

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
JUNE 13, 2006

The Niceville City Council met in regular session at 7:00 PM, June 13, 2006 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; Assistant City Attorney, Dixie Powell; Police Department, Lt Popwell; City Planner, Wanda Cruttenden; Director of Public Works, Bruce Price; members of the press and visitors in the audience. Mayor Wise led the pledge of allegiance and Councilman Brewer offered the prayer.

APPROVAL OF MINUTES

Regular Council Meeting – May 9, 2006

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

PLANNING COMMISSION REPORT

Planning Commission Meeting - June 5, 2006

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

Local Planning Agency Meeting – June 5, 2006

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

PUBLIC HEARINGS

Final Review – Valparaiso Realty requests final approval of a re-plat of Pinecrest 2. Metes and bounds description. Property is located off 285N. Councilman Swihart moved approval. Councilman Smith seconded. Discussion followed. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-03-07- An ordinance declaring an emergency with respect to Fire Protection equipment determining the necessity of an immediate purchase of necessary equipment; finding the availability of a 2006 Liberty Custom Pumper (Fire Truck) through the Florida Sheriff=s Association Contract No. 05-06-0823; determining the availability of unappropriated funds for such purpose and authorizing the immediate purchase of said equipment; and providing that the ordinance be effective the date of adoption.

Mr. Doucet read Ordinance 06-03-07 by title. Councilman Brewer moved approval. Councilman Tislow seconded. Mr. Doucet advised that this ordinance was adopted in March, 2006 and to comply with our charter we must review the circumstances and conditions existing at the time of adoption of the emergency ordinance to determine if the necessity for such ordinance still exists. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

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. (Third Reading)

Mr. Doucet read Ordinance 06-06-01 by title. Councilman Tislow moved approval on third reading. Councilman Smith seconded. Mr. Dennis Teague, 106 N Reynolds explained his concerns regarding parking and water retention. Discussion followed. Mayor Wise asked if there were any exparte communications. No response. 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 (Second Reading)

Mr. Doucet read Ordinance 06-07-01 by title. Councilman Tislow moved approval on second reading. Councilman Brewer seconded. No one spoke for or against. Mayor Wise asked if there were any exparte communications. No response. 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

MINUTES, REGULAR COUNCIL MEETING, JUNE 13, 2006 PAGE THREE

No. 7-3 to include the following described property: metes and bounds description, Exhibit A, located on 26th 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. (Second Reading)

Mr. Doucet read Ordinance 06-07-02 by title. Councilman Tislow moved approval on second 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 23rd 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. (Second Reading)

Mr. Doucet read Ordinance 06-07-03 by title. Councilman Swihart moved approval on second reading. Councilman Brewer 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. (Second Reading)

Mr. Doucet read Ordinance 06-07-04 by title. Councilman Swihart moved approval on second reading. Councilman Tislow 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. (Second Reading)

Mr. Doucet read Ordinance 06-07-05 by title. Councilman Tislow moved approval on second 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 26th 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. (Second Reading)

Mr. Doucet read Ordinance 06-07-06 by title. Councilman Tislow moved approval on second reading. Councilman Brewer 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. (Second Reading)

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

Ordinance 06-08-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; from PUD, Planned Unit Development to C-2, General Commercial. Providing zoning for same and an effective date. Exhibit A, property located between Highway 20 and Mulry Drive. Valparaiso Realty (First Reading)

Mr. Doucet read Ordinance 06-08-01 by title. Councilman Swihart moved approval on first reading. Councilman Smith seconded. Mr. Pat Byrne, Valparaiso Realty explained the concept design of the proposed shopping center. Discussion followed. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-08-02 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; from R-1, Single Family, to C-1, Limited Commercial. Providing zoning for same and an effective date. Lot 31, Block 6, AA Howell Subdivision, according to the plat thereof recorded in Plat Book 1, Page 46, in the Public Records of Okaloosa County, Florida. Thomas D=Eufemia, 802 Spencer St. (First Reading)

Mr. Doucet read Ordinance 06-08-02 by title. Councilman Tislow moved approval on first reading. Councilman Swihart seconded. Discussion followed. . Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 06-08-03 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; from R-1, Single Family, to C-1, Limited Commercial. Providing zoning for same and an effective date. Lots 15 and 16, Niceville Heights Addition to Valparaiso, according to the plat thereof, as recorded in Plat Book 1, at Page 102, of the Public Records of Okaloosa County, Florida. Gustin, Cothern and Tucker (First Reading)

Mr. Doucet read Ordinance 06-08-03 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.

Resolution 06-06-01 - A resolution of the City Council of the City of Niceville, Florida supporting Okaloosa County=s application for Community Planning Grant Funds.

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

Resolution 06-06-02 - A resolution of the City of Niceville Florida, Okaloosa County, Florida; approving distribution percentages for each municipality within the County and supporting the source of population statistics.

Mr. Doucet read Resolution 06-06-02 by title. Councilman Swihart moved approval. Councilman Brewer seconded. Discussion followed. 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, expressed his desire to have the Mill Creek area designated as a historical site. Discussion followed.

TURKEY CREEK:

Mr. Corbin briefed the council regarding his concern for the safety of children who swim at Turkey Creek. He explained that the popularity of the area is growing and boats do not always adhere to sound safety practices. He recommended that our no-wake zone ordinance be revised in a fashion that would prohibit anyone from using gasoline powered boats from College Blvd all the way down to the Boggy Bayou Bridge. Mr. Corbin recommended that the City Attorney revise our ordinance to resolve safety concerns. Councilman Brewer moved approval. Councilman Swihart seconded. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

BILLS PAYABLE

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

The meeting adjourned at 8:35 PM.

MAYOR

ATTEST:

CITY CLERK