



**CITY COUNCIL REGULAR MEETING AGENDA
MAY 8, 2023
6:00 P.M.
CITY COUNCIL CHAMBERS**

The Public is invited to view our meetings on the City of Crestview Live stream at <https://www.cityofcrestview.org> or the City of Crestview Facebook Page. You may submit questions on any agenda item in advance (by 3:00 p.m. the day of the meeting) to cityclerk@cityofcrestview.org.

- 1. Call to Order**
- 2. Invocation, Pledge of Allegiance**
 - 2.1. Reverend John Ferguson of Oak Ridge Assembly of God
- 3. Open Policy Making and Legislative Session**
- 4. Approve Agenda**
- 5. Presentations and Reports**
 - 5.1. Welcome - Girl Scout Troop 93004
- 6. Consent Agenda**
 - 6.1. Approval of the April 24, 2023 City Council Regular Meeting Minutes
- 7. Public Hearings / Ordinances on Second Reading**
 - 7.1. Ordinance 1930 - Ground Mounted Solar Panels
- 8. Ordinances on First Reading**
- 9. Resolutions**
- 10. Action Items**
 - 10.1. Legacy Place Subdivision Preliminary Plat & Memorandum of Understanding
 - 10.2. Permission to Negotiate - EAP
- 11. City Clerk Report**
- 12. City Manager Report**
- 13. Comments from the Mayor and Council**
- 14. Comments from the Audience**

15. Adjournment

All meeting procedures are outlined in the Meeting Rules and Procedures brochure available outside the Chambers. Florida Statute 286.0105. Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The requirements of this section do not apply to the notice provided in s. 200.065(3). In accordance with Section 286.26, F.S., persons with disabilities needing special accommodations, please contact Maryanne Schrader, City Clerk at cityclerk@cityofcrestview.org or 850-628-1560 option 2 within 48 hours of the scheduled meeting. Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.



Staff Report

CITY COUNCIL MEETING DATE: May 8, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jerry Whitten, Mayor
DATE: 4/27/2023
SUBJECT: Reverend John Ferguson of Oak Ridge Assembly of God

BACKGROUND:

Area clergy volunteer to provide the Invocation.

DISCUSSION:

The invocation is provided as a service to the community.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

RECOMMENDED ACTION

No action required.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: May 8, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jerry Whitten, Mayor
DATE: 5/2/2023
SUBJECT: Welcome - Girl Scout Troop 93004

BACKGROUND:

Girl Scouts may attend governmental meetings to earn a Government Badge.

DISCUSSION:

Girl Scout Troop 93004 is in attendance to earn a Government Badge.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

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Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

No action required.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: May 8, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Maryanne Schrader
DATE: 5/1/2023
SUBJECT: Approval of the April 24, 2023 City Council Regular Meeting Minutes

BACKGROUND:

The routine approval of minutes.

DISCUSSION:

Draft minutes were distributed prior to the meeting.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the minutes of April 24, 2023.

Attachments

1. 04242023 CC Minutes Draft

City Council Minutes - DRAFT
April 24, 2023
6:00 p.m.
Council Chambers

1. Call to Order

The Regular Meeting of the Crestview City Council was called to order at 6:00 p.m. by Mayor JB Whitten. Board members present: Mayor Pro Tem Andrew Rencich, Council members: Doug Capps, Cynthia Brown, Joe Blocker, and Ryan Bullard. Also present: City Manager Tim Bolduc, City Clerk Maryanne Schrader, City Attorney Jonathan Holloway, and various staff members.

2. Invocation, Pledge of Allegiance

2.1. Elder TJ Hearndon of The Shepherd's Church

The Invocation was led by TJ Hearndon of The Shepherd's Church followed by the Pledge of Allegiance.

3. Open Policy Making and Legislative Session

Mayor JB Whitten announced the quorum was met.

4. Approve Agenda

Mayor JB Whitten mentioned that the Bulldog Award item was removed and replaced with a proclamation for Municipal Clerk's Week.

Mayor JB Whitten requested action.

Motion by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Joe Blocker to approve the agenda, as amended.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

5. Presentations and Reports

5.1. Proclamation of Municipal Clerks Week

Mayor JB Whitten presented a proclamation to City Clerk Maryanne Schrader and Deputy City Clerk Natasha Peacock declaring the week of April 30 - May 6, 2023 as Municipal Clerks Week in Crestview.

5.2. Employee of the Quarter

Police Chief Stephan McCosker recognized Deborah Lawson as the Public Safety Employee of the Quarter and detailed her accomplishments this quarter.

Mayor JB Whitten congratulated Ms. Lawson.

Hannah Wilburn of All In Credit Union presented Ms. Lawson with a check mentioning she appreciated her for all she does for the community.

