

The Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency, held on February 22, 2018.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:  
JOHN REICHARD  
JOSIE STRANGE  
PHIL CHESTER  
HECTOR SOLIS

CITY MANAGER:  
MARIO GISBERT  
CITY CLERK:  
JO SMITH  
CITY ATTORNEY:  
AMY MYERS

Mayor Thomas called the Regular Meeting to order at 9 A.M. with all Council members, City Manager, City Clerk and City Attorney present.

Councilman Solis gave the invocation and led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Regular Meeting of February 8, 2018 were read. Mayor Thomas made the comment that he would like the Minutes amended adding his response to Mr. Thompson's comments at the end of the meeting concerning vacant Police Officer positions. He said the City was trying to fill the Police Officer vacancies as quickly as possible but the applications were few. There were no objections. **Councilwoman Strange made the motion to approve the Minutes as amended. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

Mayor Thomas asked if there were any additions or deletions to the Agenda. Mr. Gisbert asked to add Resolution 18-67, the Interlocal Agreement with the Bay County Commission for the \$3.5 Million Dollar funding for the Bay Parkway Extension. He also asked to add Resolution 18-66, the Task Order for three property appraisals in the Front Beach Road Segment 3/Highway 79 CRA project. There were no objections.

#### **PUBLIC COMMENTS (REGULAR NON-PUBLIC HEARINGS AND CONSENT ITEMS)**

Mayor Thomas opened the Public Comments section of the meeting at 9:05 A.M. and invited comments.

1 Mr. Bill Caravello said his general comments would be given at the end of the meeting.

There were no further comments. The Mayor closed the Public Comments portion of the meeting at 9:07 A.M.

#### **CONSENT AGENDA**

Ms. Smith read the Consent Agenda Items by title.

**1 RESOLUTION 18-64, BID AWARD- KUBOTA TRACTOR FOR PARKS & RECREATION-PIER.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Sowell Tractor Company Inc., in the amount of \$24,999 for the purchase of one Kubota Tractor 4WD; and providing an immediately effective date."

**2 RESOLUTION 18-65, EMERALD COAST CRUIZIN' CAR SHOW PARADE ROAD CLOSURES.** "A Resolution of the City of Panama City Beach, Florida, related to the "Emerald Coast Cruizin'" event; authorizing road closures on portions of Sting Ray Drive, L.C.Hilton Drive and Pier Park Drive on Wednesday, March 7, 2018, for the parade."

Councilwoman Strange made the motion to approve the Consent Agenda. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

**AMENDED REGULAR AGENDA**

**ITEM 1 ORDINANCE 1446, AMENDING LDC, LOW DENSITY RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Ms. Myers read Ordinance 1446 by title. Mayor Thomas asked if there were any questions or comments by the Council members; there were none. The Mayor opened the Public Hearing at 9:09 A.M. for comments from the audience. There were none. He closed the Public Hearing at 9:09 A.M. **Councilman Solis made the motion to approve Ordinance 1446. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

**ITEM 2 RESOLUTION 18-67, INTERLOCAL AGREEMENT WITH BAY COUNTY COMMISSION REGARDING BAY PARKWAY EXTENSION FUNDING.** Mr. Gisbert distributed copies of the proposed Interlocal Agreement and Resolution 18-67. Ms. Myers explained that the Interlocal Agreement stated that the County would contribute an amount not to exceed \$3.5 Million Dollars for the Bay Parkway Extension project, the section between Pier Park Drive and Nautilus, in two phases FY 2020 and FY 2021. She said essentially it would be a reimbursement. The Mayor asked if she had reviewed the Agreement and Ms. Myers said she was comfortable with the language.

Councilwoman Strange asked Mr. Gisbert the entire cost for the Bay Parkway Extension. Mr. Gisbert distributed another document from the County outlining their \$4 Million Dollar grant application and estimated cost of \$9.36 Million Dollars for the road. He said the County's \$3.5 Million Dollar contribution and the Half-Cent Sales Tax funds would reduce the amount the City must contribute. He said he was receiving the various pieces piecemeal but at a future date, would bring the entire matter back to Council as a whole. Councilwoman Strange asked if this included the land cost. Mr. Gisbert said no but that St. Joe proposed the Concurrency transaction, not a monetary transaction.

