invited to be a part of the 10 Year Planning for the needs to the Community Degree Programs and the need for Public Safety at NWFSC. He advised the Okaloosa County Fire Chief's meet on the second Wednesday of each month at 9:00 a.m. and have made a motion to make us the Strike Team Leader for the Alert 3 Task Force. Chief Mayville advised they are currently working on a plan for an Active Shooter exercise. He stated firefighters attended a Hazmat Training course and a Pump Operations course.

No report.

#### LIBRARY- UPDATE

Ms Sheila Bishop briefed the status of current projects.

#### POLICE DEPARTMENT – UPDATE:

Chief Popwell advised that during the month of January the Police Department responded to 1845 calls for police assistance. A total of 64 vehicles were involved in reported crashes. The estimated amount of damage to these vehicles and related property was \$101,406. A total of 186 Traffic Citations were issued, 20 Misdemeanor, 14 Felony and 4 DUI Arrests were made.

Building Inspection – Update:

Mr Darcy Chaney stated the following number of permits was issued by his department during the past month: Building: 34; Electrical 20; Plumbing 9; Mechanical: 18; Gas: 7 Water Taps: 11 and Sewer Taps: 7.

OTHER BUSINESS:

BILLS PAYABLE

Councilman Henkel moved approval. Councilman Rominger seconded. Council Vote: Henkel-yes; Schaezle-yes; Thomas-yes; Rominger-yes. Motion passed.

The meeting adjourned at 9:50 P.M.

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MAYOR

ATTEST:

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CITY CLERK