

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
MAY 9, 2006

The Niceville City Council met in regular session at 7:00 PM, May 9, 2006 in the Council Chambers, 208 N Partin Drive. All Council members were present, and the Mayor was out of town on business. Also present were City Manager Lannie Corbin; City Clerk Dan Doucet; City Attorney, Gillis Powell; Police Department, Chief Cruttenden; City Planner, Wanda Cruttenden; Director of Public Works, Bruce Price; members of the press and visitors in the audience. Mayor Pro-tem Brewer led the pledge of allegiance and offered the prayer.

APPROVAL OF MINUTES

Regular Council Meeting – April 11, 2006

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

PLANNING COMMISSION REPORT

Planning Commission Meeting - May 1, 2006

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

Local Planning Agency Meeting – May 1, 2006

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

PUBLIC HEARINGS

Presentation – O’Sullivan Creel. Ms Tammy McGaughy representing O-Sullivan Creel briefed the council on the results of the City Audit. Discussion followed.

Ordinance 06-06-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; from R-2 to R-3. Providing zoning for same and an effective date. Valparaiso Waterworks, 107 Reynolds Ave. (Second Reading)

Mr. Doucet read Ordinance 06-06-01 by title. Councilman Tislow moved approval on second reading. Councilman Smith seconded. Ms Pilar Brill who resides in Mary Esther spoke on

behalf of her parents Mr. & Mrs Skievaki who owns a vacant lot across the street from the property being rezoned. Ms Brill asked if there was further information available since the last meeting. A representative from Gustin, Cothorn and Tucker advised that there was no additional information available. Discussion followed. Mayor Protem Brewer asked if there were any exparte communications. Councilman Smith advised that he made a site visit. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-07-01 - 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. Austin and Lisa White, and Hunter Jones, 26th Street (First Reading)

Mr. Doucet read Ordinance 06-07-01 by title. Councilman Smith moved approval on first reading. Councilman Tislow seconded. Mayor Protem Brewer asked if there were any exparte communications. No response. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-07-02 - 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. 7-3 to include the following described property: metes and bounds description, Exhibit A, located on 26<sup>th</sup> Street, Parcel ID 08-1S-22-0000-0059-0000 and 08-1S-22-0000-0059-0030, containing .53 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 06-07-02 by title. Councilman Smith moved approval on first reading. Councilman Swihart seconded. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-07-03 - An ordinance adopting 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: Lots 3 and 4, Block A, Craigie Brae Subdivision, Okaloosa

County, Florida, according to plat thereof recorded in Plat Book 4, Page 75 of the public records of said county, located at 1404 23<sup>rd</sup> Street, containing .42 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 06-07-03 by title. Councilman Tislow moved approval on first reading. Councilman Swihart seconded. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-07-04 - An ordinance adopting 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. (First Reading)

Mr. Doucet read Ordinance 06-07-04 by title. Councilman Swihart moved approval on first reading. Councilman Smith seconded. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-07-05 - An ordinance adopting 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, and the southwesterly half of Lot 14, 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 06-07-05 by title. Councilman Tislow moved approval on first reading. Councilman Smith seconded. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-07-06 - An ordinance adopting 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 2 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 06-07-06 by title. Councilman Tislow moved approval on first reading. Councilman Smith seconded. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-07-07 An ordinance vacating a portion of Rocky Bayou Drive which was abandoned upon completion of the realignment of Rocky Bayou Drive with Benton Avenue in December, 2000, keeping utility easements, transferring excess to same, and providing for an effective date. (First Reading)

Mr. Doucet read Ordinance 06-07-07 by title. Councilman Tislow moved approval on first reading. Councilman Swihart seconded. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Resolution 06-05-01 - A resolution authorizing the City Manager to purchase services for the replacement of Pump Station Number Two.

Mr. Doucet read Resolution 06-05-01 by title. Councilman Swihart moved approval. Councilman Smith seconded. Discussion followed. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Resolution 06-05-02 - A resolution authorizing the City Manager to borrow funds to purchase a Fire Truck.

Mr. Doucet read Resolution 06-05-02 by title. Councilman Swihart moved approval. Councilwoman Boudreaux seconded. Mr. Doucet advised that Peoples National Bank submitted the lowest bid in comparison to five other bids received from area banks. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

#### CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS

Water/Sewer/Drainage Projects - Update: Mr. Price briefed the status of current projects.

Regional Sewer System - Update: No report.

OTHER:

Mr. Jack Nichols, 820 Spence Circle praised the efforts of our Fire Department when they responded recently to extinguish a fire involving a shop located at his residence. Mr. Nichols, a long time resident of the area recommended that the Council consider setting up a full-time Fire Department that would make fireman available at the station on a 24 hour basis. They would then be in a position to respond to fires immediately as the calls came into the station. Mr. Nichols advised it's time to move ahead especially since Niceville is growing and the City needs to be in the best possible position to respond to fires to protect lives and property. Discussion Followed.

Mr. Nichols requested that the Council consider a clean-up project to clear out the underbrush surrounding the lake on Mill Creek. Mr. Nichols felt it would nice to have a foot path constructed around the lake along with a few park benches in order to enjoy the beauty of the area. Mr. Nichols advised that he would make a donation to help support the clean-up effort. He also requested that this area be designated as a historical site since it was the home of the only Griss Mill in the area. Mr. Corbin thanked Mr. Nichols for his recommendations.

Mr. Corbin advised that Bolton Creek located near Duncan Drive was another area that should be considered as a historical site along with proper signage. Councilman Swihart moved that the City Manager work with the state regarding the proper signs. Councilman Smith seconded. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Building Heights:

Mr. Corbin advised that during May 1<sup>st</sup> Planning Commission Meeting several developers and residents were invited to attend discussions regarding building heights in Niceville. Mr. Corbin advised while there are no immediate plans to revise the Land Development Code and feels we essentially allow developers on a case by case basis to propose their own building height when a development is submitted as a Planned Unit Development (PUD). Mr. Corbin stated that town homes, patio homes, cluster developments, rental apartments, motels, hotels and condominiums are among developments that can be consider as PUDs.

Mr. Roger Strickland, spoke on behalf of his mother Mrs. Marie Strickland, 2419 Duncan Drive. He read a letter from attorney Bert Moore removing the easement previously granted and demanding removal of Lift Station # 15.

BILLS PAYABLE

Councilman Swihart moved approval. Councilwoman Boudreaux seconded. Council Vote. Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

The meeting adjourned at 8:20 PM.

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MAYOR PRO TEM

ATTEST:

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CITY CLERK

