

MINUTES
REGULAR COUNCIL MEETING
CITY OF NICEVILLE, FLORIDA
DECEMBER 18, 2007

The Niceville Council met in regular session at 7:00 PM, December 18, 2007 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; City Attorney, Gillis Powell; City Planner Wanda Cruttenden; Police Department, Chief 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 Thomas offered the prayer.

APPROVAL OF MINUTES

Regular Council Meeting November 13, 2007

Councilman Swihart moved approval. Councilman Smith Seconded. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

PLANNING COMMISSION REPORT

Planning Commission Meeting B December 3, 2007
Local Planning Agency Meeting B No Meeting Held

Councilman Swihart moved approval. Councilman Smith Seconded. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Presentation - Fire Department

Chief Mayville introduced Ms Christy Moore representing the Heart Association. Ms Moore presented the Heart of Gold Award to India Stone a 3rd grade student who recently performed a life saving technique on Anthony Westmiller who was choking on food he swallowed. Medical staff determined that the procedure performed by India saved Anthony's life. Anthony was presented a certificate wishing him the best in the future.

Presentation - Dept of Elder Affairs (Ms Jeannie Harris)

Ms Jeannie Harris, Department of Elder Affairs provided an overview and explained the scope of her organization. Ms Harris requested that the council consider passing a resolution, or proclamation in support of her organization. Councilman Thomas moved approval. Councilwoman Boudreaux seconded. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

PUBLIC HEARINGS

Ordinance 07-10-01 - 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 PUD, Planned Unit Development; providing for the severability of this ordinance; providing an effective date and providing for filing with the Clerk of Court and Department of State. (Third Reading)

Mr Doucet read Ordinance 07-10-01 by title. Councilman Swihart moved approval on third reading. Councilman Thomas seconded. Mr Brett Hinely, Chairman of North Bay Fire Control District requested the council consider postponing the adoption of the ordinance and seek to reach an agreement on establishing an Interlocal Service Boundary Agreement. Councilman Smith advised that this ordinance was tabled twice in the process and was not in favor of further delays. He advised that such an agreement could be worked out after adoption of the ordinance. Discussion followed. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Ordinance 08-02-01 - An ordinance annexing to the City of Niceville, Florida, contiguous lands described as set forth herein; providing for proper advertisement pursuant to Florida Statutes 171.04; providing that the property will be zoned R-1, single family residential, West 2 of lots 25 and 26, block 111, Valparaiso Realty Company's Pine Crest Addition to Valparaiso, Sheet No. 3, Subdivision No. 6, according to the plat thereof as recorded in Plat Book 1, Page 56, Public Records of Okaloosa County, Florida; providing for severability of this ordinance; providing an effective date and providing for filing with the Clerk of Court and Department of State. Cherie Miller, 13th Street. (First Reading)

Mr Doucet read Ordinance 08-02-01 by title. Councilman Thomas moved approval on first reading. Councilman Smith seconded. No one spoke for or against. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Ordinance 08-02-02 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida, from R-2, one or multiple family to C-2, general commercial. Metes and bounds description, Exhibit A. Providing zoning for same and an effective date. D & R Development, LLC 380 Iowa Street. (First Reading)

Mr Doucet read Ordinance 08-02-02 by title. Councilman Swihart moved approval on first reading. Councilman Thomas seconded. Ms Ann Hayes, 814 Spencer Place presented a petition signed by 62 residents opposing the rezoning request. Ms Hayes said a more transitional zoning would be appropriate. Mr Randall Skinner, 173 Maple Way explained he is working with a group who wants to build an extended stay motel on this

property. Mr Skinner advised that he has negotiated with the Spence's to purchase some of their property to construct a private right of way from John Sims Pkwy; the contract is contingent upon the zoning change. Wanda Cruttenden advised that the future land use map is zoned low density residential. Councilman Smith recommended a more transitional zoning such as Residential Neighborhood Commercial (RNC). Mr Ward Saxon, an owner of duplexes in the area expressed concern for slope requirements, the buffer zone and erosion. Discussion followed. Mr Mike Chavis, 203 Yacht Club Drive expressed his support in favor of the rezoning in that it would be good for Niceville by providing affordable rates for extended stay visitors. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-no.

