

MINUTES  
REGULAR COUNCIL MEETING  
CITY OF NICEVILLE, FLORIDA  
MAY 12, 2009

The Niceville City Council met in regular session at 7:00 PM, May 12, 2009 in the Council Chambers, 208 N Partin Drive. All Council members, except for Councilwoman Boudreaux, and the Mayor were present. Also present were City Manager, Lannie Corbin; City Clerk, Dan Doucet; City Planner, Wanda Cruttenden; Police Department, Lt Sallee; Fire Department, Chief Mayville; Public Works Director, Bruce Price; a member of the press, and visitors in the audience. Councilman Henkel offered the prayer and Councilman Thomas let the pledge of allegiance. Mayor Wise called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

Regular Council Meeting, April 14, 2009  
Special Council Meeting, April 20, 2009  
Special Council Meeting, April 23, 2009

Councilman Thomas moved approval. Councilman Henkel seconded. Council vote: Thomas=yes; Henkel=yes; Swihart=yes; Smith=yes.

PLANNING COMMISSION REPORT

Planning Commission Meeting - May 4, 2009

Councilman Henkel moved approval. Councilman Swihart seconded. Council vote: Thomas=yes; Henkel=yes; Swihart=yes; Smith=yes.

Local Planning Agency Meeting - No Meeting Held

PUBLIC HEARING

**Take Stock in Children Program**

Ms Cindy Fraizer provided an overview of the Take Stock in Children Program and introduced the two students selected to participate in the program this year. Ms Fraizer lauded the City Council for their support making it possible for students to achieve a higher education who wouldn't otherwise be able to do so. Discussion followed.

## Community Development Block Grant (CDBG)

Mr Dennis Dingman provided an overview of the purpose of the grant; the grant status and explained the application process. He advised the Department of Community Affairs is experiencing a backlog; however feels the City contract should be signed and returned within 30 days. Mr Dingman explained that Niceville residents who want assistance will submit an application based on income to rehabilitate their homes based on a newspaper advertisement that will explain the process.

Ordinance 09-05-01 - 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-1, Single Family Residential; lot 7, Block A, Magnolia Shores, Okaloosa County, Florida, an unrecorded plat; providing an effective date and providing for filing with the Clerk of Court and Department of State. Allen and Martha Tucker, 1415 Bayshore Drive. (Third Reading)

Mr Doucet read Ordinance 09-05-01 by title. Councilman Swihart moved approval on third reading. Councilman Smith seconded. No one spoke for or against. Council vote: Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

Ordinance 09-05-02 - 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 more Multiple Family; lot 16, Block 23, Plat of Valparaiso Realty Company=s Pine Crest Addition to Valparaiso, Florida, Sheet No. 1, Subdivision No. 4, according to the plat thereof as recorded in Plat Book 1, Page 48, Public Records of Okaloosa County, Florida; providing an effective date and providing for filing with the Clerk of Court and Department of State. Roy Sutton, Jefferson Street. (Third Reading)

Mr Doucet read Ordinance 09-05-02 by title. Councilman Smith moved approval on third reading. Councilman Thomas seconded. No one spoke for or against. Council vote: Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

Ordinance 09-05-03 - An ordinance of the City of Niceville, Florida granting authority for service charges/fees to be enacted by Administrative Authority and providing for an effective date. (Third Reading)

Mr Doucet read Ordinance 09-05-03 by title. Councilman Thomas moved approval on third reading. Councilman Smith seconded. No one spoke for or against. Council vote: Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

Ordinance 09-06-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; from C-1, Limited Commercial to C-2, General Commercial. Providing for zoning for same and an effective date. Lots 20 and 21, Block 9, of the Powell Subdivision of Niceville, as recorded in the official records of Okaloosa County, Florida, book 62, page 71, and as recorded in plat book 1, page 96 of the O.R. book of Okaloosa County, Florida. JB and Betty Henley, 616 Elm Street. (Second Reading)

Mr Doucet read Ordinance 09-06-01 by title. Councilman Smith moved approval on second reading. Councilman Thomas seconded. No one spoke for or against. Council vote: Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

Ordinance 09-07-01 - An ordinance for the rezoning of certain properties in the City of Niceville, Florida; from C-1, Limited Commercial to R-1, Single Family Residential. Metes and bounds description; providing for zoning for same and an effective date. Property located off Highway 285N, north of the Assisted Living Facility Construction Site. Valparaiso Realty. (First Reading)

Mr Doucet read Ordinance 09-07-01 by title. Councilman Thomas moved approval on first reading. Councilman Henkel seconded. No one spoke for or against. Council vote: Thomas-yes; Henkel-yes; Swihart-yes; Smith-yes.