Public Works Director Michael Criddle introduced Candace McCleod as the Employee of the Quarter and recognized her contributions. Hannah Wilburn also thanked the family for supporting the recipients.

6. Consent Agenda

Mayor JB Whitten called for action.

Motion by Councilmember Cynthia Brown and seconded by Councilmember Joe Blocker to approve the Consent Agenda, as presented.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

6.1. Okaloosa County Veteran's Memorial Lease Agreement

6.2. Barge Sewer System Hydraulic Modeling

6.3. Authorization to Proceed with the Foreclosures of Code Compliance Liens

6.4. Multi-Agency Law Enforcement MOU Renewal Approval

6.5. Approval of the minutes of April 10, 2023

7. Public Hearings / Ordinances on Second Reading

7.1. Ordinance 1929 Repeal & Replace Chapter 32 Fair Housing to establish SHIP program

Planning Administrator N. Schwendt presented Ordinance 1929, Repeal and Replace Chapter 32 Fair Housing and Establishing the SHIP program to the City Council. He detailed the requirements for the SHIP program and plan. He asked the City Clerk to read Ordinance 1929.

City Clerk Maryanne Schrader read Ordinance 1929 by Title: An Ordinance of the City of Crestview, Florida, Repealing and Replacing the Current Chapter 32 – Fair Housing With Chapter 32 - Housing, Establishing the Local Housing Assistance Trust Fund, the Local Housing Assistance Program, Provisions Regarding SHIP Program Administration and Implementation, and the Affordable Housing Advisory Committee; Providing For Authority; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing For an Effective Date.

Mayor JB Whitten asked for comment from the Council and the public. In hearing none, Mayor JB Whitten called for action.

Motion by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Douglas Capps to adopt Ordinance 1929 on 2nd reading for final adoption.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

7.2. Ordinance 1922 - Richburg Lane Annexation

Planning Administrator N. Schwendt presented Ordinance 1922 - Richburg Lane Annexation to the City Council. He mentioned the property is to the west of the movie theater and is currently zoned County mixed-use, adding this annexation will be compatible with surrounding zoning. He went over the proper notifications and postings that were made.

Planning Administrator N. Schwendt asked the City Clerk to read Ordinance 1922.

City Clerk Maryanne Schrader read the Ordinance by Title: An Ordinance Annexing to the City of Crestview, Florida, ± 2.45 Acres of Contiguous Lands Located in Section 9, Township 3 North, Range 23 West, and Being Described as Set Forth Herein; Providing For Authority; Providing For Land Description; Providing For Boundary; Providing For Land Use and Zoning Designation; Providing For Amendment to the Base, Land Use and Zoning Maps; Providing For A Comprehensive Plan Amendment; Providing For Filing With the Clerk of Circuit Court of Okaloosa County, the Chief Administrative Officer of Okaloosa County and the Florida Department of State; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing For an Effective Date.

Mayor JB Whitten asked for comment from the Council and public. In hearing none, he called for action.

City Manager Tim Bolduc provided a map of the annexation on the overhead to clarify where the property is located.

Motion by Councilmember Joe Blocker and seconded by Councilmember Ryan Bullard to adopt Ordinance 1922 on second reading.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

7.3. Ordinance 1923 - Richburg Lane Comp Plan Amendment

Planning Administrator N. Schwendt presented Ordinance 1923, Richburg Lane Comprehensive Plan Amendment to the City Council. He mentioned that the staff has determined, per the agreement, that the property is contiguous and eligible for annexation.

Planning Administrator N. Schwendt asked the City Clerk to read Ordinance 1923.

City Clerk Maryanne Schrader read the Ordinance by Title: 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 Okaloosa County Mixed Use to

Commercial (C) on Approximately 2.45 Acres, More or Less, In Section 9, Township 3 North, Range 23 West; Providing For Future Land Use Map Amendment; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing For An Effective Date.

Mayor JB Whitten called for comment from the Council and the public and in hearing none, he called for action.

Motion by Councilmember Cynthia Brown and seconded by Councilmember Ryan Bullard to adopt Ordinance 1923 on second reading.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

7.4. Ordinance 1924 - Richburg Lane Rezoning

City Attorney Jon Holloway swore in Planning Administrator N. Schwendt for the quasi-judicial segments of the meeting.

