

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
APRIL 12, 2022

The Niceville City Council met in regular session at 6:00 PM, April 12, 2022 in the Council Chambers, 208 N Partin Drive. All Council members were present, the Mayor was absent. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; City Attorney, Dixie Powell; Police Department, Chief Popwell; Fire Department, Chief Mayville; Public Works Director, Johnathan Laird; Deputy City Clerk, Wendy Farmer, Deputy City Clerk and Finance Director, Steven Rausch, and Director of Technology and Purchasing, Chad Morris. There were approximately 36 visitors in the audience, including other City employees. Mayor Pro Tem Schaetzle called the meeting to order at 6:00 PM. Reverend Stauffer offered the prayer and led the pledge of allegiance.

APPROVAL OF MINUTES

Regular Council Meeting, March 8, 2022
Planning Commission Meeting, April 4, 2022
Local Planning Agency Meeting, No Meeting Held

Councilman Nodjomian moved approval: Councilman Donahoo seconded. Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed

PUBLIC HEARINGS

PRESENTATIONS:

Youth Advisory Council – Update

Councilman Nodjomian stated the Youth Council met last night due to a conflict and they had a very successful meeting. It was the second to last meeting, they will have one more in May. They spent the majority of the time discussing the fundraiser event they had Saturday. Approximately 20 volunteers showed up to give support to the Emerald Coast Autism Center (ECAC) as they had their 5K fundraiser fund this past weekend. They assisted with parking, signage, cleanup, a small campus carnival with games and more. He stated the final numbers were not in but they raised a decent amount of money and all monies raised went to the ECAC. He stated he was proud of them and their accomplishments. They will be writing up what they did specifically for an award for the State which is due Friday. There will be one more meeting this session and we will be

losing 4 out of the 5 who serve on the Executive Council since they will be graduating. They will be holding an election next month and they are recruiting now.

Tammy McGaughy, CPA/ABV, CFF, CFE, Warren Averett, LLC – 2021 Financial Audit Out brief

Mrs. McGaughy provided the Council with a summary of the Auditor's results for the fiscal year ending September 30, 2021:

1. Unmodified opinions on finance statements.
2. Two material weaknesses in internal control over financial reporting, no non-compliance findings (AG Rules)
3. Subject to single audit 2021 (COVID-19, CDBG, Justice Grant). No findings with respect to federal awards.
4. GFOA Certificate Awarded for fiscal year 2020 CAFR. (35th Consecutive Year)
5. Pension Standard Reporting (GASB 68) – The City's portion of the unfunded pension liability is \$4.6 million (prior year \$13.8 million) – Actuarily determined.
6. OPEB Standard (GASB 75) – They City's portion of the unfunded health benefits liability is \$5.8 million (prior year \$5.4 million).

She stated it was a great accomplishment to receive the annual Certificate of Achievement Award from the Government Finance Officers Association (GFOA) for the 35th consecutive year. She went on to explain the two weaknesses found were due to journal entries and the timing of them being done. She explained the weaknesses were opportunities to improve internal controls and the important thing was there were no compliance issues. Councilman Nodjomian asked in her professional opinion, how often should journal entries be made? She stated it is generally recommended to do them every 30 days and they are being done monthly. Councilman Schaezle thanked her for the work her and her team has done over the last 35 years. He also thanked the City staff for the work they put in to support the audit.

Ordinance 22-04-01 – An ordinance for the rezoning of certain properties in the City of Niceville, Florida providing for same and an effective date. Jan Orr, representing the Estate of Jean Ritchey, 820 Spence Cr and parcel id 12-1S-23-0000-0016-0010 request the property be rezoned from C-1, Limited Commercial to RNC, Residential Neighborhood Commercial. Metes and bounds description. Parcel id numbers 12-1S-23-0000-0016-0000 and 12-1S-23-0000-0016-0010. (Final Reading)

Mr. Doucet read Ordinance 22-04-01 by title. Councilman Williams motioned approval and Councilman Nodjomian seconded. No one spoke for or against.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Donahoo-yes; Williams-yes.
Motion passed

Ordinance 22-05-01 – An ordinance for the rezoning of certain properties in the City of Niceville, Florida providing for same and an effective date. CALM Organization, 1702 27th St aka 201 Redwood Ave, request their property be rezoned from PCI, Public/Civic Institutional to PUD, Planned Unit Development. Lots 1,2,3,4, and 5, block B, Rosemont, according to the plat thereof as recorded in Plat Book 2, Page 64, Public Records of Okaloosa County, Florida. (First Reading)

