

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
JANUARY 10, 2006

The Niceville City Council met in regular session at 7:00 PM, January 10, 2006 in the Council Chambers, 208 N Partin Drive. All Council members, except for Councilman Brewer, and the Mayor were present. Also present were City Clerk Dan Doucet; Assistant City Attorney, Dixie Powell; City Planner, Wanda Cruttenden; Police Department, Chief Brian Cruttenden; Director of Public Works, Bruce Price; members of the press and visitors in the audience. Mayor Wise led the pledge of allegiance and offered the prayer.

APPROVAL OF MINUTES

Regular Council Meeting - December 13, 2005  
Special Council Meeting - December 21, 2005

Councilman Swihart moved approval. Councilman Tislow seconded. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

PLANNING COMMISSION REPORT

Planning Commission Meeting - January 3, 2006

Ms Revell read the minutes of their meeting. Councilman Tislow moved acceptance as read. Councilman Smith seconded. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Local Planning Agency Meeting - January 3, 2006

Ms Revell read the minutes of their meeting. Councilman Tislow moved acceptance as read. Councilman Smith seconded. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

PUBLIC HEARINGS

A request for special exception to C-2 zoning density to allow for 50 units per acre as opposed to 15 units per acre. Rob Harrington, 398, 400, and 402 John Sims Pkwy W.

Mayor Wise advised that this item came before the Planning Commission earlier this month and Mr Harrington is here tonight to address the council. Mr Rob Harrington advised that his original request to the Planning Commission was submitted without proper research and

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planning on his part. He informed the council that he wants to develop his property in a fashion that will appeal to the public and future growth of the City. He stated that he desired to tailor his request towards increased density vs height of the structure.

Ordinance 06-01-01 - 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-1; providing for the severability of this ordinance; providing an effective date and providing for filing with the Clerk of Court and Department of State. Lori L. Maloyed, 175 Lanman Road. (Third Reading)

Mr Doucet read Ordinance 06-01-01 by title. Councilman Swihart moved approval on third reading. Councilman Tislow seconded. Wise asked if were any exparte communications. No response. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-01-02 - An ordinance amending future land use Map No. 7-3 of the Niceville Comprehensive Plan, Ordinance No. 90-10, and as amended by Ordinance No. 00-03-03, to update the provisions of future land use Map No. 7-3 to include the following described property: metes and bounds description, Exhibit A, located at 175 Lanman Road, containing .65acres more or less; providing for a Low Density Residential land use category; to repeal conflicting ordinances or provisions thereof; and providing for an effective date. (Third Reading)

Mr Doucet read Ordinance 06-01-02 by title. Councilman Tislow moved approval on third reading. Councilman Smith seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-02-01 - 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-2; providing for the severability of this ordinance; providing an effective date and providing for filing with the Clerk of Court and Department of State. James D. Brown, 631 Hickory Avenue. (Second Reading)

Mr Doucet read Ordinance 06-02-01 by title. Councilman Tislow moved approval on second reading. Councilman Smith seconded. Wise asked if were any exparte communications. No response. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

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Ordinance 06-02-02 - An ordinance adopting the transmittal draft of the proposed

amendments to the Niceville Comprehensive Plan, Ordinance No. 90-10, and as amended by Ordinance No. 00-03-03, to update the provisions of future land use Map No. 7-2 to include the following described property: Lots 1 and 2, Block 51, Valparaiso Pinecrest Addition #2, according to the plat thereof as recorded in Plat Book 1, Page 48, of the public records of Okaloosa County, Florida, located at the corner of Madison Street and Fir Avenue, containing .23 acres, more or less; providing for a medium density residential land use category; to repeal conflicting ordinances or provisions thereof; and providing for an effective date. (Second Reading)

Mr Doucet read Ordinance 06-02-02 by title. Councilman Swihart moved approval on second reading. Councilman Tislow seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-03-01 - An ordinance for the rezoning of certain properties, in the City of Niceville, Florida; metes and bounds description, from R-1, Single family Residential to R-2, One or Multiple-family. Providing for zoning for same and an effective date. Chris Carter, 720 Powell Drives. (First Reading)

Mr Doucet read Ordinance 06-03-01 by title. Councilman Tislow moved approval on first reading. Councilman Smith seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-03-02 - An ordinance adopting the transmittal draft of the proposed amendments to the Niceville Comprehensive Plan, Ordinance No. 90-10, and as amended by Ordinance No. 00-03-03, to update the provisions of future land use Map No. 7-2 by changing the land use designation from low density residential to medium density residential, legal description: Lot 13, Block 6, Powell Subdivision of Niceville, Florida, according to the plat thereof recorded in Book 1, Page 96 of the Public Records of Okaloosa County, Florida; located at 720 Powell Drive; containing .17 acres, more or less; to repeal conflicting ordinances or provisions thereof; and providing for an effective date. (First Reading)

