City Council Meeting
June 8, 2020
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 Shannon Hayes, Joe Blocker, Andrew Rencich, Cynthia Brown and Harry LeBoeuf. Also present were the honorable Mayor JB Whitten, City Clerk Elizabeth Roy, City Manager Tim Bolduc, City Attorney Mr. Holloway, department heads and members of the press.

REGULAR AGENDA

1. Called to Order

This meeting was called to order by the Honorable Mayor Whitten at 6:00 p.m.

2. Invocation and Pledge of Allegiance

The invocation was led by Mr. Bolduc, City Manager with the pledge led by Mayor Pro-Tem Hayes.

3. Open Policy making and legislative session

4. Approval of Agenda

Mayor Whitten asked if there were any changes or objections to the current Agenda and asked for action by Council.

A motion made by Mr. Rencich to approve the current Agenda. Seconded by Mr. Hayes with 5 yes from Mr. Rencich, Mr. Hayes, Mr. Blocker, Ms. Brown, Mr. LeBoeuf with 0 nays, motion carried.

5. Presentations

Mayor Whitten presented a Certificate of Appreciation to Mr. Steve Strom for his work on the radio broadcast for the National Day of Prayer and the Movie Night in May.

5.1 Presentation All In Credit Union

Mayor Whitten recognized the donation given from Ms. Hannah Wilburn of All In Credit Union for the Small Business Grant program. Ms. Wilburn also a presented a check for the Disc Golf course for $500.00 to sponsor a hole.

5.2 Presentation from Mr. Tim Stewart, Edward Jones Investment

Mayor Whitten recognized the $3,500.00 donation for the Small Business Grant program from Mr. Stewart and Ms. Marcia Fleming from Edwards Jones.

6. Consent Agenda

7. Resolutions

7.1 Resolution 2020-8 CDBG Citizen Participation Plan

Mr. Bolduc, City Manager informed the Council that the City of Crestview receives the opportunity for funding from the U.S. Department of Housing and Urban Development (HUD), through the Community Development Block Grant (CDBG) Program. The City is considered eligible to be considered as an "entitlement community" with a prescribed formula for funding developed by the U. S. Department of Housing and Urban Development (HUD). The Formula uses select City demographic information. Staff is currently in the process of developing the first Five Year CDBG Consolidated Plan. CDBG projects must meet HUD national objectives and be designed to benefit low- and moderate-income persons or aid in the prevention or elimination of slum and blight.

The adoption of this plan will ensure that community has an opportunity to participate in the allocation of funding each year. For this reason, it is important that the plan includes an advisory committee that will be representative of the community. This committee will review applications and advise the City Council on programs that it believes will be beneficial to the program. The resolution provided herein will officially adopt the plan and allow staff to move forward with developing the CDBG program for the City of Crestview.

RESOLUTION: 2020-8

A RESOLUTION relating to adoption of the City's Community Development Block Grant (CDBG) and Citizen Participation Plan; providing for severability; and providing an effective date.

Mayor Whitten asked for action by Council.

A motion made by Mr. Hayes to adopt Resolution 2020-08. Seconded by Mr. LeBoeuf with 5 yeas from Mr. Hayes, Mr. LeBoeuf, Ms. Brown, Mr. Blocker, Mr. Rencich with 0 nays, motion carried.

7.2 Resolution 2020-9 Budget Amendment

Mr. Bolduc, City Manager informed the Council that The City recently received a donation from Kiwanis Club in the amount of $25,057.62 for the full purchase price of environmental park playground equipment. With the donation from Kiwanis Club, there is no negative financial impact to the City. With Council acceptance of the donation and approval of the equipment purchase, a budget amendment will be required as noted in the attached resolution.

Mayor Whitten asked the Clerk to read Resolution 2020-9 by title.

Ms. Roy, City Clerk stated, "Resolution 2020-9 reads by title,

RESOLUTION: 2020-9

A RESOLUTION OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING THE BUDGET TO MORE ACCURATELY REFLECT ESTIMATED REVENUES AND APPROPRIATIONS. THE AMENDMENT IS THE RESULT OF MONEY DONATED FOR THE PURCHASE OF PLAYGROUND EQUIPMENT AT THE JOHN MCMAHON ENVIRONMENTAL CENTER; AND PROVIDING FOR AN EFFECTIVE DATE.