#### CITY MANAGER REPORTS/REQUESTS/RECOMMENDATIONS

##### Water/Sewer/Drainage Projects - Update:

Mr Price briefed the status of current projects:

##### **Drainage Projects:**

**Chip Lane:** Mr Price advised that city crews have completed the modifications to the outfall system of Chip Lane which caused some drainage issues during the recent heavy rains.

**Rocky Bayou Road:** Mr Price stated that the repairs are complete to the damaged out fall structure near the intersection of Roscommon and Rocky Bayou Road.

**Oak Avenue & 13<sup>th</sup> Street Drainage Project:** Mr Price stated that he had a meeting in Crestview with the Northwest Florida Water Management District to discuss this project. We also met with Okaloosa County regarding this project. He stated we are looking at the

geotechnical data and the wetland determinations to develop a permit design that will address the water quality and drainage issues.

**Turkey Creek Site A:** He advised the SRF funding is available for this project and the engineer is prepared to submit a permit exemption for this project. This project was originally permitted as an exemption under the FDEP rules and indications are that it may be exempt under the new Water Management rules. This project includes the installation of a storm water vault near the intersection of Palmetto Avenue and Florida Street.

**Water and Sewer Projects:**

**Turkey Creek Boring:** He stated the tie in of the new 10 inch bore under Turkey Creek is completed and we are awaiting clearance sampling.

**Well 8 Repairs:** He advised the cleaning and disinfection of the well is completed and we are determining the necessary upgrades to the power service, control panel and pump motor size to meet the present and future production needs for this well.

**R & M Projects:**

**Old Fire Department Demolition:** He advised that city crews completed the removal of the old fire department building and stabilizing the site with sod, seed and mulch.

**New Public Works Building:** Mr Price stated that city crews have begun the erection of the steel framing for this building. This facility will include office space, a warehouse for inventory and the vehicle maintenance shop.

Regional Sewer System - Update:

No Report.

**POLICE DEPT - UPDATE**

Lt Sallee briefed the status of current projects in the department. During the month of April the Police Department responded to 1,919 calls for police assistance. A total of 81 vehicles were involved in reported crashes. The estimated amount of damage to these vehicles and related property was \$182,700. A total of 205 Traffic Citations were issued, 16 Misdemeanor, 7 felony and 4 DUI Arrests were made.

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**FIRE DEPT - UPDATE**

Chief Mayville briefed the status of current projects in the department. He advised that during the month of April the Fire Department responded to a total of 83 calls within the city limits and 5 mutual aid calls. A breakdown of calls: 5 fires; 47 medical calls; 12 accidents and 24 miscellaneous calls. He advised that 22 fire hydrants were tested.

#### LIBRARY - UPDATE

Ms Bishop stated that the Community Center now has new chair cushions. She advised that equipment in the Children=s Park is being updated such as painting, etc.

#### OTHER BUSINESS:

##### Bayshore Drive - Update

Attorney Powell provided an up-date regarding the encroachment issue on Bayshore Drive. He provided a memorandum recommending we move forward with a final settlement regarding the matter. Discussion followed. Councilman Smith recommended that a new survey be conducted to know exactly how much City Property would be given up before we move forward with any negotiation on the matter. In addition, Mr Smith stated that in our negotiations building density will not be granted. Mr Corbin stated that we need to resolve this issue as soon a possible because of liability concerns and recommended we meet in special session on May 19, 2009 at 6:00 PM. Discussion followed.

##### Appointment to Gas Board

Councilman Thomas moved to re-appoint Mayor Wise to serve on the Okaloosa Gas District Board. Councilman Smith seconded. Council vote: Henkel=yes; Thomas=yes; Swihart=yes; Smith=yes.

#### BILLS PAYABLE:

Councilman Henkel moved approval. Councilman Swihart seconded. Council vote: Henkel=yes; Thomas=yes; Swihart=yes; Smith=yes.

The meeting adjourned at 8:10 PM.

MAYOR

CITY CLERK