

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
JULY 14, 2009

The Niceville City Council met in regular session at 7:00 PM, July 14, 2009 in the Council Chambers, 208 N Partin Drive. All Council members and the Mayor were present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; City Planner, Wanda Cruttenden; Police Department, Lt Sallee; Fire Department, Chief Mayville; Public Works Director, Bruce Price; Library Director, Sheila Bishop; a member of the press, and visitors in the audience. Councilman Henkel offered the prayer and Councilman Thomas led the pledge of allegiance. Mayor Wise called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

Regular Council Meeting, June 9, 2009
Special Council Meeting, June 24, 2009

Councilman Swihart moved approval. Councilman Thomas seconded. Council Vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

PLANNING COMMISSION REPORT

Planning Commission Meeting B No Meeting Held
Local Planning Agency Meeting - No Meeting Held

PUBLIC HEARING

Ordinance 09-07-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; from C-1, Limited Commercial to R-1, Single Family Residential. Metes and bounds description; providing for zoning for same and an effective date. Property located off Highway 285N, north of the Assisted Living Facility Construction Site. Valparaiso Realty. (Third Reading)

Mr Doucet read Ordinance 09-07-01 by title. Councilman Swihart moved approval on third reading. Councilman Henkel seconded. No one spoke for or against. Council vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

Ordinance 09-08-01 - An ordinance amending Section One of the City of Niceville, Florida Ordinance 09-05-01, May 12, 2009, pertaining to the annexation of property located at 1415 Bayshore Drive to include the legal description; repealing ordinance in conflict herewith and providing an effective date. (Second Reading)

Mr Doucet read Ordinance 09-08-01 by title. Councilman Smith moved approval on second reading. Councilman Thomas seconded. No one spoke for or against. Council vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

Ordinance 09-09-01 - An Ordinance of the City of Niceville, Florida relating to a Natural Gas Utility Franchise to the Okaloosa County Gas District, created under the laws of the State Of Florida, the right, authority, easement, and privilege to install, operate and maintain a natural gas manufacturing plant or plants; natural gas transmission and distribution system and such other necessary facilities for the purpose of providing natural gas services to all classes of customers within the City of Niceville, Florida; providing for non-exclusive grant; providing geographic area; providing a term; providing consideration; providing accounting; audit; inspection; providing City not to compete; providing relocation at district expense; providing relocation for private enterprise; providing right to purchase after expiration of franchise; providing notice of exercise of option; providing transmission system and interruptible customers; providing annexation; providing default clause; providing proper operation; providing hold harmless clause; providing sovereign immunity; providing exclusivity of ordinance sections; providing repealing clause; providing severability; and providing for an effective date. (First Reading)

Mr Doucet read Ordinance 09-09-01 by title. Councilman Swihart moved approval on first reading. Councilman Thomas seconded. Discussion followed. Council vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

Resolution 09-07-01 - A resolution authorizing the City Manager to purchase spray on open cell foam insulation for a Public Works Building.

Mr Doucet read Resolution 09-07-01 by title. Councilman Smith moved approval. Councilman Thomas seconded. No one spoke for or against. Council vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

Resolution 09-07-02 - A resolution authorizing the Purchasing Director to execute an agreement with Florida Department of Transportation identified as the State Highway System Lighting, Maintenance and Compensation Agreement.

Mr Doucet read Resolution 09-07-02 by title. Councilman Smith moved approval. Councilman Henkel seconded. No one spoke for or against. Council vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS

Water/Sewer/Drainage Projects - Update:

Mr Price briefed the status of current projects.

Partin Drive Sidewalk Project: We have completed the installation of 350 feet of storm water pipe, @ 300 curbing and 270 feet of sidewalk.

Christy Drive: We also installed curbing and modified the storm water inlet on Christy drive.

Nathey Avenue: City crews repaired the damage to the out fall system in a storm water pond at the end of Nathey Avenue.