Planning Administrator N. Schwendt presented Ordinance 1924, Richburg Lane Rezoning to the City Council and asked the City Clerk to read the ordinance. He asked that the staff report be entered into the record: On September 13, 2021, staff received a Petition for Utility Services for a property located at 2810 Richburg Lane, which is outside the city limits of Crestview. Staff has determined that, per the agreement, the property is contiguous and eligible for annexation. The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Mixed Use. Staff proposes the Commercial Low-Intensity District (C-1) zoning designation for the property. The Planning and Development Board recommended approval on April 3, 2023, and the first reading was approved by the City Council on April 10, 2023. The property description is as follows: Property Owner: GIP Crestview LLC, 21805 W Field Pkwy Ste 150, Deer Park, IL 60010; Parcel ID: 09-3N-23-0000-0011-001C; Site Size: 2.45 acres. Current FLU: Okaloosa County Mixed Use; Current Zoning: Okaloosa County Mixed Use; Current Land Use: Commercial. The following table provides the surrounding land use designations, zoning districts, and existing uses. Direction: North; FLU: Okaloosa County Mixed Use; Zoning: Okaloosa County Mixed Use; Existing Use: Vacant. Direction: East; FLU: Okaloosa County Mixed Use; Zoning: Okaloosa County Mixed Use; Existing Use: Vacant; Direction: South; FLU: Okaloosa County Commercial; Zoning: Okaloosa County General; Existing Use: Commercial Commercial; Direction: West; FLU: Okaloosa County Mixed Use and Commercial (C); Zoning: Okaloosa County Mixed Use and Commercial High-Intensity District (C-2) Commercial. The subject property is currently developed for commercial use and a development application has not been submitted. Based on the proposed land-use and zoning designations, the property use will continue as commercial. Staff reviewed the request for rezoning and finds the following:

- The proposed zoning is consistent with the proposed future land use designation.
- The uses within the requested zoning district are compatible with uses in the adjacent zoning districts.

- The requested use is not substantially more or less intense than allowable development on adjacent parcels.

A notice was sent to the property owner on March 3, 2023. Courtesy notices were mailed to property owners within 300 feet of the subject property on March 14, 2023. The property was posted on March 20, 2023. An advertisement ran in the Crestview News Bulletin on March 23 & 30, 2023.

Planning Administrator then asked the City Clerk to read the ordinance.

City Clerk Maryanne Schrader read Ordinance 1924 by Title: An Ordinance of the City of Crestview, Florida, Providing For the Rezoning of 2.45 Acres, More Or Less, Of Real Property, Located In Section 9, Township 3 North, Range 23 West, From the Okaloosa County Mixed Use Zoning District to the Commercial Low-Intensity District (C-1) Zoning District; Providing For Authority; Providing For the Updating of the Crestview Zoning Map; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing for an Effective Date.

Mayor JB Whitten called for comment from the Council and from the public. In hearing none, he called for action.

Motion by Councilmember Joe Blocker and seconded by Councilmember Douglas Capps to adopt Ordinance 1924 on second reading.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

7.5. Ordinance 1925 - Richburg Lane and Third Avenue Annexation

Planning Administrator N. Schwendt presented Ordinance 1925 to the City Council regarding property on Third Avenue and 2828 Richburg Lane. The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential & Mixed Use and Residential-1 & Mixed Use. He went over the details depicted on the map stating the subject property is currently vacant and meets the criteria of urban purposes. He added a report was also provided by the applicant detailing that the annexation meets the standard. He added courtesy mailings and postings were made.

Planning Administrator N. Schwendt asked the City Clerk to read the ordinance.

City Clerk Maryanne Schrader read Ordinance 1925 by title: An Ordinance Annexing to the City of Crestview, Florida, ± 23.28 Acres of Contiguous Lands Located In Section 4, Township 3 North, Range 23 West, And In Section 9, Township 3 North, Range 23 West and Being Described As Set Forth Herein; Providing For Authority; Providing For Land Description; Providing For Boundary; Providing For Land Use And Zoning Designation; Providing For Amendment to the Base, Land Use and Zoning Maps; Providing For A Comprehensive Plan Amendment; Providing For Filing With the Clerk of Circuit Court of Okaloosa County, the Chief Administrative Officer of Okaloosa County and the Florida

Department of State; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing For an Effective Date.

Mayor JB Whitten called for comment from the Council.

Councilmember R. Bullard asked about the annexation creating an enclave and whether the PDB gave a reason for not recommending approval.

City Attorney J. Holloway replied the property is an enclave, however, the property can only be reached by traveling through the city. City Manager T. Bolduc mentioned he met with the PDB and spoke on traffic concerns, as well. The PDB mentioned that the issue was not the property situated to the south, but they were concerned about the north piece. He said staff merged the two parcels into one ordinance because the two parcels were connected. They will separate the parcels in the future in case concerns arise.

Mayor JB Whitten called for comment from the public.

Stacey Harris was concerned about the safety in the neighborhood and access. The property owners are also concerned about the millage rate and that taxes would double.

Doug Harris was concerned about the traffic from the commercial businesses adding he does not want to be annexed in the city. Mayor JB Whitten said we cannot involuntarily annex property into the city.