This is Resolution 2020-9."

Mayor Whitten asked for action by Council.

A motion made by Mr. Rencich to adopt Resolution 2020-9. Seconded by Mr. LeBoeuf with 5 yeas from Mr. Rencich, Mr. LeBoeuf, Ms. Brown, Mr. Hayes, Mr. Blocker with 0 nays, motion carried.

7.3 Resolution 2020-10 Formation of a Citizen's Advisory Council

Mayor Whitten wishes to from a Citizens' Advisory Council for the City of Crestview. The purpose of this Council will be to advise the Mayor on issues, policy and activities throughout the City. The mayor will hold meetings with the advisory council as needed to obtain insight from the members on any given item being discussed. The Mayor will share the information collected with the City Manager and City Council as needed. The common process for establishing Advisory Council is to pass a resolution by the City Council of the City of Crestview.

Mayor Whitten requested the City Clerk to read Resolution 2020-10.

Ms. Roy, City Clerk stated, "Resolution 2020-10 reads by title

,

RESOLUTION 2020-10

A RESOLUTION OF THE CITY OF CRESTVIEW, FLORIDA, ESTABLISHING A CITIZENS' ADVISORY COUNCIL, AND PROVIDING FOR AN EFFECTIVE DATE.

This is the reading of Resolution 2020-10."

Mayor Whitten asked for action by Council.

A motion made by Mr. Blocker to adopt Resolution 2020-10. Seconded by Mr. Hayes with 5 yeas from Mr. Blocker, Mr. Hayes, Mr. Rencich, Mr. LeBoeuf, Ms. Brown with 0 nays, motion carried.

8. Public Hearings- Ordinances on Second Reading

8.1 Ordinance 1769- Recreational Camps Special Exception

Mr. Bolduc, City Manager stated that Ordinance 1769 is on Second Reading to approve the Recreational Camps Special Exception. Staff conducted several meetings with potential developers interested in developing a to recreational campground/ recreational vehicle parks within the City limits. The current Land Development Code does not address this specific use currently. The First Reading was approved on May 11, 2020 with no changes. He then asked the City Clerk to read Ordinance 1769.

Ms. Roy, City Clerk stated "Ordinance 1769 reads by title

ORDINANCE NO. 1769

AN ORDINANCE PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR RECREATIONAL CAMPS; PROVIDING PROCEDURES AND REQUIREMENTS FOR APPLICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

This is the Second Reading of Ordinance 1769."

Mayor Whitten asked for action by Council.

A motion was made by Mr. Blocker to adopt Ordinance 1769 on second reading. . Seconded by Mr. Hayes with 5 yeas from Mr. Rencich, Mr. Blocker, Mr. LeBoeuf, Ms. Brown, Mr. Hayes with 0 nays, motion carried.

8.2 Ordinance 1767- Pharmaceutical Sales Special Exception

Mr. Bolduc, City Manager noted that in November of 2016, the citizens of the State of Florida voted to approve Amendment 2, which allowed the use of medical marijuana in the State of Florida. On November 13, 2017 the City Council adopted Ordinance 1629, an ordinance amending Chapter 18 of the Code of Ordinances addressing Cannabis related activities. Ordinance 1629 Revoked the temporary moratorium initially adopted by the City Council. The moratorium prohibited the sale of cannabis within the city limits until such time as the City

Council determined the permanent disposition of the issue. On January 30, 2020 during a workshop to discuss the Cannabis ordinance the City Council instructed the City Manager to prepare an ordinance to allow medical marijuana facilities in appropriate zoning districts. This was approved at First Reading on May 11, 2020 with no changes.

Mr. Bolduc noted that there were citizens in attendance that would like to address Council and then asked the City Clerk to read Ordinance 1767 by title.

