

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
SEPTEMBER 12, 2006

The Niceville City Council met in regular session at 7:00 PM, September 12, 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; Chief Cruttenden, Police Department; City Planner, Wanda Cruttenden; Director of Public Works, Bruce Price; a member 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 August 8, 2006
Special Council Meeting August 17, 2006
Special Council Meeting August 29, 2006
Special Council Meeting August 31, 2006

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

PLANNING COMMISSION REPORT

Planning Commission Meeting - No Meeting Held

Local Planning Agency Meeting - No Meeting Held

PUBLIC HEARINGS

Ordinance 06-09-01- 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, one or multiple family; providing for the severability of this ordinance; providing an effective date and providing for filing with the Clerk of Court and Department of State. Jack and Frances Mixon, 1607 & 1609 26th Street. (Third Reading)

Mr. Doucet read Ordinance 06-09-01 by title. Councilman Tislow moved approval on third reading. Councilman Smith seconded. No one spoke for or against. Mayor Wise asked if there were any exparte communications. No response. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Ordinance 06-09-02 - An ordinance vacating a portion of Hillcrest Drive lying adjacent to Lots 15-16, Block 3, and Lots 3 & 4, Block 4, Niceville Heights addition, and transfer excess to same; and providing for an effective date. Gustin, Cothorn and Tucker. (Third Reading)

Mr. Doucet read Ordinance 06-09-02 by title. Councilman Tislow moved approval on third reading. Councilman Smith seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Ordinance 06-09-03 - An ordinance amending Ordinance 99-01, dated February 8, 1999 pertaining to creating restricted areas on certain waters identified as Turkey Creek, defining "Restricted Areas", "No Wake" and "Idle Speed", prohibiting the use of internal combustion motors; designating hours of operation; requiring the posting of signs; requiring State and Federal Permits; providing an effective date and repealing all ordinances or provisions thereof in conflict herewith. (Third Reading)

Mr. Doucet read Ordinance 06-09-03 by title. Councilman Tislow moved approval on third reading. Councilman Smith seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Ordinance 06-10-01 – An ordinance adopting the transmittal draft amending the Concurrency Management System in the City of Niceville Comprehensive Plan providing for clear guidelines to evaluate the concurrency of roadways and other public facilities within the city's Concurrency Management System, and providing for a clear method whereby the impacts of development on roads can be mitigated by the cooperative efforts of the public and private sectors, to be known as the Proportionate fair Share program as required by and in a manner consistent with Chapter 63.3180(16),F.S.; repealing conflicting ordinances or provisions thereof; and providing for an effective date. (Second Reading)

Mr. Doucet read Ordinance 06-10-01 by title. Councilman Swihart moved approval on second reading. Councilman Brewer seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Ordinance 06-10-02 – An ordinance amending Article Six of the City of Niceville Land Development Code providing for clear guidelines to evaluate the concurrency of roadways and other public facilities within the City's Concurrency Management System, and providing for a clear method whereby the impacts of development on roads can be mitigated by the cooperative efforts of the public and private sectors, to be known as the Proportionate fair Share program as required by and in a manner

consistent with Chapter 163.3180(16),F.S.; repealing conflicting ordinances or provisions thereof; and providing for an effective date. (Second Reading)

Mr. Doucet read Ordinance 06-10-02 by title. Councilman Smith moved approval on second reading. Councilman Brewer seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Ordinance 06-10-03 - 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, 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 Phillips and Keith Holt, 207 Madison Avenue. (Second Reading)

Mr. Doucet read Ordinance 06-10-03 by title. Councilman Smith moved approval on second reading. Councilman Tislow seconded. No one spoke for or against. Mayor Wise asked if there were any exparte communications. No response. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Ordinance 06-10-04 – 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 to 6, Block 58, Valparaiso Pinecrest 2; located at 207 Madison Avenue; Parcel ID 05-1S-22-256B-0058-0010; containing 1.03 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 06-10-04 by title. Councilman Brewer moved approval on second reading. Councilman Smith seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Ordinance 06-11-01 - 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: 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 areas , 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 06-11-01 by title. Councilman Smith moved approval on first reading. Councilman Swihart seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Resolution 06-09-01 B A resolution of the City of Niceville, Florida, adopting the Okaloosa County 2005 Local Mitigation Strategy (LMS) Plan for the City of Niceville, as attached herewith; and providing for an effective date.

Mr. Doucet read Resolution 06-09-01 by title. Councilman Swihart moved approval. Councilman Tislow seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Brewer-yes; Swihart-yes; Tislow-yes.

Resolution 06-09-02 - A resolution of the City Council of Niceville, Florida, supporting a bypass route north of the Choctawhatchee Bay as proposed by a four county chamber coalition for submission to and endorsement by the Northwest Florida Transportation Corridor Authority, The Fort Walton Beach Transportation Planning Organization (TPO), and the Florida Department of Transportation; and providing for an effective date.

Mr. Doucet read Resolution 06-09-02 by title. Councilman Brewer moved approval. Councilman Swihart seconded. No one spoke for or against. Council vote: Smith-yes; Boudreaux-yes; Brewer-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: Corbin advised that the new filter has been installed at the Regional Sewer Plant. Mr Corbin advised that we can be more aggressive in providing re-use water for irrigation purposes to several areas in the City. Discussion Followed.

FIRE DEPARTMENT UPDATE:

Mr Rick Van Dyke briefed the status of on going projects in the department.

POLICE DEPARTMENT UPDATE:

Chief Cruttenden provided statistical data regarding the number of automobile accidents, arrests, and traffic citations.

LIBRARY – UPDATE:

Ms Bishop advised that the Friends of the Library had a recent book sale that was very successful . She advised that they receipted in approximately \$2,500 and plan to have another sale in March of next year. Ms Bishop advised that the expansion project is ahead of schedule. and they hope to occupy the new space near the end of November.

OTHER:

Mr Corbin advised that NEXTEL is seeking a location in the City to erect a tower to enhance their services. He advised that a possible location is near our City Yard on South Cedar. Mr. Corbin advised that it would be a good revenue source for the City if we came up with a lease agreement. He advised he will report back to the council when further information is available.

BILLS PAYABLE

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

The meeting adjourned at 7:40 PM.

MAYOR

ATTEST:

CITY CLERK

