

MINUTES
SPECIAL COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
APRIL 20, 2009

The Niceville City Council met in special session at 6:00 PM, April 20, 2009 in the Council Chambers, 208 N Partin Drive. All Council except for Councilwoman Boudreaux, and the Mayor were present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; a member of the press, and visitors in the audience. Mayor Wise called the meeting to order at 6:00 PM.

PUBLIC HEARING

Ordinance 09-04-02 - An ordinance of the City of Niceville, Florida establishing rates for the collection of Residential and Commercial Garbage; providing for a rate increase and providing for an effective date. (Second Reading)

Mr Doucet read ordinance 09-04-02 by title. Councilman Smith moved approval on second reading. Councilman Swihart seconded. Councilman Henkel stated that Waste Management received a 4.7% CPI increase last year and understands that the City was recently notified of a pending 3.53% CPI increase as authorized by the Franchise Agreement. Mr Henkel stated he recognizes that a business must turn a profit, then asked if Waste Management is losing money right now, if not, why is a CPI increase being requested at a time during an economic downturn? Mr Larry Jones representing Waste Management stated that when the agreement was negotiated last year it included a provision for an annual adjustment up or down and is the basis for requesting the increase. Discussion followed. Mr Doucet stated that the ordinance extending the franchise last year contained verbiage stating the CPI had increased more than 46% since November 30, 1993. He stated if the CPI method was used in prior years rates would have increased nearly 3% on an annual basis. Mr Doucet stated that the CPI is a good method to use for projecting rate increases since it provides a benchmark. Otherwise, if another method is used it would be difficult to determine if the projected rates are justified. Councilman Thomas stated that he has deep concerns for a number of citizens who are struggling to survive and to be faced with a CPI increase now is poor timing. Mr Jones apologized for missing the April 14, 2009 council meeting due to a scheduling conflict. He stated that Mr Cantrell, his lead manager has taken action to resolve the concerns raised by the residents of Water Oaks. Mr Jones advised that he provided the City Clerk with documentation regarding new pickup times for surrounding businesses as follows: Badcock Furniture will not be picked up until after 6:30 AM; One Hour AC & Heating; Holiday Inn Express, and Ruby Tuesday will not be serviced until after 7:00 AM. In addition, written instructions to the residential driver included no pickups to be made prior to 6:30 AM per the franchise. Mr Smith requested that his original motion be changed to include that Waste Management needs to comply with the City Noise

Ordinance and the City should not be required to make a retroactive payment to Waste Management. The City should be allowed to collect the money from it=s customers prior to paying the bill. Councilman Swihart seconded. Discussion followed. Council vote: Thomas=yes; Henkel=yes; Swihart=yes; Smith=yes.

The meeting adjourned at 6:30 PM.

MAYOR

CITY CLERK