Mr. Doucet read Ordinance 22-05-01 by title. Councilman Nodjomian moved approval and Councilman Donahoo seconded. Matt Zinke, Jenkins Engineering, spoke on behalf of CALM and explained that currently there are two buildings, one of the buildings is used for training and the other is used as housing. They would like to add additional housing that will be used by mothers and children while trying to get back on their feet. They are looking at building nine houses in total, but would like to start with three or four. The buildings would be 500-600 square feet and would be individual residences. Councilman Nodjomian inquired about the reasoning of doing standalone housing versus multifamily townhome style? Mr. Zinke replied it would be to give the families some privacy. Councilman Nodjomian asked how the parking would be, would it be a vehicle per unit? Mr. Zinke stated there are nineteen spaces now in an existing parking lot and it would remain as a common parking area. Councilman Nodjomian inquired about responses from the adjacent landowners if any? Ammy Hanson stated there had been none. Councilman Schaetzle asked if there would be a concern about selling the units individually if that time came? Mrs. Hanson stated that was a concern that was brought up in the Planning Commission meeting and it was their recommendation to have wording in the approval for selling them as a whole, not as individual units. Discussion followed regarding the wording of a new motion. Mr. Zinke spoke with the Attorney of Record for CALM, Steven Tatum, and the condition that they would all be sold as one and not individually was agreed upon. Councilman Nodjomian stated that any disposition of the property in the future would have to be as a development or complex style. Mr. Zinke agreed and stated they did not want anything to be sold individually.

Councilman Nodjomian modified his motion for approval predicated on the fact that any future disposition of the overall property be done in whole and not individual sale of units. Councilman Donahoo modified his second to agree.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Donahoo-yes; Williams-yes.
Motion passed

Resolution 21-12-02 - A resolution granting a special exception to the Land Development Code Section 11.05.01 (e) to allow for a 48' dock as opposed to a 33' dock. Lot 2 Dolphin Point Estates, according to the map or plat thereof as recorded in Plat Book 9, Page 20, Public Records of Okaloosa County, Florida. John and Kristin Harris, 107 Dolphin Point Rd.

Attorney Dixie Powell stated he advised this item be left on the agenda and explained he would be addressing the issue. He stated as of March 2, 2022, Mr. Harris had submitted the proper documentation to the Department of Environmental Protection (DEP) and they reviewed the documentation on March 8, 2022 and issued an exemption status permitting the construction of the dock over submerged land, which the City does not have jurisdiction over. Mr. Harris then submitted his DEP permit exemption status to the City and the Building Inspection Department on April 1, 2022. At this point, with DEP and the Corp of Engineers approving the dock over the submerged lands, non-jurisdictional city waters, the matter will now be in the hands of the Building Inspector, Carl Scott. He will review all the plans and specifications and will determine if the building permit will be issued to Mr. Harris to construct over his portion of the property, which the City has jurisdiction over. Attorney Powell stated at this time there is nothing more to discuss. He also stated that Mr. Davis submitted a letter that has been forwarded to the Building Inspection Department. If anybody has anything further to submit, they are free to submit it to the Building Inspection Department for review. Mr. Davis stated there is more to discuss dealing with the ownership of that land and he has further information the Attorney Powell may not have right now. Attorney Powell stated for him to send it to the Building Inspector and if there seems to be a problem, it will either have to be clarified or Mr. Harris will need to have his attorney discuss it with him.

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS:

Police Department – Update

Chief David Popwell briefed the status of department operations.

During the month of March, the Police Department responded to 3,769 calls for police assistance. There was a total of 46 traffic crash reports written involving 89 vehicles and 4 pedestrians. The estimated amount of damage to these vehicles and related property was \$261,061. A total of 136 traffic citations and 181 traffic warnings were issued, 9 misdemeanor, 12 felony and no DUI arrests were made.

Chief Popwell explained there are several events this weekend which are the Annual Egg Dash, Run for Joy, and Construction Junction. He updated the status of the homicide case

stating there were two in custody and two warrants had been issued. He addressed Councilman Donahoo's question regarding manning stating they are still eight short. This is a state-wide issue for law enforcement. He also stated we are close to the Sheriff Departments pay now. Councilwoman Alley asked what Construction Junction was? Chief Popwell explained it was an event at the Fair Grounds in Fort Walton Beach where they would have front end loaders and dirt for the kids to play in. Councilwoman Alley then stated she thought Governor DeSantis was offering \$5000.00 if you came from another state. Chief Popwell replied he had not seen the exact wording and he would have to wait and see what the requirements would be. Councilman Williams asks how much of a challenge affordable housing was for the officers and how many of them live in the City? Chief Popwell stated affordable housing is a problem but it not only for the officers, other departments have the same issue with employees not being able to afford to live in the City. He also stated that most of his officers live outside the City. Mr. Corbin stated they do take their vehicles home with them.