Ordinance 08-02-03 - An ordinance of the City of Niceville, Florida amending Ordinance No. 228, July 14, 1970, as amended, to change the name of business license to local business tax. (First Reading)

Mr Doucet read Ordinance 08-02-03 by title. Councilman Smith moved approval on first reading. Councilman Thomas seconded. No one spoke for or against. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Resolution 07-12-01 - A resolution granting a special exception to the Land Development Code, Section 7.14.02, E, 1, to allow for 19.5 front setback as opposed to the required 25'. Lot 28, Block 1, Palm Estates, Unit 2, according to the plat thereof as recorded in Plat Book 5, Page 28, of the Public Records of Okaloosa County, Florida. O.T. Outhaithany and Somnow Folds, 807 Surf lane.

Mr Doucet read Resolution 07-12-01 by title. Councilman Smith moved approval.. Councilman Thomas seconded. No one spoke for or against. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Resolution 07-12-02 - A resolution authorizing the City Manager to purchase labor and equipment to erect a Fire Department Metal Building.

Mr Doucet read Resolution 07-12-02 by title. Councilman Smith moved approval.. Councilman Thomas seconded. No one spoke for or against. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Resolution 07-12-03 - A resolution authorizing the City Manager to purchase labor and materials to construct a Fire Department Building Foundation Floor Slab.

Mr Doucet read Resolution 07-12-03 by title. Councilman Smith moved approval. Councilman Thomas seconded. No one spoke for or against. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Resolution 07-12-04 - A resolution authorizing the City Manager to purchase Program Administration Services for the Fiscal Funding Year 2008 Community Development Block Grant Program.

Mr Doucet read Resolution 07-12-04 by title. Councilman Thomas moved approval. Councilman Smith seconded. No one spoke for or against. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Resolution 07-12-05 - A resolution authorizing the City Manager to purchase services for the City of Niceville, Linden Avenue Drainage Improvements.

Mr Doucet read Resolution 07-12-05 by title. Councilman Thomas moved approval. Councilman Smith seconded. No one spoke for or against. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS

Water/Sewer/Drainage Projects - Update:

Mr Bruce Price briefed the status of current projects.

Regional Sewer System - Update:

No Report

LIBRARY - UPDATE

Ms Bishop advised that approximately 6,500 people visited the Debbie Lewis Christmas Display which located near the Library. She provided positive comments received by residents for the display and all the displays located in the complex. She provided circulation statistical information and advised the council of the upcoming 2008 Interlocal Agreement with the County which determines the funding received by the City.

POLICE DEPT - UPDATE

Chief Cruttenden briefed the status of current projects in the department.

FIRE DEPT - UPDATE

Chief Mayville briefed the status of current projects in the department.

CITY CLERK:

FLORIDA PROMPT PAYMENT ACT

Mr Doucet advised the Florida Prompt Payment Act requires we annually report interest payments concerning city debts not paid on time. He advised that total of \$18,517,150 was expended last year with no interest penalty paid.

OTHER BUSINESS:

Employee Bonuses:

Mr Corbin requested that the council consider approving Christmas Bonuses for employees based on the criteria used last year. Councilman Smith moved approval. Councilman Thomas seconded. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Aid to Organizations:

Councilman Smith moved to donate \$ 1,000 to help fund the Niceville High School Marching Band to participate in the 119th Tournament of Roses Parade in Pasadena California. Councilman Thomas seconded. Council vote: Swihart-yes; Thomas-yes; Boudreaux-yes; Smith-yes.

Connie Naftel, President of the Christmas Guild expressed her appreciation to the members of the guild for all their hard work. She thanked the City Council for their support in making such an event possible. She lauded the support received from the City Manager and all the city employees involved in the Christmas Project.

BILLS PAYABLE

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

The meeting adjourned at 8:50 PM.

MAYOR _____

CITY CLERK