Ms. Roy, City Clerk stated "Ordinance 1767 reads by title,

ORDINANCE NO. 1767

AN ORDINANCE PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN THE COMMERCIAL (C-1) DISTRICT; AMENDING SUBSECTION (F) OF SECTION 102-129 OF ARTICLE VII, CHAPTER 102, LAND USE REGULATIONS; PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN THE COMMERCIAL (C-2) DISTRICT; PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN THE DOWNTOWN MIXED USE (DMU) DISTRICT; AMENDING SUBSECTION (H) OF SECTION 102-129 OF ARTICLE VII, CHAPTER 102, LAND USE REGULATIONS; PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN THE INDUSTRIAL (M-1) DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

This is the Second Reading of Ordinance 1767."

Mr. Bolduc noted that there is a current discussion about an existing building that currently does not meet the building requirements according to Ordinance 1767. After speaking with the City Attorney it was agreed that this would be the opportunity for Council to change the minimum lot size and setbacks.

A discussion ensued concerning the changes in the Ordinance.

Mayor Whitten asked for action by Council.

A motion was made by Mr. Hayes to readdress two items in Ordinance 1767 the lot size and the setbacks. Seconded by Mr. Rencich with 3 yeas from Mr. Hayes, Mr. Rencich, Mr. LeBoeuf with 2 nays from Mr. Blocker, Ms. Brown, motion carried.

9. Ordinances on First Reading

9.1 Ordinance 1773- Amending and Renaming Division-5 Code Enforcement Board, Establishing Special Magistrate

Mr. Bolduc, City Manager stated that Ordinance # 1773 amending and renaming Division-5-Code Enforcement Board, Establishing Special Magistrate. A special magistrate provides an equitable and expeditious process that will provide the tools required for a successful code compliance program that will enhance property values and the overall aesthetics of residential and commercial properties in the city. Special magistrates possess the knowledge and jurisdiction, to enforce all non-criminal government ordinances that safeguard the health, safety and welfare of the community by utilizing a variety of tools to ensure compliance, including fines, liens, citations, abatement, and foreclosure. He then asked the City Clerk to read Ordinance 1773.

Ms. Roy, City Clerk stated "Ordinance 1773 reads by title,

ORDINANCE 1773

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING AND REPLACING DIVISION-5-CODE ENFORCEMENT BOARD, IN CHAPTER-2-ADMINISTRATION, ARTICLE-III-BOARDS COMMITTEES AND COMMISSIONS, IN THE CITY OF CRESTVIEW CODE OF ORDINANCES WITH DIVISION-5- SPECIAL MAGISTRATES; PROVIDING FOR AUTHORITY; PROVIDING FOR ESTABLISHMENT OF SPECIAL MAGISTRATES TO CONDUCT ENFORCEMENT HEARINGS; PROVIDING FOR APPOINTMENT OF SPECIAL MAGISTRATES;PROVIDING FOR QUALIFICATIONS OF SPECIAL MAGISTRATES; PROVIDING FOR POWERS OF SPECIAL MAGISTRATES; PROVIDING FOR PROCEDURES FOR ENFORCEMENT HEARINGS; PROVIDING FOR NOTICE AND APPEALS OF SPECIAL MAGISTRATE HEARINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

This the First Reading of Ordinance 1773."

Discussion ensued concerning Ordinance 1773.

Mayor Whitten asked for comment from citizens.

Mr. Barthe, business owner in the City of Crestview presented his views concerning the Ordinance.

Mr. Siler, 497 S. Wilson Street, inquired about how funds would be dispersed and also gave his thoughts.

Mayor Whitten asked for action by Council.

A motion was made by Mr. Blocker to adopt Ordinance 1773 on First Reading and send to Second Reading and approval for the use of a Special Magistrate and to allow the City Manager or designee to advertise for, interview, select and contract the services of a Special Magistrate. Seconded by Ms. Brown with 5 yeas from Mr. Rencich, Mr. LeBoeuf, Mr. Hayes, Mr. Blocker, Ms. Brown with 0 nays, motion carried.

