

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
NOVEMBER 14, 2006

The Niceville City Council met in regular session at 7:00 PM, November 14, 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; City Planner, Wanda Cruttenden; Police Chief, Brian 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 offered the prayer.

APPROVAL OF MINUTES

Regular Council Meeting October 10, 2006

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

PLANNING COMMISSION REPORT

Planning Commission Meeting - November 6, 2006

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

Local Planning Agency Meeting – November 6, 2006

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

PUBLIC HEARINGS

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 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. (Third Reading)

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

Ordinance 06-12-01 – An ordinance amending Ordinance No. 03-03-01, adopted February 11, 2003, of the City of Niceville, Florida; adopting the revised Stormwater Facility Plan and Stormwater Master Plan; to repeal conflicting ordinances or provisions thereof; and providing for an effective date. (Second Reading)

Mr Doucet read Ordinance 06-12-01 by title. Councilman Tislow moved approval on second reading. Councilwoman Brewer seconded. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Ordinance 07-01-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; from R-1, Residential Single Family, to C-1, Limited Commercial. Metes and bounds description, Property located at 1405 S Palm Blvd. Exhibit A. Harry and Rebecca Wolfgang, 1405 S Palm Blvd (First Reading)

Mr Doucet read Ordinance 07-01-01 by title. Councilman Tislow moved approval on first reading. Councilman Smith seconded. Mr Thomas Fleischmann, 303 Biscayne Lane expressed his concern regarding drainage issues. Mr Brian Daugherty, 315 Biscayne expressed his concern for the requested zoning which was previously approved as a special exception. Mr Harry Wolfgang, the property owner advised that he was always under the impression that the zoning was limited commercial which is what the future land use map calls for. He projects a future business may be some type of professional building, or possibly another nursery something that will be conducive to the neighborhood. Councilman Brewer expressed concern regarding potential flooding and wanted reassurance that the City has done enough to protect the neighborhood from excessive rainfall issues. Discussion followed. Council Vote: Council vote: Brewer-no; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Resolution 06-11-01 - A resolution granting a special exception to the Land Development Code, 7.14.04, E,(3), for a 0' side setback as opposed to the required 25' and providing for a effective date. First United Methodist Church.

Mr Doucet read Resolution 06-11-01 by title. Councilman Tislow moved approval. Councilman Swihart seconded. No one spoke for or against. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Resolution 06-11-02 – A resolution of the City Council of Niceville, Florida, supporting a Recreation Cooperative between Okaloosa County and participating municipalities and providing for an effective date.

Mr Doucet read Resolution 06-11-02 by title. Councilman Tislow moved approval. Councilman Swihart seconded. Discussion followed. Council Vote: Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Resolution 06-11-03 - The Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF) Loan Program; making findings; authorizing establishment of an escrow agreement; designating authorized representatives; providing assurances; providing for conflicts; severability and effective date.

Mr Doucet read Resolution 06-11-03 by title. Councilman Smith moved approval. Councilman Swihart seconded. 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 on-going projects.

Regional Sewer System - Update: No Report.

LIBRARY – UPDATE

Ms Bishop advised that the Library Expansion project is now complete. She extended an invitation to everyone to attend the ribbon cutting ceremony and open house to celebrate the new addition on Wednesday, December 14 at 9:30 am. She advised that the Library's Patron and Employee Appreciation Party is scheduled on the same day from 11:00am to 3:00pm. She provided statistical data to the council provided by the Library Cooperative.

POLICE DEPARTMENT – UPDATE

Chief Cruttenden provided statistical data regarding the number of automobile accidents, arrests, and traffic citations. In addition, he briefed the status of on going projects in the department.

FIRE DEPARTMENT – UPDATE

Chief Mayville briefed the status of on going projects in the department. He advised that the Department of Transportation permits for the new Fire Station should be received in a few weeks. Mr Corbin advised that City employees will begin the metal framing work the early part of next year. He asked the City Attorney if it was necessary to bid out the materials required for this part of the project. Mr Dixie Powell advised that bidding out the materials for the building would be required. Discussion followed.

OTHER BUSINESS:

Mr Corbin advised that the City has met with Baskerville Donovan our consulting engineers for stormwater regarding how to best utilize the approved funding in the amount of \$1,000,000. Mr Corbin proposed that we utilize \$300,000 to fund a study to restore Boggy Bayou's water quality. Mr Corbin advised that the study will be a catalyst to obtain future Federal Funding. The project

would involve dredging out the head of Boggy Bayou where it spills into Turkey Creek and the College Road Bypass. Councilman Swihart moved approval. Councilman Smith seconded. Discussion followed. Council vote: Brewer-yes; Smith-yes; Boudreaux-yes; Swihart-yes; Tislow-yes.

Mr Jack Nichols, 820 Spence Circle requested the status of designating the Mill Creek area as a historical site. Mr Corbin advised that he has worked with the state on this issue and approval is contingent upon completion of the SR-20/85 widening project which will be sometime in 2008.

Aid to Organizations: Mr Doucet advised that the City budgeted \$30,000 this fiscal year to fund Aid to Organizations. Mr Doucet recommended funding the following organizations, by the amounts indicated as follows: Chamber of Commerce, \$6,500 and \$ 3,000 for the fireworks fund, Economic Development Council, \$2,400; Bridgeway Center (Crisis Line) \$ 1,000; Okaloosa-Walton Child Care Svcs, \$1,200; Shelter House, \$1,200; Northwest Fla Symphony Orchestra –OWC, \$800; Senior Citizens Club – Valparaiso, (In Kind Services); Children’s Advocacy Center, Inc., \$3,000, Okaloosa County Comprehensive Head Start –Child Development, Inc., \$ 2,800; and Sharing and Caring \$3,000.

Councilman Smith moved approval with the provision that a maximum of \$3,000 be donated to the Chamber of Commerce Fire Works Fund, if their fund raising efforts does not provide adequate funds for the project. Councilman Tislow 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