Councilman Solis mentioned the discussion of this project during the TPO meeting and he said Bay Parkway had been added to the Long-Range Transportation Plan (LRTP). He said one recommendation from FDOT was to submit for TRIP funds in May, another source of funds of between \$800,000 and \$1,000,000.

Ms. Myers read Resolution 18-67 by title. The Mayor asked if there were any further questions. Councilman Reichard said he was concerned about the potential additional traffic at the Parkway and Nautilus at Surfside Middle School, and the plans to handle the additional traffic. Mr. Gisbert said those concerns would be addressed in the traffic studies and impacts and approved by FDOT. Mayor Thomas also thanked the State and the County for the speed in which they had responded concerning this project. **Councilman Solis made the motion to approve Resolution 18-67. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

**ITEM 3\* RESOLUTION 18-66, CHANDLER AND ASSOCIATES TASK ORDER 2018-1 FOR APPRAISALS, FRONT BEACH ROAD SEGMENT 3/HIGHWAY 79 CRA PROJECT.** In this matter, the City Council of Panama City Beach was also acting as the Panama City Beach Community Redevelopment Agency and voting as both. Ms. Myers explained that Chandler & Associates had been contracted to do appraisals for the CRA

right-of-way acquisitions. This Task Order was for stormwater pond site appraisals and once received, Staff could then begin negotiations with the owners for the purchases. She then read Resolution 18-66 by title. The Mayor asked if there were any questions.

Councilman Solis said it was very important to move forward as the progress had been delayed for months by FDEP. Ms. Myers said approximately eighteen months ago, the Council had approved a Task Order for appraisals of seven (7) parcels identified for stormwater. After conversations with FDEP, now only three (3) parcels were required. Mr. Gisbert added that this reduced the acreage needed by almost half so the delay was beneficial allowing for a better system and less land impact. Mayor Thomas said none of the sides of SR 79 must be purchased which was a good alternative.

Councilwoman Strange asked if the entire site for Pizza Hut would be bought and Mr. Gisbert replied affirmatively. **Councilman Solis made the motion to approve Resolution 18-66. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

#### DELEGATIONS

Mayor Thomas explained the delegations period and opened this portion of the meeting at 9:19 A.M.

1 Mr. Bill Caravello, 407 Dolphin St. Mr. Caravello had questions concerning the January 11<sup>th</sup> Council meeting and subsequent News Herald article. The article had stated the Assessment was only for three years. Mayor Thomas said that was incorrect. Mr. Caravello asked what the City's surplus would be at the end of the Fiscal Year, who was pushing for an Ad Valorem tax and what was the status of the updated Impact Fees. He stated the City was losing money by not having updated Impact Fees. Mr. Caravello also asked the qualifications required to be a Councilor.

2 Mr. Burnie Thompson, 301 Lullwater Drive. Mr. Thompson requested that the people be included in future invocations. He questioned why the new Public Information Officer's salary would be double that of a Patrol Officer. He questioned Councilman Solis about his retirement as a federal law enforcement officer. He also made a verbal Public Information Request for a show of hands by the Council members who had stock in the St. Joe Company or any financial interest with St. Joe.

Mayor Thomas responded that the Council members had the right whether to answer any frivolous questions. He said this concerned City business, not anything personal with himself or Mr. Thompson.

3 Mr. Todd Ingram, 12202 Hutchison Blvd. Mr. Ingram asked when the Resolutions and materials added on the Agenda would be made available to the public.

4. Mr. Frank Sewell, Hidden Pines. Mr. Sewell could not speak on traffic issues because he was not a tax collector nor City resident. With nothing further, the Mayor closed this section of the meeting at 9:30 A.M.

#### ATTORNEY REPORT

Ms. Myers reported that the court order had been entered validating the Fire Assessment. She said she expected more news within the next thirty days and no further action from the Council was required.

Mayor Thomas asked Ms. Myers to respond to Mr. Caravello's questions. Ms. Myers confirmed that the recent Impact Fee study had looked at other cities and their Impact Fees. Mr. Gisbert said that information was in the Impact Fee study and over thirty municipalities had been reviewed in the update. Councilman Solis said action would be taken on the Impact Fees whether now or after the election to allow the new Council members their input. Mr. Caravello said he understood but stated that the City was losing money every day and this should be a priority.