Steve Hall, attorney representing the applicant, said he watched the Planning Board meeting and stated the criteria in the staff report was not addressed at the meeting. He added staff has laid the information out professionally in the staff report. He mentioned it is important to note that the client does not have a specific plan yet. However, he hopes to develop a multifamily development by adding the project is for developing an urbanized area. He mentioned they also provided a detailed analysis from a professional planner which provides additional details in the staff report.

Mayor JB Whitten called for action.

Motion by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Cynthia Brown to adopt Ordinance 1925 on second reading.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

- 7.6. Ordinance 1926 - Richburg Lane and Third Avenue Comp Plan Amendment
Planning Administrator N. Schwendt presented Ordinance 1926, Richburg Lane, and Third Avenue Comprehensive Plan Amendment to the City Council, as previously stated the property is for mixed use as in the previous ordinance. The planning analysis has been provided in the staff report.

Planning Administrator N. Schwendt asked the City Clerk to read Ordinance 1926.

City Clerk Maryanne Schrader read Ordinance 1926 by Title: 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 Okaloosa County Low Density Residential and Mixed Use To Mixed Use (Mu) On Approximately 23.28 Acres, More Or Less, In Section 4, Township 3 North, Range 23 West, and In Section 9, Township 3 North, Range 23 West; Providing For Future Land Use Map Amendment; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing For an Effective Date.

Mayor JB Whitten called for comment from the Council.

Mayor JB Whitten called for comment from the public. In hearing none, he called for action.

Motion by Councilmember Douglas Capps and seconded by Councilmember Ryan Bullard to adopt Ordinance 1926 on second reading.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

7.7. Ordinance 1927 - Richburg Lane and Third Avenue Rezoning

Planning Administrator N. Schwendt presented Ordinance 1927, Richburg Lane and Third Avenue Rezoning, to the City Council mentioning the information is the same as in the last Ordinance. He asked that the staff report be entered into the record: On February 27, 2023 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located on Third Avenue and at 2828 Richburg Lane. The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential & Mixed Use and Residential-1 & Mixed Use, respectively. The application requests the Mixed Use (MU) zoning designation for the property. On April 3, 2023, the Planning and Development Board recommended Ordinance 1927 not be approved. The first reading was approved by the City Council on April 10, 2023. The property description is as follows: Property Owner: MH Crestview Land LLC; 17005 Emerald Coast Pkwy; Destin, FL 32541; Parcel ID: 04-3N-23-1840-0012-0080; 09-3N-23-0000-0011-001A; Site Size: 23.28 acres; Current FLU: Okaloosa County Low Density Residential & Mixed Use; Current Zoning: Okaloosa County Residential-1 & Mixed Use; Current Land Use: Vacant. The following table provides the surrounding land use designations, zoning districts, and existing uses.

Third Avenue Parcel.	Direction: North; FLU: Okaloosa County Low Density Residential; Zoning: Okaloosa County Residential-1; Existing Use: Residential;
	Direction: East; FLU: Okaloosa County Low Density Residential; Zoning: Okaloosa County Residential-1; Existing Use: Residential;
	Direction: South; FLU: Mixed Use (MU); Existing Use: Vacant.
	Direction: West; FLU: Okaloosa County

Low Density Residential; Zoning: Okaloosa County Residential-1; Existing Use: Residential. Richburg Parcel: Direction: North; FLU: Commercial (C) & Mixed Use (MU); Zoning: Commercial High-Intensity District (C-2) & Mixed Use (MU); Existing Use: Commercial & Vacant; Direction: East; FLU: Okaloosa County Low Density Residential & Mixed Use; Zoning: Okaloosa County Residential-1 & Mixed Use; Existing Use: Residential & Commercial; Direction: South; FLU: Okaloosa County Low Density Residential; Zoning: Okaloosa County Residential-1; Existing Use: Residential & Vacant; Direction: West; FLU: Okaloosa County Commercial Low Density Residential & Mixed Use; Zoning: Okaloosa County General Commercial, Residential-1 & Mixed Use Commercial; Existing Use: Residential & Vacant. The subject property is currently vacant, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property could be developed for residential or low-intensity commercial use. Staff reviewed the request for rezoning and finds the following:

- The proposed zoning is consistent with the proposed future land use designation.
- The uses within the requested zoning district are compatible with uses in the adjacent zoning districts.
- The requested use is not substantially more or less intense than allowable development on adjacent parcels.

Courtesy notices were mailed to property owners within 300 feet of the subject property on March 14, 2023. The property was posted on March 20, 2023. An advertisement ran in the Crestview News Bulletin on March 23 & 30, 2023.

Planning Administrator N. Schwendt asked the City Clerk to read Ordinance 1927.

