

City Council Meeting
January 8, 2018
6:00 PM
Council Chambers

The Regular Meeting of the Crestview City Council was called to order at 6:00 P.M. Members present were: President J.B. Whitten, Vice President Bill Cox, Shannon Hayes, Joe Blocker, and Doug Faircloth. Also present were the honorable Mayor David Cadle, City Clerk Elizabeth Roy, City Attorney Ben Holley, department heads and members of the press.

REGULAR AGENDA

1. Called to Order

This meeting was called to order by Mr. Whitten at 6:00 p.m.

2. Invocation: Pastor Edward Parker, First Church of God In Christ, Pledge of Allegiance

The invocation and pledge were led by Pastor Parker of First Church of God In Christ.

3. Open Policy making and legislative session

4. Approval of Agenda

Mr. Whitten asked if Council could add an additional item to the Consent Agenda.

A motion made by Mr. Hayes to add an item to the Consent Agenda. Seconded by Mr. Faircloth with 5 yeas from Mr. Hayes, Mr. Faircloth, Mr. Whitten, Mr. Cox, Mr. Blocker, with 0 nays, motion carried.

5. Special Presentations

a. CRA Master Plan Update

Mr. Whitten stated that the CRA submitted a Master Plan update on the 27th of November to the Board of County Commissioners and they did not support everything in the update. The Chairman of the County Commissioners sent a letter stating they would like to go into negotiations with us. Now there are different options for these negotiations to take place and the CRA attorney Dr. Leone will present Council with those options.

Dr. Leone, CRA Attorney presented the option of negotiation between the County and the City with a representative from each side with attorneys present.

Mr. Whitten added that he did go before the County Commissioners and suggested a type of mediation and they were open to that option. The date set is January 17th here in the City Council Chambers so that a Public Notice can be posted. So he then asked Council if they wanted to meet as a whole with the Commissioners or go with Dr. Leone's suggestion of sending him as a representative.

Discussion ensued.

A motion made by Mr. Hayes to go to mediation with a representative and to have the Mayor to attend. There was no second, motion died.

Discussion ensued.

Mr. Holley, City Attorney stated that any agreement made at this meeting would still have to be voted on during a regular meeting.

Discussion ensued.

A motion made by Mr. Blocker to have a mass negotiation meeting. Seconded by Mr. Faircloth with 5 yeas from Mr. Blocker, Mr. Faircloth, Mr. Whitten, Mr. Cox, Mr. Hayes with 0 nays, motion carried.

6. Approval of Minutes

Approval of the minutes from the November 13, 2017 Council Meeting and the December 11, 2017 Council Meeting.

A motion made by Mr. Hayes to approve the minutes from the November 13, 2017 Council Meeting and the December 11, 2017 Council Meeting. Seconded by Mr. Cox with 5 yeas from Mr. Hayes, Mr. Cox, Mr. Whitten, Mr. Faircloth, Mr. Blocker, with 0 nays, motion carried.

7. Public Hearings:

a. Ordinance 1630- Com Plan Amendment 17S2-Growth Management

PRESIDENT: Pursuant to Article 4, Chapter 102 of the City Code, and Florida Statutes, I now declare the public hearing open to receive oral and written comments into the official record concerning the consideration of adoption of Comprehensive Plan Amendment 17S2. The adoption of the Amendment will be accomplished by the adoption of Ordinance 1630.

For the record, the Council asks that all speakers identify themselves by name, and address. We also ask that speakers confine their oral remarks to the time allocated when recognized by the Chair. Written comments received by the staff shall be presented to the Council and excerpts listed in the official minutes. The Growth Management Staff and the City's Consultant, Mr. Jack Dorman of J.E. Dorman and Associates, will speak on behalf of the City.

PRESIDENT: I now call upon the City Clerk to recite for the record, legal notice data provided to the public concerning this public hearing.

CITY CLERK: Mr. President, publication of the legal notice for the Ordinance was accomplished in The Crestview News Bulletin on Wednesday, December 27, 2017.

PRESIDENT: As noted, Comprehensive Plan Amendment 17S2 will be accomplished by Ordinance number 1630. I now ask the City Clerk to read Ordinance 1630 by title.

CITY CLERK: Mr. President, Ordinance Number 1630 by title reads:

ORDINANCE NO. 1630

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR CHANGING THE FUTURE LAND USE DESIGNATION FROM INDUSTRIAL FUTURE LAND USE CATEGORY TO LOW DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY ON APPROXIMATELY 1.6 ACRES, MORE OR LESS, IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

This is the second reading of Ordinance 1630 by title.

PRESIDENT: I now ask for presentation of staff reports and comments, if any, whether written or verbal. The Chair recognizes the Growth Management Department Staff to present any staff reports or comments.

STAFF: Mr. President, the 1.6 acres of undeveloped property, is located on Chestnut Ave East, in Section 17, Township 3 North, Range 23 West and is more commonly known as Lots 8 and 9, Block 1, of Wingard's Addition to the Town of Crestview.

No written or verbal comments were received from the public. The Staff,

Technical Review Committee and Local Planning Agency recommend approval of this small-scale plan amendment.

PRESIDENT: The Chair now recognizes the Consultant to provide input regarding Plan Amendment Number 17S2.

CONSULTANT: Basically the property owner would like to build houses on these lots. All the necessary steps have been taken as far as going before the LPA and I do recommend this for approval.

PRESIDENT: Is there anyone in the audience who wishes to speak for or against Ordinance 1630?

PROPOSERS: None

OPPOSERS: None

PRESIDENT: Close public input for this portion of the public hearing except for direct questions by members of Council.

PRESIDENT: At this time, I will close public input except for direct questions by members of the Council.

COUNCIL

MEMBERS: There were none.

PRESIDENT: Call for motion and second.

COUNCIL:

MEMBERS: I move to adopt Ordinance 1630 and send to Mayor, Council President and City Clerk for signatures. Seconded by Mr. Hayes.

PRESIDENT: *After motion is made:*

There is a motion and second to adopt Ordinance Number 1630 and send to Mayor, Council President, and City Clerk for signatures.

*Vote 5 yeas- Mr. Cox, Mr. Whitten, Mr. Hayes, Mr. Faircloth, Mr. Blocker,
0 nays*

PRESIDENT: I now declare the public hearing closed

b. Ordinance 1631- Rezoning for 17S2-Growth Management

President Whitten addressed the Public in asking if anyone has something to say for or against Ordinance 1631.

There was no response.

President Whitten asked the City Clerk to read Ordinance 1631.

The City Clerk stated, "Mr. President Ordinance 1631 reads,

ORDINANCE NO. 1631

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 1.6 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM INDUSTRIAL DISTRICT ZONING TO SINGLE FAMILY DWELLING DISTRICT ZONING; PROVIDING FOR AUTHORITY; PROVIDING FOR THE UPDATING OF THE CRESTVIEW ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This is the Second Reading for Ordinance 1631."

President Whitten asked for Staff Reports.

Ms. Gaillard, Growth Management Director stated that this ordinance is in conjunction with the previous one. The use of the lots will be for building single family homes.

President Whitten asked for action by Council.

A motion made by Mr. Blocker to adopt Ordinance 1631 on Second Reading and send to the Mayor, Council President and City Clerk for signatures. Seconded by Mr. Faircloth with 5 yeas from Mr. Blocker, Mr. Faircloth, Mr. Whitten, Mr. Cox, Mr. Hayes with 0 nays, motion carried.

8. Public Opportunity on Council Propositions

9. Consent Agenda

- a. **Approval of invoice from Ben Holley for \$3850.00**
- b. **Approval of donation from Hub City Ford to the Fire Department.**
- c. **Approval of Fee and Payment Schedule for Phase II of the Modifications of the Land Development Code and Regulations- J E Dorman, Growth Management Consultant.**
- d. **Approval of Utility Billing Agreement**

Mr. Whitten asked for action by Council.

A motion made by Mr. Hayes to approve the Consent Agenda with the additional item. Seconded by Mr. Cox with 5 yeas from Mr. Hayes, Mr. Cox, Mr. Whitten, Mr. Faircloth, Mr. Blocker with 0 nays, motion carried.

10. Resolutions

a. Resolution 18-06- Support for the Construction of the Old Bethel Road Sidewalk Project

President Whitten asked the City Clerk to read Resolution 18-06.

Ms. Roy, City Clerk stated, "Mr. President, Resolution 18-06 reads by title,

RESOLUTION NO. 18-06

A RESOLUTION BY THE CRESTVIEW CITY COUNCIL, FLORIDA, TO SUPPORT CONSTRUCTION OF A SIDEWALK ALONG OLD BETHEL ROAD WITH TRANSPORTATION ALTERNATIVE (TA) PROGRAM FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

This is Resolution 18-06."

President Whitten asked for Staff Reports.