Bayshore Place and 13th Street Update: A site meeting was held with the NWFWD and we have determined what type of treatment pond is acceptable. The permit should be submitted by the end of the month and ready for construction in September. Crews also completed inlet modifications on Persimmon Avenue to alleviate some standing water issues.

Bullock Pond Update: We had hoped to bring a proposal to you tonight for replacing the overflow structure at Bullock Pond but the bids were not in line with the engineer estimate. We were hoping to perform this work without having to draw down the lake but it may be too expensive to have that structure replaced this way. Our engineers are re-evaluating the situation.

Turkey Creek Site A Update: A permit exemption was granted for this project. BDI is currently finalizing the bid documents and working with Contech to update the storm water treatment design. This project should be ready for bid by the middle of August.

Valparaiso Boulevard Drainage Project Update: The plans revision is underway to include the treatment pond design and obtain permitting. Once the permitting is approved the project will be submitted for SRF approval which should be a formality. This project could be ready for bid within 4 months.

Water & Sewer

Well # 8 (Ruckel System): Work is underway by the R&M department to replace the existing well house. We are increasing the production of this well from 300 gpm to 600 gpm which requires a new permit. Polyengineering is in the process of obtaining a permit.

Well # 4 (Mullet Site): Bacterial sampling is completed and once the chlorination is introduced we can complete the required sampling and put this well into service.

Turkey Creek Water Main (10 inch): We are still awaiting the clearances of the sampling for this line after which the line can be placed into service.

Pump Station # 13(Home Depot): We are working on the final punch list for the contractor to complete this project.

Cedar Avenue Crossing: Crews also installed lines under Cedar Ave to accommodate the upcoming replacement of Pump stations 3&4. This work required a road closure for two days until the new lines could be installed and the roadway repaired.

Power Outage (Thursday 9th): Last Thursday we experienced a power outage on the west side of town losing shore power at (12) pump stations, (2) water wells and (2) traffic signals. City crews were dispatched to facilities without on site generators and service was restored until Gulf Power repaired the problem. We had no interruption in services.

Water Well Pumping: Our daily pumping totals are varying from 2 to 3.5 mgpd.

Repair and Maintenance Projects

New FD Generator: The start up test for the new generator was completed.

New Public Works Building: Crews are continuing work on the new Cedar Avenue Building. The outer walls are installed and the roof installation will be the next phase.

Mast Arms: DOT has removed the mast arms at the intersection of Armstrong and John Sims and we are making preparations to remove the foundations. This will complete our permit obligations for this project.

Entrance Sign Replacement: We are rebuilding the entrance sign to the city hall complex.

New Pump Station Design: Mr Regans is presently working with Poly Engineering to design a new regional pump station near the softball complex that will deal with the increase sewer flows from the college expansion and the north cedar service area.

College Blvd. Reclaim Water Bore: We are preparing to install a road bore for an 8 inch reclaimed water line to serve the Swift Creek Plantation Development.

Regional Sewer System - Update:

No report.

POLICE DEPT - UPDATE

Lt Sallee briefed the status of current projects in the department. During the month of June the Police Department responded to 1841 calls for police assistance. A total of 80 vehicles were involved in reported crashes. The estimated amount of damage to these vehicles and related property was \$172,350. A total of 148 Traffic Citations were issued, 18 Misdemeanor, 9 Felony and 2 DUI Arrests were made.

FIRE DEPT - UPDATE

Chief Mayville briefed the status of current projects in the department. He advised that during the month of June the Fire Department responded to a total of 96 calls. There were 89 calls within the city limits and 6 mutual aid calls. A breakdown of calls: 3 fires; 56 medical calls; 13 accidents and 24 miscellaneous calls. He advised that 40 fire hydrants were tested. Chief Mayville stated that the dept received new radios to be operational in August. He stated water rescue training is being conducted this month in the bay and at Turkey Creek. He stated that firefighters attended and participated in Youth Week with other agencies at Ruckel Middle School. He advised that firefighters attended several 4th of July celebrations around the City.

