

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
JULY 8, 2008

The Niceville City Council met in regular session at 7:00 PM, Jul 8, 2008 in the Council Chambers, 208 N Partin Drive. All Council members, except for Councilman Smith, and the Mayor were present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; Asst City Attorney, Dixie Powell; City Planner, Wanda Cruttenden; Police Department, Chief Cruttenden; Public Works Director, 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 June 10, 2008  
Special Council Meeting June 24, 2008

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

PLANNING COMMISSION REPORT

Planning Commission Meeting - July 1, 2008  
Local Planning Agency Meeting - No Meeting Held

Wanda Cruttenden, City Planner read the minutes of their meeting. Councilman Thomas moved approval. Councilwoman Boudreaux seconded. Council vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-yes.

Public Hearings:

Ordinance 08-09-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida from R-1, Single Family Residential to C-1 Limited Commercial, Metes and bounds description, Property located at 1001 Valparaiso Blvd. Exhibit A. Gustin, Cothorn & Tucker representing Ruckel Properties. (First Reading)

Mr Doucet read ordinance 08-09-01 by title. Councilman Swihart moved approval on first reading. Councilman Thomas seconded. Council Vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-yes. Mr Alan Tucker representing Ruckel Properties advised the rezoning request is for C-1 vs C-2. He advised that the metes and bounds description was written to include the required improvements in order for Tom Thumb to renew their lease. Mr Corbin advised that it was the understanding that we were committed to the residents in

that the zoning approved by the City would allow only a Tom Thumb Store and no other commercial business would be allowed on the rezoned property. Discussion followed. Mr Corbin advised that he spoke to a Tom Thumb representative who is here tonight and the reason that the improvements were not made is their lease is running out in eight months. Mr Corbin stated that cooperate officials want a lease that will pay for his improvements which track what we approved 3 or 4 years ago. Mr Corbin stated that the Planning Commission approved the rezoning; however, in order for the council to consider approving this request there should be some commitment from Ruckle properties that the Tom Thumb would be the only business located in the C-1 zoning which is would be part of the motion to approve the request for rezoning. Mr Alan Tucker advised Ruckle Properties supports this commitment. Discussion followed. Mr Mike Hayes, 834 Magnolia Shores stated that several other residents had planned on attending the meeting. He presented copies of a letter to the City Council outlining residents concerns. Discussion followed. Mr Burns representing Tom Thumb explained the estimated costs of the improvements is \$350,000 to update the property. He advised that once a lease is in place for a sufficient time to offset the cost of the capital improvements he felt that his cooperate people would have no problem investing in the improvements. He advised that Tom Thumb has no plans to open any other business at this location. Mr Burns responded to council questions regarding the time frame of making the improvements which would be subject to approval of the rezoning ordinance and interaction with his capital committee to secure the required funds. His estimated the improvements should be completed no later than the end of September. Mr Edwin Jammer, 113 Perdido Circle expressed his concerns regarding the rezoning. Council vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-yes.

Resolution 08-07-01 - A resolution granting a special exception to the Land Development Code, Section 7.14.02,E,1 and 3, to allow for a 3.9 foot front setback as opposed to the required 25' and a 2.5 foot side setback as opposed to the required 7.5 foot. Lot3, Block 1, Palm Estates Unit Two, according to the plat thereof as recorded in Plat Book 5, Page 28, Public Records of Okaloosa County, Florida and providing for an effective date. Ronald and Pis Hall, 1105 Coral Drive.

Mr Doucet read resolution 08-07-01 by title. Councilman Thomas approval. Councilman Henkel seconded. Discussion followed. Council Vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-yes.

Resolution 08-07-02 - A resolution granting a special exception to the Land Development code, Section 7.14.02,E,1 and 3, to allow for a 16' front setback as opposed to the required 25' and a 2.5' side setback as opposed to the required 7.5'. Lot 3, Block K, Pine Crest Hills, according to the plat thereof as recorded in Plat Book 4 Page 1, Public Records of Okaloosa County, Florida and providing for an effective date. Charles and Gaye Dayton, 204 20<sup>th</sup> Street.

Mr Doucet read resolution 08-07-02 by title. Councilman Swihart moved approval. Councilman Thomas seconded. Discussion followed. Council Vote: Smith-yes; Henkel-yes; Swihart-yes Thomas-yes; Smith-yes.

Resolution 08-07-03 - A resolution of the City Council of the City of Niceville, supporting the proposed Senior Citizens Community Center.

Mr Doucet read resolution 08-07-03 by title. Councilman Swihart moved approval. Councilman Thomas seconded. No one spoke for or against. Council Vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-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.

#### FIRE DEPT - UPDATE

Mr Rick Vandyke briefed the status of current projects in the department. He provided statistical data and the number of calls responded to regarding medical aid; and automobile accidents. Discussion followed.

#### LIBRARY- UPDATE

Ms Bishop briefed the status of current projects in the Library and the Children=s Park. She advised the Library Cooperative Governing Board has asked each City belonging to the cooperative to quit charging the City of Laurel Hill, Shalimar and Cinco Bayou the \$ 20 non resident fee. Discussion followed. Councilman Swihart moved approval. Councilwoman Boudreaux seconded. Council Vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-yes.

#### POLICE DEPT - UPDATE

Chief Cruttenden briefed the status of current projects in the department. He provided statistical data and the number of calls responded to regarding arrests, and citations issued.

Other:

Mr Corbin advised that there is approximately \$800,000 in grant money available to build a Senior Center in Niceville with our match being 25%. He stated if the grant is approved we plan to locate that facility at the City Hall Complex north of the library. Mr Corbin advised based on Council approval consideration would be given to sell City owned property as a revenue source to pay the required matching funds. Discussion followed.

Wanda Cruttenden, City Planner briefed the council regarding a possible funding shortfall as it applies to the State Revolving Fund (SRF). She advised that a number of Water & Sewer and Stormwater projects are funded thru the loan program. The state advised that because of the high number of requests for funding and the lack of available funds we may not receive any funding for a period of time up to year 2010. Mr Corbin stated that we will be looking at other funding sources or postpone projects. Discussion followed.

Mr Corbin stated he received a request for a proclamation in support of a new website that is being funded by a grant awarded by the Department of Labor through Florida=s Great Northwest. He advised the site is a joint initiative of the five Workforce Boards that service the 16 counties that comprise Florida=s Great Northwest. He stated the purpose of the site is to assist the men and women of the military, and their spouses, transition back in to the private sector workforce. This site will be free to veterans and families of all active duty personnel. Councilman Swihart moved approval. Councilman Henkel seconded. Council Vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-yes.

Mr Buddy Brown, 114 Cedar Ridge Way requested the council consider approving a speed bump on his street due to traffic and the number of small children residing in the neighborhood. Discussion followed. Councilman Swihart moved approval. Councilman Henkel seconded. Council Vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-yes.

#### BILLS PAYABLE

Councilman Henkel moved approval. Councilman Swihart seconded. Council Vote: Swihart-yes; Boudreaux-yes; Henkel-yes; Thomas-yes.

The meeting adjourned at 8:20 PM.

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MAYOR

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CITY CLERK