

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
NOVEMBER 10, 2009

The Niceville City Council met in regular session at 7:00 PM, November 10, 2009 in the Council Chambers, 208 N Partin Drive. All Council members except for Councilmen Henkel and Smith, the Mayor were present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; Asst City Attorney Dixie Powell; City Planner, Wanda Cruttenden; Police Department, Lt Sallee; Fire Department, Chief Mayville; Public Works Director, Bruce Price; a member of the press, and visitors in the audience. Councilman Thomas offered the prayer and led the pledge of allegiance. Mayor Wise called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

Regular Council Meeting, October 13, 2009
Planning Commission Meeting B November 2, 2009

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

PUBLIC HEARING

Community Development Block Grant (CDBG) Housing Rehabilitation Bids - Mr Dennis Dingman

Mr Dingman, representing Summit Professional Services provided a status report regarding the CDBG Housing Rehabilitation Contract. He advised that sealed bids were received and opened on November 4, 2009 for the two housing units targeted for rehabilitation and two housing units targeted for demolition/replacement. He recommended award of the housing units, as follows:

| <u>APPLICANT</u> | <u>RECOMMENDED BIDDER</u> | <u>AMOUNT</u> |
|--|---------------------------|---------------|
| William Burnett 1011 Julia Ave | Hammerhead Construction | \$35,985 |
| *Travis & Amy Junger 310 Biscayne Lane | Hammerhead Construction | \$42,650 |
| Keith & Lisa Baker 209 22 nd Street | Allen Milton Construction | \$96,764.65 |
| Verta Whitfield, guardian for Gene Ray Mason 211 Cadillac Avenue | Allen Milton Construction | \$89,208.51 |

* Applicant has a new job and will provide information regarding his new status.

PROPOSED CHANGE TO ANTI-DISPLACEMENT AND RELOCATION POLICY

Mr Dingman stated that Summit is proposing a revision to the Anti-displacement and Relocation Policy. This policy dictates what assistance is provided to those individuals who are forced to temporarily relocate while work is undertaken. This includes homes that must be demolished as well as homes with extensive rehab work planned. We have currently identified at least 4 units that will require temporary relocation for the homeowners. Currently the Policy provides for a lump sum moving allowance of \$400, a monthly storage allowance of \$125; and no allowance for living assistance. Summit is proposing a living assistance allowance of \$500 per month for each month displaced. These costs will be paid from the CDBG grant funds.

RECOMMENDED ACTIONS

Recommended Action # 1: Council vote to approve the Award of Bids as recommended above. A Motion to award the bids for Burnett, Junger, Baker and Whitfield as recommended.

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

Recommended Action # 2. Council vote to amend the Anti-displacement and Relocation Policy to include a living assistance allowance of \$500 per month for each displaced.

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

Ordinance 09-11-01 - An ordinance annexing to the City of Niceville, Florida, contiguous lands described as set forth herein; providing for proper advertisement pursuant to Florida Statutes 171.044; providing that the property will be zoned R-1B, residential single family. Property is located at the corner of Valparaiso Blvd and Thomas Street; providing for the severability of this ordinance; providing an effective date and providing for filing with the clerk of court and Department of State. Mike Parrish. (Third Reading)

Mr Doucet read Ordinance 09-11-01 by title. Councilman Swihart moved approval on third reading. Councilwoman seconded. No one spoke for or against. Council Vote: Boudreaux-yes; Thomas-yes; Swihart-yes.

Ordinance 09-12-01 - An ordinance adopting amendments to the Land Development Code to update provisions of Article 7.14.00, Districts and Boundaries, to add Community Planned Unit Development (C-PUD) District; to repeal conflicting ordinances or provisions thereof; and providing for an effective date. (Second Reading)

Mr Doucet read Ordinance 09-12-01 by title. Councilman Thomas moved approval on second reading. Councilman Swihart seconded. No one spoke for or against. Council Vote: Boudreaux-yes; Thomas-yes; Swihart-yes.

Ordinance 09-12-02 - An ordinance annexing to the City of Niceville, Florida, contiguous lands described as set forth herein; providing for proper advertisement pursuant to Florida Statutes 171.044; providing that the property will be zoned C-PUD, Community Planned Unit Development. Property located at the NE corner of Forest Road and Rocky Bayou Drive. Metes and bounds description; providing for the severability of this ordinance providing and effective date and providing for filing with the clerk of court and Department of State. Ruckel Properties. Exhibit A. (Second Reading)

Mr Doucet read Ordinance 09-12-02 by title. Councilman Swihart moved approval on second reading. Councilman Thomas seconded. No one spoke for or against. Council Vote: Boudreaux-yes; Thomas-yes; Swihart-yes.