COMMUNITY DEVELOPMENT BLOCK GRANT - UPDATE

Wanda Cruttenden, City Planner stated that the Housing Rehabilitation Program Grant is moving forward. She advised this program is designed to perform general code related repairs and improvements for very low and low and moderate-income homeowners. Items eligible for repair include roofs, heating systems, plumbing, electrical and other code related housing systems. Ms Cruttenden stated in order to qualify for funding you must (1) own your home; (2) It must be your primary residence and (3) must meet established income requirements. Ms Cruttenden stated there will be a homeowners= meeting scheduled for Thursday July 23, 2009 at 3:00 PM in the Council Chambers to discuss program requirements and for interested parties to receive application materials. She stated that the deadline for submitting applications is on or before August 21, 2009. Discussion followed.

CITY CLERK

FINANCIAL ADVISOR AGREEMENT

Mr Doucet advised that the agreement with Mr Bill Fray, Fray Municipal Securities will expire the end of this month. Mr. Doucet advised that we rely on Mr Fray=s expertise regarding investment of funds, bond issues, and bank financing, etc. Mr Doucet advised the agreement is for a 36 month period. Councilman Swihart moved approval. Councilwoman Boudreaux seconded. Council vote: Boudreaux-yes; Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

BILLS PAYABLE:

Councilman Swihart moved approval. Councilwoman Boudreaux seconded. Council vote: Boudreaux-yes; Henkel-yes; Thomas-yes; Swihart-yes; Smith-yes.

OTHER BUSINESS:

Mr Jack Garnett, 128 Dolphin Point Road advised the Council of a long standing problem involving a 20' greenbelt that is designed to act as a buffer between the residents of Dolphin Point Road and the homes located on Yacht Club Drive. He advised that new owners are not adhering to the intent of the greenbelt and are using it as a means of rear access to their property. He stated that one owner has actually added a privacy fence with a gate to park his boat. Mr Garnett is requesting City support to resolve this unauthorized use of the greenbelt. Mr Garnett stated if access is permitted, homeowners will be faced with drainage problems, unsightly tire tracks, dead grass, mosquitoes, the additional burden of traffic, and property values will be diminished. Discussion followed. Councilman Thomas moved to tabled this item in order to gather more information prior to the next council meeting. Councilman Swihart seconded. Discussion followed. Council vote: Boudreaux-yes; Henkel-yes; Thomas-yes; Swihart-yes; Smith-yes.

BAYSHORE DRIVE ISSUE - UPDATE

Attorney Powell provided an update to the encroachment issue recommending we move forward with legal proceedings. Councilman Smith moved approval to proceed. Councilwoman Boudreaux seconded. Council vote: Boudreaux-yes; Henkel-yes; Thomas-yes; Swihart-yes; Smith-yes.

CITY CLERK EMPLOYMENT

Councilman Henkel stated that he had received a letter from Mr Doucet stating his desires to end his participation in the State of Florida Deferred Retirement Option Program (DROP) and be re-hired after a 30 day break. He stated that although he feels Mr Doucet is doing a great job for the City he had some concerns in that (1) should there be any consideration given to advertising to fill the position, and (2) he wanted to discuss this issue to insure that there is no perception in the eyes of the public of trying to circumvent the system since the Florida laws are changing regarding the re-hiring of employees in drop status. Discussion followed. The City Manager supported Mr Doucet=s request because of the excellent working relationship he has had with him on a variety of City issues. Mr Doucet advised that he wanted his desires known early by the City Council and stated he planned to add this item to the City Council agenda in January of 2010 for a decision at that time. He stated if the City Council approves his request in January it would allow time for processing; and would take his required 30 day break in service during the month of March and be re-hired on 1 April 2010.

The meeting adjourned at 8:35 PM.

MAYOR

CITY CLERK