Fire Department – Update

Chief Tommy Mayville briefed the status of department operations. During the month of March, the Fire Department responded to 164 calls. They raised the flag for a salute the Veteran's event at the Mullet Festival site. Hydrant maintenance, hydrant testing and hose testing are still in progress. The department took part in several training opportunities to include the North Florida Training Expo, Orlando Fire Conference and acquired structure on Spence Circle. The department also attended a bowling event sponsored by the Exchange Club for Strike Out Child Abuse Bowl-A-Thon and preformed EMS standby duty for the Northwest Florida State College baseball team. They also attended Councilman William Thomas's service in Sawyerville, Alabama as representatives of the City of Niceville. Mr. Corbin expressed his gratitude for them attending the service.

Councilman Donahoo asked for an update on manning and advertising from both Chief Mayville and Chief Popwell. Chief Mayville explained they are currently fully staffed but will be discussing two more employees in the budget process for next year to get a little more leadership in place. We do state wide advertising. Councilman Donahoo asked if he advertised on base and Chief Mayville stated he does word of mouth advertising on base. He also mentioned using a Facebook site, State site, and a local newspaper advertisement.

Councilman Schaezle asked how the fire boat was with more boating activities coming with the Summer approaching? Chief Mayville stated they do training every Monday morning and they are looking into updating some electronics on the boat but it is ready for the Summer.

Water/Sewer/Drainage Projects – Update

Johnathan Laird, Public Works Director, briefed the status of current projects.

Water and Sewer:

Sewer Rehab Work:

Gator boring has started on Florida Street and should be completed this week. They will then begin on Cook Street and go down to Hart Street and that should be completed in the next week or two.

The bypass pumping for 4 major lift stations will begin in late April, early May.

We have started the water line upgrade on Benton Avenue, it is approximately 70% complete.

We rebuilt lift station #55 on Ruckel Drive in house. The water and sewer department did an amazing job and saved approximately \$106,000 by doing it in house.

Force main on Rhonda Drive should start in the week or so, waiting on line spots.

Calls: 45 water calls and 17 sewer calls; made 15 water taps and 6 sewer taps; 236-line spots and completed 459 service orders.

Stormwater:

The stormwater project on Nutmeg Avenue will start in the next couple of weeks.

Materials are here for the Landing and project should be finished by Friday.

The floating dock has been installed at Turkey Creek. We will be starting the observation deck in the next couple weeks. We hope to have that project complete by mid-May.

Streets:

Byrne Street has been paved where the new curbing was installed.

Sidewalks:

Paving on John Sims Parkway has been delayed until April 24, 2022.

College bridge renovation is a County project, not a City project but he wanted to address the issue since we have been getting calls. They are waiting on an analyst from the Department of Transportation (DOT). It should open back around the third week in July.

ATM renovation at Cedar Avenue and John Sims Parkway should be completed in late May.

We have completed all the concrete at the Senior Center and are waiting on the fencing and landscaping in the back half.

Councilman Schaetzle inquired whether we had gotten the prison crew back yet? Mr. Laird said yes, they are handling the 80 holding ponds, ditches and streams. They are doing a great job.

Linda Flowers, 1142 Rhonda Drive, stated her and her neighbors were not aware of any work that was being done on the street and asked if they should have been put on notice of the work being done? Mr. Laird explained to her that one week prior to work being done, a notice will be sent out as to what work is being performed. He explained a new sewer line would be installed three feet off the curb into the roadway and go all the way down to Juniper Avenue and cross Juniper Avenue for the new subdivision. When we are done with that we will overlay and asphalt the roadway. He also stated as of now all that is being done is utility lines are being spotted. Mrs. Flowers expressed her concern regarding being able to get in and out once construction starts. Mr. Laird assured her he would be working with the residents while the work is being performed.

Technology and Purchasing Departments:

Chad Morris, Director of Technology and Purchasing, briefed the status of current operations and projects.

Mr. Morris informed the Council that he is still waiting to hear from Construction Services to see if they will be requesting an increase to their rate for the upcoming sidewalk projects. He stated if they go up in price and have to go out for bid on the remaining projects, the Edge Elementary School sidewalk project slated to be done over the summer while the students are out of school may be delayed. Mr. Morris stated the Swift Creek sidewalks are complete and all that is left is some sod that needs to be installed. Councilman Nodjomian inquired about the warranty period on the sod since some is already dead. Discussion followed as to who was responsible for the sod and it was determined it was determined the Swift Creek Homeowners Association had accepted responsibility and they

are working to keep it alive. Councilman Schaetzle asked if a sidewalk was being done on Rocky Shores Drive? Mr. Morris said they are on the list but they are not actively working on it.