Mr Doucet read Ordinance 06-03-02 by title. Councilman Swihart moved approval on first reading. Councilwoman Boudreaux seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-03-03 - An ordinance for the rezoning of certain properties, in the City of Niceville, Florida; metes and bounds description, 1305 23<sup>rd</sup> Street (Exhibit A) from R-1, Single family to R-2, One or Multiple-family. Providing for zoning for same and an effective date. Bobby and Tiffany Grete, 1305 23<sup>rd</sup> Street. (First Reading)

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Mr Doucet read Ordinance 06-03-03 by title. Councilman Swihart moved approval on first

reading. Councilman Smith seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-03-04 - 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-3; (Exhibit A) providing for the severability of this ordinance; providing an effective date and providing for filing with the Clerk of Court and Department of State. Howell and Gina Phelps, 1634 and 1605 26<sup>th</sup> Street. (First Reading)

Mr Doucet read Ordinance 06-03-04 by title. Councilman Swihart moved approval on first reading. Councilman Smith seconded. Wise asked if were any exparte communications. No response. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-03-05 - An ordinance adopting the transmittal draft of the proposed amendments to the Niceville Comprehensive Plan, Ordinance No. 90-10, and as amended by Ordinance No. 00-03-03, to update the provisions of future land use Map No. 7-3 to include the following described property: Lot 22 and the north ½ of Lot 21, Block G, Rosemont Subdivision, according to the plat thereof as recorded in Plat Book 2, Page 64, Public Records of Okaloosa County, Florida, less and except that part deeded to the State of Florida for road right of way as recorded in Official Records Book 88, Page 606, Public Records of Okaloosa County, Florida; located at 1634 26<sup>th</sup> Street; containing.34 acres, more or less; providing for a medium density residential land use category; to repeal conflicting ordinances or provisions thereof; and providing for an effective date. (First Reading)

Mr Doucet read Ordinance 06-03-05 by title. Councilman Tislow moved approval on first reading. Councilman Smith seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-03-06 - 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. (First Reading)

Mr Doucet read Ordinance 06-03-06 by title. Councilman Swihart moved approval on first reading. Councilman Smith. No one spoke for or against. Discussion followed. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

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Resolution 06-01-01 - A resolution of the City of Niceville, urging members of the Florida Legislature to support the following issues during the 2006 legislative session.

Mr Doucet read Resolution 06-01-01 by title. Councilman Swihart moved approval. Councilman Smith seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Resolution 06-01-02 - A resolution authorizing the City Manager to purchase One Heavy Duty Truck Mounted Trash Loader.

Mr Doucet read Resolution 06-01-02 by title. Councilman Tislow moved approval. Councilman Smith seconded. Discussion followed. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

#### CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS

Water/Sewer/Drainage Projects - Update:

Mr Price briefed the status of on going projects.

Regional Sewer System - Update:

No Report.

#### **POLICE DEPARTMENT UPDATE:**

Chief Cruttenden briefed the status of the department.

#### **FIRE DEPARTMENT UPDATE:**

Mr Rick Vandyke briefed the status of ongoing projects in the department

#### **LIBRARY UPDATE:**

Ms Bishop advised that she has met informally with the contractor regarding the library expansion project. She advised that the pre-construction project is scheduled for January 21, 2006. She advised that the new Friends of the Niceville Library Program is moving along very well. She advised that the President Ms Terry Swihart has had several meetings with her people and their open house for the friends group is scheduled for January 21 from 4:00 to 6:00 PM.

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OTHER BUSINESS:

**PLANNING COMMISSION APPOINTMENT:**

Councilwoman Boudreaux recommended Mr. Thomas M. Churan, 1023 Christy Drive be appointed to the Planning Commission replacing Mr Dennis Coleman. Councilman Swihart moved approval. Councilman Tislow seconded. Council Vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Mr Don Baccadutre briefed the council regarding a proposed ordinance that will provide for an additional \$200.00 fire protection impact fee surcharge on construction of structures exceeding 45 feet in height. He advised that our current fee is \$200.00 for all new residential and commercial property. Discussion followed. Mr Doucet advised if there is no objection the ordinance will be advertised for public hearing and will be on the agenda for the February council meeting.

**BILLS PAYABLE**

Councilman Smith moved approval. Councilman Swihart seconded. Council vote: Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

The meeting adjourned at 7:45 PM.

**MAYOR**

**ATTEST:**

**CITY CLERK**