9.2 Ordinance 1774- Amending Chapter 38 Health and Sanitation

Mr. Bolduc, City Manager stated that Ordinance 1774 is to amend Chapter 38 Health and Sanitation. It was adopted in November 1993 and various sections of the ordinance are open for interpretation, antiquated and are virtually enforceable. This code is 27 years making it obsolete and difficult for the code division to perform the job effectively and efficiently. He then asked the City Clerk to read Ordinance 1774 by title.

Ms. Roy stated "Ordinance 1774 reads by title

ORDINANCE 1774

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, RELATING TO PROPERTY MAINTENANCE AND HOUSING STANDARDS; RENAMING AND AMENDING CHAPTER 38 HEALTH AND SANITATION OF THE CITY OF CRESTVIEW CODE OF ORDINANCES; PROVIDING INTENT; PROVIDING FOR APPLICABILITY; PROVIDING DEFINITIONS; PROVIDING FOR BUILDING OFFICIAL; PROVIDING FOR ADMINISTRATIVE FINES, COSTS OF REPAIRS, AND LIENS; PROVIDING FOR NOTICES; PROVIDING FOR SUPPLEMENTAL ENFORCEMENT PROVISIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This is the First Reading of Ordinance 1774."

Discussion ensued.

Mayor Whitten asked for action by Council.

A motion made by Mr. LeBoeuf to adopt Ordinance 1774 on First Reading and move to Second Reading. Seconded by Mr. Hayes with 5 yeas from Mr. Hayes, Mr. Rencich, Mr. LeBoeuf, Ms. Brown and Mr. Blocker with 0 nays from, motion carried.

10. <u>Action Items</u>

10.1 Department of Justice, Corona-Virus Emergency Supplement Funding (CESF)

Mr. Bolduc, City Manager informed Council that Staff is looking for Council approval because the Crestview Police Department is submitting to the council for approval, to seek federal funding under the COVID-19 Grant, identified as the "Coronavirus Emergency Supplemental Funding" grant. This grant would be for the upcoming fiscal year of 2020-2022.

Mayor Whitten asked for action by Council.

A motion made by Mr. Hayes to approve the recommended action for the CESF. Seconded by Mr. LeBoeuf with 5 yeas from Mr. Hayes, Mr. LeBoeuf, Mr. Rencich, Ms. Brown, Mr. Blocker with 0 nays, motion carried.

10.2 Appointment of Planning and Development Board

Mr. Bolduc, City Manager stated this is to appoint new members to the Planning and Development Board that meets monthly and consists of seven members with two alternates. He asked the City Clerk to read the names of the applicants to the Council then if Council chooses to, they can ask questions of the applicants before appointing its members.

Ms. Roy, City Clerk then read the names: Doug Capps, Nicole Palmer, Malcolm Haynes, Warren Robinson, Michael Gilbert, Michael Roy, William Toannon, Mario Werth, Ellis Conner. There were five of the applicants present.

A motion made by Mr. Hayes to appoint Mr. Malcolm Hayes to the Planning and Development Board. Seconded by Ms. Brown with 5 yeas from Mr. Hayes, Ms. Brown, Mr. LeBoeuf, Mr. Rencich, Mr. Blocker with 0 nays, motion carried.

A motion made by Mr. Rencich to appoint Mr. Doug Capps to the Planning and Development Board. Seconded by Ms. Brown with 5 yeas from Mr. Rencich, Ms. Brown. Mr. LeBoeuf, Mr. Hayes, Mr. Blocker with 0nays, motion carried.

A motion made by Mr. Blocker to appoint Mr. Ellis Conner to the Planning and Development Board. Seconded by Mr. Hayes with 5 yeas from Mr. Blocker, Mr. Hayes, Ms. Brown, Mr. LeBoeuf with 1nay from Mr. Rencich, motion carried.

A motion made by Mr. Rencich to appoint Mr. Mario Werth to the Planning and Development Board. Seconded by Mr. LeBoeuf with 5 yeas from Mr. Rencich, Mr. LeBoeuf, Ms. Brown, Mr. Hayes, Mr. Blocker with 0 nays, motion carried.

A motion made by Ms. Brown to appoint Mr. Michael Roy to the Planning and Development Board. Seconded by Mr. Hayes with 5 yeas from Ms. Brown, Mr. Hayes, Mr. Blocker, Mr. Rencich, Mr. LeBoeuf with 0 nays, motion carried.