Mr. Morris briefed the Council on the security status of the network. He stated for the first quarter they monitored 615 million events. Of those, 2,042 were alarms, 5 incidents were active attempts such as log in errors and another was a user having issues with multiple devices trying to log in at the same time when they connected to the server. To the best of his knowledge there were no intrusions, nothing got in from outside and no security incidents that are of concern.

Bills Payable:

Councilman Nodjomian moved approval. Councilman Williams seconded. Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Donahoo-yes; Williams-yes. Motion passed

Other Business:

Mr. Corbin informed the Council he received a letter from the Small Business Administrator, Allen Thomas, regarding better ways to bring small business to the area. He stated he would like to set up a meeting in the Community Center for the local business for when Mr. Thomas is in town to talk to him. Mr. Corbin stated it was not often he was in our area and we should take advantage of it. Councilman Nodjomian recommended getting the Chamber of Commerce involved as well. Mr. Corbin agreed.

Mr. Corbin stated the Senior Center is reaching capacity and it is definitely getting used. Councilman Schaetzle added that according to Julie Mooney's numbers, membership is at 1,073.

Councilwoman Alley mentioned to Mr. Corbin that she read an article in the paper about Jay Odem's new project that he is building by the courthouse. She stated he is building it on Eglin land and he got a 50-year lease and they will be putting hotels on it and she would like us to look into whether we could develop the Mullet Festival Site and possibly work out a lease with the military to possibly do something out there.

Councilwoman Alley made a motion to allow Mr. Corbin to approach Eglin Air Force Base regarding a lease on the Mullet Festival site. Councilman Nodjomian seconded and requested a modification to the motion. Discussion followed and Councilwoman Alley modified her motion to allow Mr. Corbin to begin conversations with Eglin Air Force Base to explore potential utilization of the underutilized land. Councilman Nodjomian stated his seconds stands.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Donahoo-yes; Williams-yes.
Motion passed

Councilwoman Alley stated if there needed to be a group put together she would be willing to work with Mr. Corbin.

Cliff Coon, 1743 23rd Street, stated he is having an issue with the requirement for replatting a lot that he and his siblings inherited and recently sold. He asked Mr. Forstrom who he has contracted with to develop some property adjacent to this property, to discuss the issues for him. Mr. Forstrom stated the Coon's own property off Seville Circle and have an interior lot that they want to add a small piece to that goes down to the waterfront. He stated the City has requested they plat the land as a whole, which they are okay with. He mentioned the City wants them to survey the entire subdivision and he feels he should just have to replat that one lot. Attorney Powell explained a plat amendment needs to be done since there is a nonconforming lot that needs to be platted in the subdivision. Mr. Forstrom replied it is not a nonconforming lot but rather a piece added to an existing lot. Attorney Powell responded it is being worked on to figure out exactly what we need to do.

Bryan Gates, 4432 Colleen Cove, asked if the orphan property at College Boulevard and Highway 285 could be included in the motion for discussion with Eglin Air Force Base? He expressed willingness to be a part of any advisory council that was formed. It was agreed upon to form a Citizen Advisory Council and Mr. Corbin would head it up. Discussion followed. Councilwoman Alley motioned to amend her earlier motion to expand the language and Councilman Nodjomian amended his second. The motion is as follows: to allow Mr. Corbin to begin conversations with Eglin Air Force Base to explore potential utilization of the underutilized land of the Mullet Festival site and to include the property known as the orphaned property that is at College Boulevard, Highway 285 and the bypass.

Council Vote: Nodjomian-yes; Schaetzle-yes; Alley-yes; Donahoo-yes; Williams-yes.
Amended motion passed

Reverend Stauffer stated he met with Senator Rubio today and there were 50 Veterans also in attendance and it went well. There is a Doolittle Raiders Final Goblet Ceremony April 18, 2022, from 1:00 PM to 3:00 PM at the Mattie Kelly Arts Center. Tickets are \$10.00 and the event allows for 1800 attendees. There will also be a flyover Okaloosa Island at 4:00 PM honoring the Doolittle Raiders and the 75th Anniversary of the Air Force. He just wanted to remind everybody of these events.

Katharine Sims, 519 Linden Avenue, expressed her concern to the Council regarding two occasions where she felt she was not treated well by employees. Discussion followed.

There being no further discussion, the meeting adjourned at 7:29 PM.

MAYOR

ATTEST:

CITY CLERK

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