City Clerk Maryanne Schrader read Ordinance 1927 by Title: An Ordinance of the City of Crestview, Florida, Providing For the Rezoning of 23.28 Acres, More Or Less, Of Real Property, Located In Section 4, Township 3 North, Range 23 West, and In Section 9, Township 3 North, Range 23 West, From the Okaloosa County Residential-1 and Mixed Use Zoning District to the Mixed Use (Mu) Zoning District; Providing for Authority; Providing for the Updating of the Crestview Zoning Map; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing For an Effective Date.

Mayor JB Whitten called for comment from the Council.

City Attorney J. Holloway requested the City Council disclose any ex-parte communication, if applicable. Councilmember C. Brown mentioned she has visited the site.

Mayor JB Whitten called for comment from the public. In hearing none, he called for action.

Motion by Councilmember Cynthia Brown and seconded by Mayor Pro-Tem Andrew Rencich to adopt Ordinance 1927 on second reading.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

8. Ordinances on First Reading

8.1. Ordinance 1930 - Ground Mounted Solar Panels

Planning Administrator N. Schwendt presented Ordinance 1930, Ground Mounted Solar Panels, to the City Council mentioned that the PDB reviewed it again and have given a recommendation for approval.

Planning Administrator N. Schwendt asked the City Clerk to read Ordinance 1930.

City Clerk Maryanne Schrader read Ordinance 1930 by Title: An Ordinance of the City of Crestview, Florida, Amending Section 2.02.00 – Definitions and Section 7.01.00 – Accessory Structures, of the City of Crestview Land Development Code to Define and Provide Standards For Ground Mounted Solar Energy Systems; Providing For Authority; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing for an Effective Date.

Mayor JB Whitten called for comment from the Council. Councilmember C. Brown stated she appreciates that staff worked with the Planning Development Board to put the ordinance information together.

Mayor JB Whitten called for comment from the public and in hearing none, he called for action.

Motion was made by Councilmember Douglas Capps and seconded by Councilmember Joe Blocker to approve Ordinance 1930 on 1st reading and move to second reading for final adoption.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

9. Resolutions

Mayor JB Whitten mentioned none was brought forward.

10. Action Items

10.1. Brookmeade Park Improvements Conceptual Design

City Manager T. Bolduc presented the Brookmeade Park Improvement Conceptual Design to the City Council. He said the intent is to capture some of the tourists as they travel to the beach. DAG architects have created the design, but the project is ready for the engineering and design. We are working on relocating the spray fields and will present a plan for the recreational complex afterward. This helps us demonstrate to the TDC the overall vision. The RV parking will provide bed tax. One section will cater to skateboarding and the other to the RC track. He went over some expansion ideas and partnerships opportunities on the overhead stating BMX

regional activities is an option. He displayed the parking options and accessibility component, as well as the proposed retail and food truck options. He explained we are requesting TDC money on the capital side, adding the bed tax district expansion will assist us.

Mayor JB Whitten called for comment from the Council.

Councilmember J. Blocker asked about a picnic area and City Manager T. Bolduc showed the area with six picnic tables but will find out how many people the area would accommodate.

Councilmember R. Bullard stated he supports the expansion of the picnic area but voiced concern about RV parking stating he does not want it to be for long-term. In reply, City Manager T. Bolduc said the rules will preclude long term stays. He added there will be hookups and pump-out stations. He added that events may be reserved for a fee. Councilmember R. Bullard requested a fence around the playground, so children cannot run into traffic. He added he does not support the BMX option. City Manager T. Bolduc said he would return with a business plan that is marketable to Council before making a decision.

Mayor Pro Tem Rencich said we would need a model for the BMX, as we may need to expand the skatepark and suggested shifting it to the east. He added RV slides are not conducive to the trees. City Manager T. Bolduc said we will determine where to place the trees.

Mayor JB Whitten commented that the RC track is packed, so the expansion is needed. City Manager T. Bolduc stated after hearing the discussion, the BMX option will be removed.

Mayor JB Whitten called for comment from the public. In hearing none, he called for action.

Motion by Councilmember Ryan Bullard and seconded by Councilmember Cynthia Brown to approve the execution of the Brookmeade Park Improvements Conceptual Design with proposed amendments.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

11. City Clerk Report

11.1. Update for March 2023

City Clerk M. Schrader mentioned that the staff report contained the routine processes and projects but went over a couple of highlights.

12. City Manager Report

12.1. Financial Update - Finance Director

Finance Director Gina Toussaint provided a financial update for the February report and March check registers reporting period. She also announced the auditors will be presenting their report in the next month or so. City Manager T. Bolduc displayed the check register in Laserfiche on the overhead.

12.2. Planning Development Board Membership

City Manager Tim Bolduc mentioned he had provided an update to the Planning and Development Board at a special meeting regarding major projects. He also went over the Strategic Planning information and updated the process on customer-related annexations that are not contiguous. He said there is no requirement to separate them, but the PDB wanted the ordinances separated, so they can make specific comments. He added the PDB members did not have an issue with the southern portion of the property.