Ordinance 10-01-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; providing zoning for same and an effective date. Ruckel Properties request their property known as Hawks Landing be rezoned from R-1, Single Family Residential to R-3, Multiple Family. Metes and bounds description. Exhibit A. (First Reading)

Mr Doucet read Ordinance 10-01-01 by title. Councilwoman Boudreaux moved approval on first reading. Councilman Swihart seconded. Attorney Jeff McInnis representing Ruckel Properties stated that they have gone back to the Planning Commission regarding this re-zoning to restrict the density and height limitations to alleviate some of the concerns from the surrounding property owners. He advised the R-3 zoning will be restricted to the current density allowed under R-1, which is 83 units; and the height limitation will be 2 stories above street level as amended in the proposed ordinance. He advised that R-3 zoning allows clustering that will provide more open space. He advised there will be benefits to the public by adding a 290' turn lane as a safety measure; funding one half of the infrastructure cost for the subdivision, allows the creation of more affordable housing that will benefit Air Force personnel and Niceville residents. Discussion followed. Col Maharrey, Commander of the 96th Civil Engineer Group at Eglin Air Force Base advised the council that the proposed zoning is located in the APZ-2 area that restricts only 2 dwelling units per acre because of the potential dangers associated with the frequent take off and landing of aircraft in this location. Discussion followed. Mr Thomas Murray, 811 Sparkleberry Cove, stated it was his opinion this was contract zoning and was strongly opposed re-zoning to R-3. He cited examples such as property value concerns; developer should not exceed 35 dwelling units total; allow developer to cluster housing without increasing density; and recommended that AICUZ restrictions be taken seriously to prevent potential liability issues for the City. Mr Murray recommended the developer use Planned Unit Development (PUD) zoning. Discussion followed. Council Vote: Boudreaux-yes; Thomas-no; Swihart-yes. Motion failed.

Resolution 09-11-01 - A resolution revising a Deferred Compensation Plan which was previously adopted by the City of Niceville, Florida, by Resolution NO. 90-3, March 12, 1990; 92-21, September 17, 1992; 92-26, December 3, 1992; 97-4, February 11, 1997; 97-8, March 11, 1997; 97-31, December 9, 1997; 01-12-01, December 11, 2001; 02-05-01, May 12, 2002; 02-08-01, August 13, 2002; 03-09-01, September 9, 2003; 03-11-01, November 10, 2003; 04-01-01, January 13, 2004; 04-09-07, September 21, 2004; and 05-12-01, December 13, 2005; and providing for an effective date.

Mr Doucet read Resolution 09-11-01 by title. Councilman Swihart moved approval. Councilman Thomas seconded. No one spoke for or against. Council Vote: Boudreaux-yes; Thomas-yes; Swihart-yes.

Resolution 09-11-02 - A resolution authorizing the City Manager to purchase services for the Turkey Creek Stormwater Treatment Enhancement Project - Site AA@.

Mr Doucet read Resolution 09-11-02 by title. Councilman Swihart moved approval. Councilman Thomas seconded. No one spoke for or against. Council Vote: Boudreaux-yes; Thomas-yes; Swihart-yes.

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS

Water/Sewer/Drainage Projects - Update:

Mr Price briefed the status of current projects:

Lift Station 3&4 Relocation Project: The contractor has started excavation work on this project but that has been suspended until some environmental issues with DEP can be resolved.

City Hall Water, Sewer and Reuse Line Installations: The O&M Department has completed the installation of these lines and we will be installing the additional crossings for communication, irrigation and electrical service. The paving contractor is scheduled to begin repaving and resurfacing the parking lot this Friday.

Well 8 Upgrade Improvements: City crews are continuing work on the new well house.

Palm Boulevard Widening: The permanent thermo plastic striping has been installed and city crews completed the curb repairs and the installation of the reflective pavement markers.

Oak Avenue and 13th Street Drainage Improvements: We received notification from the Northwest Florida Water Management District (NFWMD) has approved the permit application for this drainage improvements project.

Bayshore Drive and 31st Street: We are completing the final design for replacing the outfall pipe and structures for this system.

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Bayshore Storm Water Treatment Vault: Our engineers are working to design the proposed treatment vault for storm water in the area around south Partin Drive and 31st Street.

Turkey Creek Site A: This project will be scheduled to begin after acceptance and award of the bid.

Rocky Bayou School Crossing: We will meet with the county and officials of RBCS regarding the installation of a school zone on SR 285 for the school.

Tropical Storm IDA Up-date: City Staff began making preparation for the severe weather early Monday. We experienced no major problems with the passing of this storm.

POLICE DEPT - UPDATE

Lt Sallee briefed the status of current projects in the department. During the month of October the Police Department responded to 1922 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 \$128,505. A total of 233 Traffic Citations were issued, 23 Misdemeanor, 8 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 October the Fire Department responded to a total of 105 calls. There were 99 calls in the City and 6 mutual aid calls. He advised there were no structure fires during the month of September. Chief Mayville advised that because of budget restraints they are researching grant opportunities. Firefighters tested 116 hydrants.

LIBRARY - UPDATE

Sheila Bishop, Library Director provided statistical information and briefed the status of current projects in her area of responsibility.

BILL PAYABLE:

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

The meeting adjourned at 8:30 PM.

MAYOR

CITY CLERK