Mayor Thomas said the City had lost money every day for fifteen years and the report was designed and recommended for a review every three to five years. He said every time it had been brought to the Council, it had been pushed back. The Mayor stated that he agreed with Mr. Caravello and that it was fair and necessary for Impact Fees to be used to allow the City to grow.

Ms. Myers responded to Mr. Caravello that there was no intention for the Council to consider or adopt an Ad Valorem tax in the City. Mr. Caravello from the audience asked about the pressure to have an Ad Valorem tax. Ms. Myers explained the pressure would be from the limitation of the City's revenue streams and if one source was lost, how would that revenue be replaced. Mayor Thomas stated that he had read articles where he had said he believed the City should have an Ad Valorem tax, and that was false. He explained about the Gross Sales taxes from Pier Park which in five years would be coming to the City, about One Million Dollars, as well as the Fire Assessment Fees and the Half Cent Sales taxes. He continued that he did not foresee an Ad Valorem tax in the City being necessary unless poor financial management. He mentioned the pending lawsuit against the City involving the 1% Gross Sales taxes, and if upheld by the court, the citizens would not have an Ad Valorem tax. He explained that the City businesses collected the 1% Gross Sales tax from their customers and forwarded to the City; no business paid the 1% Gross Sales tax. If the businesses did not collect the 1% Gross Sales tax, they would be assessed an Ad Valorem tax.

Ms. Myers said the requirements for a Council member were to be a City elector and live in the Ward they would represent for six months. For Mayor, it would be a City elector and a City resident for six months.

Mr. Gisbert responded that the City would not know the surplus amount until the end of the Fiscal Year. Mayor Thomas said the surplus from the individual Funds would roll over into the next Fiscal Year.

#### **CITY MANAGER REPORT**

Mr. Gisbert reported the various vacancies posted on the City website. He also corrected the starting salary for Patrol officers was \$17.35 per hour, not \$16 per hour as reported. Chief Whitman said the City officers had the highest starting pay in Bay County. Mr. Gisbert reported the Bids posted on the website and invited the Council members to visit to review the streets planned for resurfacing.

He also reported that he was continuing to work with the St. Joe Company concerning the new Fire Station land. He explained that the original plan had been for a donation of two acres; however, the City needed three acres and the City would pay for one acre. With this site adjacent to the City's Wastewater facility, Staff planned to extend a road from the site to Nautilus which would allow the employees access to the traffic light at Nautilus instead of Gulf Boulevard. He said the new location would serve about five different purposes for the community.

#### **COUNCIL COMMENTS**

Councilman Solis mentioned that he would not answer the same question numerous times. He also reported the good news from the TPO that had Highway 98 designated as a SIS (Strategic Intermodal System) which would allow access to another pool of funds. He said the expansion in Walton County was being paid through SIS funds and detailed his efforts to have Highway 98 have that designation.

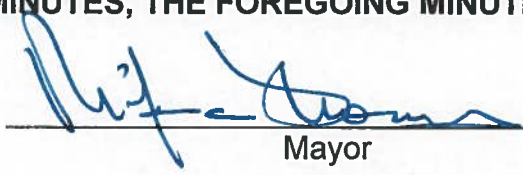
Councilwoman Strange had no comments. Councilman Chester had no comments.

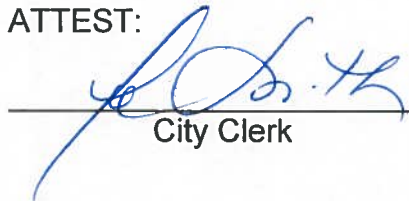
Councilman Reichard complimented Councilman Solis on his efforts on the TPO and complimented Mayor Thomas and Mr. Gisbert for their work with the State and County on the Bay Parkway Extension. He elaborated. He also responded to Mr. Thompson's Public Information Request, that all Council members must complete Financial Disclosures annually as required by law and copies could be obtained from Ms. Smith at his request. He made comments about the public not being included in Councilman Solis's prayer. He also suggested changing the name of L.C.Hilton Drive to Charlie Hilton Drive.

The meeting was adjourned at 9:47 A.M.

READ AND APPROVED this 8th of March, 2018.

IN THE EVENT OF A CONFLICT BETWEEN THE FOREGOING MINUTES AND A VERBATIM TRANSCRIPT OF THESE MINUTES, THE FOREGOING MINUTES SHALL CONTROL.

  
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Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk