

City Council Meeting
January 9, 2017
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 Joe Blocker, Vice President J.B. Whitten, Shannon Hayes, Bill Cox, 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. Blocker at 6:00 p.m.

2. Invocation: Rev. Mark Dillman, Airport Road Church of Christ, Pledge of Allegiance

The invocation and pledge were led by Reverend Mark Dillman of the Airport Road Church of Christ church.

3. Open Policy making and legislative session

4. Special Presentations

Crestview Main Street Association presented awards for the Christmas Parade and the Christmas Window Decorating Contest.

Mayor Cadle presented the City Clerk, Betsy Roy with the Service Employee Award for five years of service for the City of Crestview.

Mayor Cadle recognized Ms. Pat Hollaran for being the Chairperson on the City of Crestview Centennial Committee.

5. Approval of Minutes

Approval of the minutes from the October 10, 2016 Council Meeting, October 24, 2016 Special Meeting, October 24, 2016 Workshop, November 14, 2016 City Council Meeting.

Mr. Hayes noted a correction in the Minutes of October 10, 2016.

A motion made by Mr. Whitten to approve the minutes from the October 10, 2016 Council Meeting, October 24, 2016 Special Meeting, October 24, 2016 Workshop, and November 14, 2016 City Council Meeting. Seconded by Mr. Cox with 5 yeas from Mr. Whitten, Mr. Cox, Mr. Blocker, Mr. Faircloth, Mr. Hayes, with 0 nays, motion carried.

6. Public Hearings:

a. Ordinance 1612- Rezoning of the Courthouse Parcel- Growth Management

President Blocker asked the City Clerk to read Ordinance 1612.

City Clerk, stated "Mr. President Ordinance 1612 reads by title,

ORDINANCE NO. 1612

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 2.57 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM COMMERCIAL DISTRICT (C-1) ZONING TO DOWNTOWN MIXED USE 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 of Ordinance 1612."

President Blocker asked for Staff Reports.

Ms. Gaillard, Growth Management Director informed Council that the ordinance was introduced in a First Reading on November 28, 2016 and all details were read into the record at that time. This is a request from the Okaloosa County Board of County Commissioners to rezone the property to be in compliance to the Downtown Mixed Use District Zoning.

President Blocker asked for Public input, there was none; he closed the Public Hearing and asked for action by Council.

A motion made by Mr. Cox to approve Ordinance 1612 on Second Reading and send to council President, Mayor and City Clerk for signatures. Seconded by Mr. Hayes with 5 votes from Mr. Cox, Mr. Hayes, Mr. Blocker, Mr. Whitten, Mr. Faircloth with 0 nays, motion carried.

b. Ordinance 1613- Vacation of a portion of the Platted Right of Way of Main Street- Growth Management

President Blocker asked the City Clerk to read Ordinance 1613.

City Clerk, stated, "Mr. President, Ordinance 1613 reads by title,

ORDINANCE NO. 1613

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, VACATING AND ABANDONING THE RIGHT OF WAY PLATTED AS MAIN STREET, LYING ADJACENT TO BLOCK E AND BLOCK 60, AS SHOWN ON THE T. W. COLEMAN SURVEY MAP OF THE TOWN OF CRESTVIEW, AND THE RESERVATION OF NON-EXCLUSIVE PERPETUAL UTILITY EASEMENT; PROVIDING FOR UPDATE OF THE CRESTVIEW BASE, ZONING AND LAND USE MAPS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR FILING OF THIS ORDINANCE WITH THE CLERK OF CIRCUIT COURT OF OKALOOSA COUNTY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This is the Second Reading of Ordinance 1613."

President Blocker asked for Staff input.

Ms. Gaillard, Growth Management Director, informed Council that the ordinance was introduced in a First Reading on November 28, 2016. It is a small area of platted right of way that lies under the northwest corner of the existing Courthouse. The surface needs to be vacated so that construction can continue.

President Blocker asked for Public input, there was none; he closed the Public Hearing and asked for action by Council.

A motion made by Mr. Whitten to adopt Ordinance 1613 on Second Reading and send to Council President, Mayor, and City Clerk for signatures. Seconded by Mr. Hayes with 5 yeas from Mr. Whitten, Mr. Hayes, Mr. Blocker, Mr. Faircloth, Mr. Cox, with 0 nays, motion carried.

7. Public Opportunity on Council Propositions

8. Consent Agenda

- a. Approval of invoice from Ben Holley for \$3,937.50
- b. Approval of Ard, Shirley and Rudolph invoice in the amount of \$2,513.60
- c. Approval of task Order Number 4 from CH2M Hill.
- d. Approval of Fee and Payment Schedule for Modifications to the Land Development Code and Regulations- JE Dorman, Growth Management Consultant.
- e. Acceptance of the Homeowners Documentations for the PUD 16-01 Shiloh Place Townhome.
- f. Approval of the request for Certificate of compliance for a 2APS Beer and Wine License- RM Enterprise Florida, LLC-3 DBA A1 Beer Mart.
- g. Approval for City function- CRA's "Jack Frost Winterfest" to be held at Spanish Trail Park on February 18, 2017.
- h. Approval of Contract to perform a Video Inspection of Well #9 on Old Bethel Road.

Mr. Hayes requested that Consent Agenda Item "d" be removed from the Consent Agenda.

Mr. Blocker asked for action by Council.

A motion made by Mr. Whitten to approve Consent Agenda Items "a", "b", "c", "e", "f", "g", "h". Seconded by Mr. Hayes with 5 yeas from Mr. Whitten, Mr. Hayes, Mr. Blocker, Mr. Cox, Mr. Faircloth with 0 nays, motion carried.

Mr. Hayes stated that his request for the item to be removed is so that Mr. Dorman can provide Council with more information concerning that item "d". It was briefly discussed in the previous Workshop but for the amount that is requested more information needs to be given.

Mr. Dorman thanked Council for opportunity to speak about the request that is a little over sixty thousand dollars. He explained the process of modifying the Land Development Code to meet Florida Statutes and to line up with the current Comprehensive Plan.

Mr. Hayes noted that the last time this was updated was 1992.

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

9. Resolutions

10. Committee Reports

a. Presentation by Main Street Association

These presentations were completed earlier in the Agenda under Special Presentations.

11. Scheduled Presentations from the Public

a. Statement to Council by Rustic Reflections

The owner of Rustic Reflections located on Main Street thanked Council for allowing her time to speak. She stated that at a previous Council Meeting a person spoke on behalf of Rustic Reflections regarding the alcohol ordinance but the person does not speak for this business and is not an owner or partner. The business owner was not aware of the action taken by this person during that meeting.

Mr. Blocker thanked her for clarifying that issue for Council.

12. Project Reports and Comments from the Public

a. Appointment of Tim Granberry to Crestview Housing- Mayor Cadle

Mayor Cadle stated that he would like to give Code Enforcement Officers more authority as it pertains to issuing fines or speeding up the property condemnation process to property owners. He would like Council to consider researching ordinances that are already in place before the next meeting.

Mayor Cadle informed Council of a meeting that he had with Dr. Gutierrez from Florida International University concerning the Physicians Assistants School in Crestview in the next two to three years.

Mayor Cadle stated that he would like Council to approve the appointment of Mr. Tim Granberry to the Crestview Housing Authority Board.

A motion made by Mr. Hayes to accept the Mayor's appointment of Tim Granberry to the Crestview Housing Authority. Seconded by Mr. Whitten with 5 yeas from Mr. Hayes, Mr. Whitten, Mr. Blocker, Mr. Faircloth, Mr. Cox, with 0 nays, motion carried.

Mr. Faircloth stated that he would like to include dilapidated commercial properties with the Mayor's request of giving the Code Enforcement more ability to speed their process up.

Mr. Hayes agrees with the statement from Mayor Cadle and Mr. Faircloth he feels that it's a bad representation of the City. He informed Council that Ms. Zenobia Richardson, the Mayor's executive assistant, will be the speaker for this year's Martin Luther King Jr. celebration that will happen this Saturday.

Mr. Whitten concurs with his fellow Council members about the Mayor's suggestion concerning code enforcement. He reminded Council about the Workshop scheduled for the end of the month

to discuss legislative issues for the session in Tallahassee. Mr. Whitten spoke about attending the Crestview Professional Connections meeting last Thursday morning and how beneficial it is to have a group like that in this City. He also attended a meeting for the 20th annual Relay for Life event happening this year. The chairperson for this is Christy Reed who made a presentation at the last Kiwanis Club meeting. Because this event normally has city wide participation he issued a fifty-dollar challenge to Council and the Mayor to help them raise the funds to pay the Facility Rental fee for Warriors Hall where Relay for Life will be holding their big kick-off meeting.

Mr. Cox concurred with his fellow Council members on enforcing the City codes as it pertains to property.

Mr. Blocker supports giving more authority to Code Enforcement Officers to enforcing the City codes.

13. Staff Reports and Recommendations

a. ~~Radio Tower Contract- Chief Traylor (this item was pulled from the Agenda)~~

b. Publix @ Northcrest- Right of Way and Access Easement Documentation- Growth Management

Ms. Gaillard, Growth Management Director, stated that final documentation was to be received from Publix as of yet it has not been received. There have been several conversations between Publix, Mr. Holley and Ms. Gaillard discussing the easement on their property and the applicant, Publix will be submitting a properly executed Warranty Deed and Title Policy concerning the access easement. A Special Meeting may be needed to present the information to Council.

c. Ordinance 1615- Chapter 18, Article III, Cannabis Related Activities- Growth Management

President Blocker asked the Clerk to read Ordinance 1615.

City Clerk stated, "Mr. President Ordinance 1615 reads by title,

ORDINANCE NO. 1615

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, CREATING CHAPTER 18 ARTICLE III, CANNABIS RELATED ACTIVITIES; PROVIDING FOR AUTHORITY; PROVIDING FOR THE CREATION OF CHAPTER 18 ARTICLE III, CONTAINING SECTION 18-76. DEFINITIONS; SECTION 18-77. TEMPORARY MORATORIUM, WHICH ESTABLISHES A TEMPORARY MORATORIUM ON GROWING, CULTIVATION, PROCESSING, MANUFACTURING, DISPENSING, DISTRIBUTION, AND WHOLESALE AND RETAIL SALE OF MEDICAL CANNABIS, LOW-THC CANNABIS, AND

DERIVATIVE PRODUCTS, OR ANY RELATED ACTIVITIES; ESTABLISHING A TEMPORARY MORATORIUM ON THE OPENING, RELOCATION, OR EXPANSION OF ANY MEDICAL MARIJUANA DISPENSING FACILITY WITHIN THE CITY LIMITS; SECTION 18-78, STUDY AND RECOMMENDATIONS; SECTION 18-79. PENALTIES; AND SECTIONS 18-80 – 18-99. RESERVED; PROVIDING FOR SEVER- ABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

This is the First Reading of Ordinance 1615.”

President Blocker asked for Staff presentation.

Ms. Gaillard, Growth Management Director stated that in 2016 the Florida Legislature amended the Right to Try Act, codified at Section 499.0295, Florida Statutes, which amended the Compassionate Use Act and legalized the cultivation, production, and dispensing of “Medical Cannabis,” as defined by Section 381.986(1)(f), Florida Statutes, and derivative products by a licensed dispensing organization to “Eligible Patients,” as defined by Section 499.0295, Florida Statutes. In November, Florida voters decided to amend the Florida Constitution to legalize the cultivation, production, and dispensing of medical cannabis for a broader population of eligible patients. Currently, Florida laws relating to the cultivation, production, and dispensing of cannabis products are rapidly changing- raising substantial questions about whether cannabis-related uses, may have deleterious and negative secondary effects on the City.

However, the comprehensive State licensing and regulatory framework directs that the criteria for the number and location of, and other permitting requirements that do not conflict with the state law or department rule for, dispensing facilities of cannabis businesses may be determined by local ordinance.

The purpose of this ordinance is to place a temporary moratorium on Medical Cannabis Activities, for a period of time reasonably necessary for the city to determine the best way to regulate Medical Cannabis Activities for the benefit of the public health, safety, and welfare and to promulgate reasonable regulations relating to such activities. The temporary moratorium will reduce the likelihood of the unregulated negative secondary effects of cannabis dispensing facilities, while allowing the opportunity to investigate the impacts of cannabis dispensing facilities and to formulate reasonable regulations relating to such establishments.

Ms. Gaillard stated that the moratorium would be in effect until September 1, 2017. The new State laws come out in July of 2017 and this would give ample time to study and research. If by September 2017 more time is required to research and study additional laws that come out in July, Council can extend the moratorium to a different time.

Discussion ensued relative to information presented.

President Blocker asked for action by Council.

A motion made by Mr. Hayes to adopt Ordinance 1615 on the First Reading and move to the Second Reading. Seconded by Mr. Cox with 5 yeas from Mr. Hayes, Mr. Cox, Mr. Blocker, Mr. Faircloth, Mr. Whitten with 0 nays, motion carried.

14. Comments from the Audience

Ms. Roy, City Clerk asked Council if the scheduled meeting on Thursday was to be cancelled.

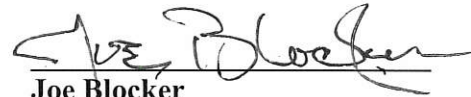
Discussion ensued and it was stated by Mr. Whitten there should be no change to that meeting.

15. Adjournment

This meeting was adjourned by Mr. Blocker at 7:07 p.m.



Elizabeth M. Roy
City Clerk



Joe Blocker
Council President

Minutes approve this 13 day of March 2017.