Ms. Gaillard, Growth Management Director stated that since the Transportation Alternative Program is transitioning to Transportation Alternative this resolution is just reflective of the change of the funding program. This particular sidewalk project will be located from the Silver Oaks Estate to Davidson Middle School.

Discussion ensued.

Mr. Whitten asked for Council for action.

A motion made by Mr. Blocker to approve the Resolution 18-06 and forward to the Council President and City Clerk for signing. Seconded by Mr. Hayes with 5 yeas from Mr. Blocker, Mr. Hayes, Mr. Whitten, Mr. Cox, Mr. Faircloth with 0 nays, motion carried.

11. Committee Reports

12. Scheduled Presentations from the Public

a. Request for Crestview Area Chamber of Commerce for BBB In-Kind Sponsorship- Christie Cadenhead

Mr. Dino Sinopoli, 9825 Crestmont Circle, Pensacola Fl, is the Chairperson for the Triple B Committee. He stated that the Triple B is a family event that will be held at the Old Spanish Trail Park. The City has been a very good partner in the past and that we hoping for that same sponsorship partnership. This event starts at 10 am and end at 6 pm and we are asking for the use of the Old Spanish Trail Park including the Senior Center for free. The Chamber raises funds by

charging vendors but this year we would like to have a “beer” garden in accordance with the City laws. Insurances have been paid for and there was a meeting with Police Officers to be sure that the necessary precautions will be taken.

Discussion ensued to the information presented.

Mr. Whitten asked what liability does the City in sponsoring an event with alcohol and something tragic were to happen.

Mr. Sinopoli answered that there is an insurance clause that takes care of them serving the alcohol and there an indemnity to take care of the City is taken care of.

Mr. Whitten inquired if the Chamber was paying for the Police presence.

Mr. Sinopoli answered that yes, he had spoken with the Police Department concerning that.

Mr. Whitten asked for action by Council.

A motion made by Mr. Cox to approve the 2018 Triple B event as presented with the Facility Rental Fee exempted. Seconded by Mr. Faircloth with 5 yeas from Mr. Cox, Mr. Faircloth, Mr. Whitten, Mr. Hayes, Mr. Blocker with 0 nays, motion carried.

b. ~~James Spencer–Trash Pick-Up (Mr. Spencer was not present)~~

13. Project Reports and Comments from the Public

a. Presentation of change of Administrative Duties- Council President Whitten

Council President Whitten stated that during the Budget process last year there was to be consideration of an Executive Assistant position for the Council. He presented to move some of the duties from the Administrative Assistant of the Council and having the Mayor’s Executive Assistant perform those duties. The reason is that the Growth Management Director already has a considerably full load of tasks that take precedent and this would benefit both parties. The proposal was discussed as a line item in the budget but not approved, at this time it would need to be approved.

Discussion ensued on the information presented.

Mr. Hayes asked if Ms. Richardson would like to take the podium to introduce herself and perhaps answer any questions.

Ms. Zee Richardson, 198 North Wilson St, Executive Assistant to the Mayor gave resume as a retired Armed Forces Veteran with extensive experience in being an executive assistant.

Mr. Hayes inquired if she would be satisfied with the six percent increase of salary.

Ms. Richardson stated that she's not sure what the bottom line would be.

Discussion ensued.

Mr. Whitten asked for action by Council.

A motion made by Mr. Hayes to approve the above changes to the Administrative Assistant to the Council and Mayor's Administrative Assistant Position pending salary negotiations until the next meeting. Seconded by Mr. Faircloth with 5 yeas from Mr. Hayes, Mr. Faircloth, Mr. Whitten, Mr. Cox, Mr. Blocker with 0 nays, motion carried.

Mayor Cadle stated that the FIU (Florida International University) PA's are beginning to work throughout doctor's offices here in the City of Crestview this month. The school should be up and running in about two years but they do have a place to maintain their classes. He then offered his thoughts on the CRA.

Mr. Hayes stated that next week he will be attending a Legislative Session concerning CRAs. He announced that he was elected at the President of the Okaloosa County League of Cities at the last meeting.

Mr. Cox asked for a correction to be made on social media that the Council did not receive a gift card last month only employees did.

Mr. Whitten stated that he wanted to thank Mr. Rick Owen the CEO for the Okaloosa-Walton United Way. The United Way gave away 29,000 individual meals to agencies that help feed people in North Okaloosa County. The Unite Way wants to distribute coats in this area also. He suggested to have a Workshop about how are we going to educate the public concerning the referendum coming up in August.