He explained that on June 8, 2020, the Planning Development Board was established in the LDC and PDB members were appointed for three-year terms. He went over the current terms of the members and the alternates. He explained the importance of filling the alternate seats, as there have been occasions when it was difficult to make a quorum. He added that since three of the terms for the current board members have all expired, the Council should fill the three seats for Mr. Roy, Mr. Werth, and Mr. Conner by either reappointment or a new appointment as soon as reasonable. The staff have met with Mr. Brandon Frost and Mr. Larry Medlock, and found both candidates capable and eager to serve on the Board as alternates.

Mayor JB Whitten called for comment from the Council and the public. In hearing none, he called for action.

Motion was made by Councilmember Douglas Capps and seconded by Councilmember Joe Blocker to reappoint Michael Roy and Mario Werth and move Shannon Hayes from an alternate to a voting member and establish Brendan Frost and Larry Medlock as alternates.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

13. Comments from the Mayor and Council

Councilmember C. Brown asked for an update on the citywide clean up, as Panama and Lakeview could use help. City Manager T. Bolduc replied that he does not have all the statistics yet, but noted we are falling a little behind what we did last year. PS Director Michael Criddle said the dumpsters are filling quickly and will look at the streets mentioned. Councilmember C. Brown requested citizens to utilize the dumpsters at Spanish Trail Allen Park and Wildhorse through Wednesday the 26th.

In response to Councilmember C. Brown and her question on the status of the CRA bids, City Manager T. Bolduc said we did not receive a bid, but staff is working with the DOT contractor to assist us. The feedback on why no bids were received is that our budget was

lower than they were able to offer. He added he is scheduled to meet in two weeks with the contractors.

In response to Councilmember D. Capps regarding the state budget, City Manager T. Bolduc replied the legislators were in committee today, so he does not have an update.

Councilmember D. Capps asked for an update on the golf course gates, and City Manager T. Bolduc replied they are being powder-coated. He added course maintenance needs to be done. However, we are operating in the black. He added the maintenance company plan to invest in the tree cutting.

Councilmember R. Bullard mentioned he received three emails about the trash service. The waste company has failed, and he has called them regarding the complaints. City Manager T. Bolduc said the bid opening for the solid waste collection is Friday, the 28th.

Councilmember R. Bullard mentioned a gate needs to be installed at Twin Hills play park and City Manager T. Bolduc said it will be looked at. He added the Twin Hills children's park will be brought up during the budget review for an overall improvement, and that it is in the rotation.

Councilmember Joe Blocker asked for an update on the Commons. City Manager T. Bolduc replied that Planet Fitness, Marshalls, Ulta Beauty, and Five Below are ready, however, the opening is waiting for the traffic light to become operational. He added the other businesses should be open in the next two weeks.

Mayor JB Whitten mentioned the bills at the legislature stating citizens can look up bills on the website and contact the legislators on whether they do or do not support a bill. He mentioned a tree planted will be planted in memory of Joshua Kreiser, the pedestrian killed in a traffic accident, at 6 p.m. this Friday at the McMahon Environmental Center. He added the National Day of Prayer is at 6 p.m. on May 4th at Old Spanish Hill Trail Park. A Cinco de Mayo celebration will be held at the Bush House on May 6th. Also on May 6th, our Animal Services is providing microchips at the Old Spanish Trail Park.

14. Comments from the Audience

Mayor JB Whitten asked for comment from the public.

Claudius Dale came forward to request that the park near her home be cleaned up, and City Manager T. Bolduc replied he will get staff to take care of it.

Pastor Parker came forward and thanked the Council for attending Dr. Barnes funeral services.

Shannon Hayes thanked the mayor for coming out for the Catherine Dortch event and Mayor provided a proclamation. He also thanked the Council for the appointment to the Planning Development Board, as he knows the direction of the city.

Tracy Medlock, Main Street Association president, expressed her appreciation for the help

from Chance and support from Tim for the event this Saturday. She added the next event is May 13th for the Art and Wine on Main Street which includes wine tastings.

15. Adjournment

Mayor JB Whitten adjourned the meeting at 7:38 p.m.

Minutes approved this __ day of __, 2023.

JB Whitten
Mayor

Maryanne Schrader
City Clerk
Proper Notice having been duly given



Staff Report

CITY COUNCIL MEETING DATE: May 8, 2023

TYPE OF AGENDA ITEM: Second reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Nicholas Schwendt, Senior Planner, Barry Henderson, Development Services Director
DATE: 5/1/2023
SUBJECT: Ordinance 1930 - Ground Mounted Solar Panels

BACKGROUND:

Typically, solar panels are seen attached to the roofs of houses but as time goes on, more and more individuals are also opting for solar panels attached to structures mounted in the ground. Ground mounted solar systems provide for easier installation and maintenance as well as less potential impact and damage to existing roof structures.