A motion made by Ms. Brown to appoint Mr. Michael Gilbert and Mr. William Toannon as alternates to the Planning and Development Board. Seconded by Mr. Hayes with 5 yeas from Ms. Brown, Mr. Hayes, Mr. LeBoeuf, Mr. Blocker, Mr. Rencich with 0 nays, motion carried.

10.3 Appointment of CDBG Citizen Advisory Board

Mr. Bolduc, City Manager stated that as a Community Development Block Grant (CDBG) entitlement community, the City must adopt and adhere to a Citizen Participation Plan, as required by 24 CFR Part 91. Resolution 2020 - 8 established the Citizen Participation Plan as a component of the City's Community Development Block Grant (CDBG) Program. As established in section V of the Citizen Participation Plan, the City must establish a Citizen's Advisory Committee. This Board will consist of five members who will meet as needed to review and make recommendations on the proposed annual distribution of CDBG funding and prioritize funding applications.
The submitted names are Alexander Barthè, Bryan Lewis, Patrick O'Malley, Toby Baker, Irmma Winkler, Michael Carroll.

A motion made by Mr. Rencich to appoint Mr. Michael Carrol to the CDBG Citizen Advisory Board. Seconded by Mr. LeBoeuf with 5 yeas from Mr. Rencich, Mr. LeBoeuf, Mr. Blocker, Ms. Brown, Mr. Hayes with 0 nays, motion carried.

A motion made by Mr. Hayes to appoint Mr. Bryan Lewis, Mr. Toby Baker and Ms. Irmma Winkler to the CDBG Citizen Advisory Board. Seconded by Mr. LeBoeuf with 5 yeas from Mr. Hayes, Mr. LeBoeuf, Mr. Blocker, Ms. Brown, Mr. Rencich with 0 nays, motion carried.

A motion made by Ms. Brown to appoint Mr. Alex Barthè to the CDBG Citizen Advisory Board. Seconded by Mr. Hayes with 5 yeas from Ms. Brown, Mr. Hayes, Mr. LeBoeuf, Mr. Blocker, Mr. Rencich with 0 nays, motion carried.

11. <u>City Clerk Report</u>

11.1 Update on the Environmental Center

Ms. Roy, City Clerk presented the Council with before and after pictures of the progress being made at the John McMahan Environmental Center. She noted that once it was complete that there would be a Kiwanis sponsored Chamber After Hours event and a ribbon cutting.

12. <u>City Manager Report</u>

Mr. Bolduc, City Manager informed Council that the City is pretty much back to full operation with limited hours in our recreation department. He noted that a discussion concerning Foxwood property is needed. A lot of the preliminary work has been completed concerning the annexation but due to the Covid-19 there is a need to extend the purchase window because certain decisions need to be made.

Discussion ensued.

Council gave consensus to move forward concerning the Foxwood property.

Mr. Bolduc began to talk about the differences between the Sheriff's office and a Municipal Police Force. He suggested that spending needs to happen on training our current Police Force. This training would not only involve the police department but the department heads. The training will take place in the next fiscal year.

He then gave an update on the small business grant program.

13. Comments from the Mayor and Council

Mr. LeBoeuf commented that he is really pleased with the direction that the City is going in.

Ms. Brown commented that she was happy to attend a meeting in person instead of virtual.

Mr. Blocker gave positive comments to what the City is doing with the small business grant program.

Mr. Hayes gave a shout-out to the Police Chief for taking part in the recent protest.

Mayor Whitten informed that on May 20th the Movie Night will be a sit-down event with a food vendor. After recent discussions there will be a 4th of July celebration with the Triple B on Main Street from 11-7 pm and then at 4 p.m. there will be events at Twin Hills Park.

14. Comments from the Audience

15. Adjournment

This meeting was adjourned by Mayor Whitten at 7:58 p.m.

Elizabeth M Roy

Elizabeth M. Roy
City Clerk

JB Whitten

JB Whitten
Mayor

Minutes approve this 10th **day of** Aug **20__.**