14. Staff Reports and Recommendations

a. Presentation of Settlement Agreement: Perez vs City of Crestview

Mr. Craig Dennis, 1591 Summit Lake Drive Tallahassee an Attorney representing the law firm of Dennis, Jackson and Fontella. Mr. Dennis stated that this settlement dates back to April of 2014 there was a retention pond that collapsed and caused damaged to 226 Seneca Trail. There were two mediations conducted with a positive outcome. There will be a non-monetary compensation of building a dock and some other items on the property, so that the land owner will have lake front property again.

Discussion ensued.

Mr. Whitten asked for action by Council.

A motion made by Mr. Hayes to approve the settlement agreement as presented, with non-construction costs to be paid from the Contingency account if funds are not available in legal fees. Seconded by Mr. Cox with 5 yeas from Mr. Hayes, Mr. Cox, Mr. Whitten, Mr. Faircloth, Mr. Blocker, 0 nays, motion carried.

b. Presentation of Employment Contracts- Chief Taylor

Deputy Chief Brown presented to the Council, employment contracts he then asked Ms. Roy to further explain.

Ms. Roy, City Clerk stated that these employment contracts, gives the City an opportunity for payback. That if these officers are trained for certain specialties and they go to another agency to use that training there they would have to pay back for that training.

Discussion ensued.

Mr. Whitten asked for action by Council.

A motion made by Mr. Cox to approve the use of employment contracts for these positions at the Police Department as presented. Seconded by Mr. Blocker with 5 yeas from Mr. Cox, Mr. Blocker, Mr. Whitten, Mr. Faircloth, Mr. Hayes with 0 nays, motion carried.

c. Ordinance 1632 Traffic Impact Fee- First Reading- Growth Management

President Whitten asked the City Clerk to read Ordinance 1632.

City Clerk stated, "Ordinance 1632 reads by title,

ORDINANCE NO. 1632

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR A WAIVER PERIOD FOR THE COLLECTION OF THE TRAFFIC IMPACT FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

This is the First Reading of Ordinance 1632."

President Whitten asked for Staff Reports.

Ms. Gaillard, Growth Management Director, stated that in December it was decided to extend the waiver for six (6) months which will expire on June 30, 2018. During that time we are requesting to present, Alternative Calculations Methods of Impact Fees in a workshop format in either February or March.

Discussion ensued.

President Whitten asked for action by Council.

A motion made by Mr. Hayes to adopt Ordinance 1632 on First Reading and move to Second Reading. Seconded by Mr. Faircloth with 5 yeas from Mr. Hayes, Mr. Faircloth, Mr. Whitten, Mr. Cox, Mr. Blocker with 0 nays, motion carried.

i. Request Special Meeting January 22nd at 5:30 pm for adoption Reading of 1632

Ms. Gaillard, Growth Management Director requested a Special Meeting on January 22nd at 5:30 pm prior to the Workshop scheduled on the same day.

Council gave consensus for the Special Meeting and the Workshop.

d. Crestview Charter Review Committee- Administrative Assistant

Ms. Gaillard, stated that for the Charter Review Committee Members to be released, it needs to be determined that they have completed their task. There needs to be a consensus from Council that the Crestview Charter Review Committee has completed their task and have no other obligations to the Board to render some type report but have completed their task. Once this happens the Committee will cease to exist.

The Council gave its consensus.

e. Scheduling of Environmental Center Workshop

Mr. Whitten inquired of what the topic is for the January 22nd Workshop.

Ms. Gaillard answered that the topic is Recreational Vehicles and Environmental Center.

Mr. Whitten stated that the President of Kiwanis, Jeff Morgan has requested to come before Council to give us an update on the funds raised and the direction for the Environmental Center. He then asked for a consensus from Council to include this presentation in the Workshop.

Council gave their consensus for the presentation.

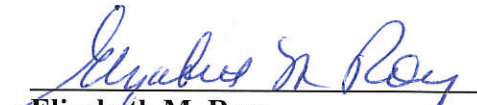
15. Comments from the Audience

Mr. Cal Zethmayr, WAAZ 506 West 1st Ave, Crestview FL, inquired on the item added to the Consent Agenda.

Ms. Roy, City Clerk answered that the company who provides service for the utility bills recently went out of business and over the last week a replacement was found to provide service for the next cycle of billing.

16. Adjournment

This meeting was adjourned by Mr. Whitten at 7:37 p.m.


Elizabeth M. Roy
City Clerk


J B Whitten
Council President

Minutes approve this 12 day of Feb, 2017