The Land Development Code does not currently contain requirements or restrictions explicitly pertaining to ground-mounted solar panel systems. The City Council directed staff to research and prepare an ordinance providing standards to regulate ground mounted solar systems.

On April 17th, 2023, the Planning and Development Board recommended approval of this Ordinance, and it was approved on first reading by the City Council on April 24th, 2023.

DISCUSSION:

As a starting point, Community Development Services staff reviewed proposed code in other municipalities regarding the same topic. Following further discussion and direction from council, staff then revised the standards to more closely match our existing accessory building requirements. Staff also discussed the standards with building officials from other surrounding jurisdictions to ensure there were no safety concerns pertaining to ground-mounted solar that would require fencing provisions to be included in the code. There were no such concerns.

The proposed additions to the Land Development Code can be found in the attached ordinance.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Quality of Life- these areas focus on the overall experience when provided by the city.

Safety- Ensure the continuous safety of citizens and visitors

FINANCIAL IMPACT

There is no expected financial impact resulting from this ordinance.

RECOMMENDED ACTION

Staff requests a motion to adopt Ordinance 1930 on 2nd Reading.

Attachments

None

ORDINANCE: 1930

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING SECTION 2.02.00 – DEFINITIONS AND SECTION 7.01.00 – ACCESSORY STRUCTURES, OF THE CITY OF CRESTVIEW LAND DEVELOPMENT CODE TO DEFINE AND PROVIDE STANDARDS FOR GROUND MOUNTED SOLAR ENERGY SYSTEMS; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this ordinance is section 166.041, Florida Statutes, and The City of Crestview Land Development Code.

SECTION 2 – AMENDING SECTION 2.02.00 – DEFINITIONS, OF THE LAND DEVELOPMENT CODE. Section 2.02.00 of the Land Development Code is hereby amended with the addition of the following definition:

Ground-mounted solar energy system: A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground.

SECTION 3 - AMENDING SECTION 7.01.00 – ACCESSORY STRUCTURES, OF THE LAND DEVELOPMENT CODE. Section 7.01.00 of the Land Development Code is hereby amended with the addition of Section 7.01.05, as follows:

7.01.05 – Ground Mounted Solar Energy Systems

A. Placement:

1. Lots within recorded subdivisions and un-platted lots with a depth less than 250 feet:
 - a. Systems shall only be permissible in side and rear yards and shall be setback three (3) feet from side and rear property lines.
 - b. Systems located closer than five (5) feet to the principal structure shall meet the same minimum setbacks required for the principal structure.
2. Lots with a depth of 250 feet or greater:
 - a. Systems placed in side and rear yards shall be setback three (3) feet from side and rear property lines.
 - b. Systems placed in any primary or secondary front yard shall not be placed within any required front setback.
 - c. Systems located closer than five (5) feet to the principal structure shall meet the same minimum setbacks required for the principal structure.
3. Systems shall not be located within any required buffer area, required landscape area, required parking lot landscaping, required parking spaces, stormwater management area, wetland buffer, driveway, or easement.
4. If located in a floodplain project must comply with LDC Section 5.05.00.

- B. Height standards. The maximum height of a ground-mounted solar energy system shall not exceed fifteen (15) feet as measured from the natural grade at the base of the structure to the highest point of the array or solar structure.

SECTION 4 - SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect

the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5 - SCIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 6 - ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8 - REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9 – EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

Passed and adopted on second reading by the City Council of Crestview, Florida on the ____ day of _____, 2023.

Approved by me this ____ day of _____, 2023.

J. B. Whitten
Mayor

ATTEST:

Maryanne Schrader
City Clerk



Staff Report

PLANNING AND DEVELOPMENT

BOARD MEETING DATE: May 8, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 5/2/2023
SUBJECT: Legacy Place Subdivision Preliminary Plat & Memorandum of Understanding

BACKGROUND:

Staff received the initial application for the Legacy Place subdivision on August 8th, 2020. It has since gone through staff review and all major comments have been addressed. The remaining comments are minor and will not affect the overall layout and scope proposed on the provided conceptual plat documents.

DISCUSSION:

This subdivision is proposed just south of Adams Dr., with a connection to an existing cul-de-sac at the end of the Walter Ave right-of-way, as well as a connection to Adams Dr. itself. The subdivision proposes 167 lots, which is within the allowed density provided by the zoning district and future land use designation. The plans and plat have been found to be substantially in compliance with those requirements, aside from a few minor revisions previously mentioned.

Attached is also a memorandum of understanding resulting from Public Service's review of the traffic study provided. The MOU provides for the developer to contribute \$57,200.00 to be held in escrow for City of Crestview traffic improvements. The obligation to deposit the money in escrow and participate shall be before the Development Order is issued, but the MOU needs to be approved and signed by the Mayor and City Clerk before we can move forward.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

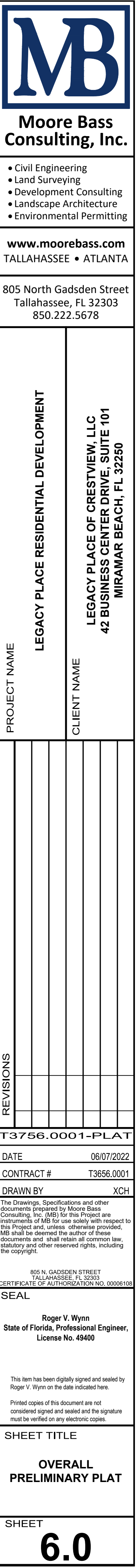
Approval of the conceptual plat will lead to the development of a subdivision that will have a positive future impact, including: impact fees, building permit fees and utility usage fees. MOU approval will provide funds for the City to construct traffic improvements.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the preliminary plat and Memorandum of Understanding.

Attachments

1. Preliminary Plat Pages
2. Memorandum of Understanding





- Civil Engineering
- Land Surveying
- Development Consulting
- Landscape Architecture
- Environmental Permitting

805 North Gadsden Street
Tallahassee, FL 32303
850.222.5678

PROJECT NAME	LEGACY PLACE RESIDENTIAL DEVELOPMENT
CLIENT NAME	LEGACY PLACE OF CRESTVIEW, LLC 42 BUSINESS CENTER DRIVE, SUITE 101 MIRAMAR BEACH, FL 32280

REVISIONS					

T3756.0001-PLAT

DATE	06/07/2022
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CONTRACT #	T3656.0001
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DRAWN BY XCH

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805 N. GADSDEN STREET
TALLAHASSEE, FL 32303
CERTIFICATE OF AUTHORIZATION NO. 0000610

SEAL

Roger V. Wynn
State of Florida, Professional Engineer,
License No. 49400

This item has been digitally signed and sealed by
 The Hon. Mr. Justice Gauthier

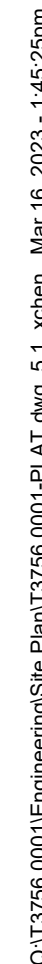
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

SHEET TITLE

PRELIMINARY PLAT

SHEET

6.1



MEMORANDUM OF UNDERSTANDING

March 15, 2023

Subject: **Legacy Place – A Residential Development**
City of Crestview, Florida & Legacy Place of Crestview, LLC (the Developer)

Based upon the City of Crestview Engineering Standards Manual Chapter 5.1, this Memorandum of Understanding is in reference to the proposed Legacy Place – A Residential Development (the Development) and has been provided with the following acknowledgements:

- The Development generates significant traffic capacity impacts to the surrounding roadway network and no offsite roadway improvements are proposed as part of the Development.
- The City of Crestview is constructing offsite roadway improvements to mitigate traffic impacts.
- The developer shall participate in cost not to exceed the total amount of \$57,200 to be held in escrow by the City of Crestview for these proposed improvements. This cost was determined by an established per trip cost based on total average trips per day generated by the development. The obligation to deposit the money in escrow and participate shall occur before the Development Order is issued.

City of Crestview

BY: J.B. Whitten, Mayor

Maryanne Schrader, City Clerk

Legacy Place of Crestview, LLC



BY: Name of Representative, Title

Patrick Davis, Manager



Staff Report

CITY COUNCIL MEETING DATE: May 8, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jessica Leavins, Administrative Services Director
DATE: 5/3/2023
SUBJECT: Permission to Negotiate - EAP

BACKGROUND:

The City of Crestview instituted an Employee Assistance Program in 2019 with Pattison Professional Counseling and Mediation Center.

DISCUSSION:

Since 2019, the need for mental health and whole wellness services has grown significantly. In order to meet the needs of our employees and provide a whole wellness approach, the City of Crestview decided to pursue an Employee Assistance Program that could best meet the needs of our employees.

In April 2023, the City of Crestview published a request for proposals for Employee Assistance Program providers. There were no bids received. Due to the results of the request for proposal process, we are seeking permission to deviate from the purchasing policy and move forward with direct negotiation with employee assistance program vendors.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Communication- To engage, inform and educate public and staff

FINANCIAL IMPACT

There is no financial impact for this part of the process.

RECOMMENDED ACTION

Staff requests council allow the City Manager to directly negotiate with a provider for an employee assistance program.

Attachments

None