

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 August 23, 2018.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

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 Casto gave the invocation and led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Special Meeting/Budget Workshop of July 26 and the Regular Meeting of August 9, 2018 were read. **Councilman McConnell made the motion to approve the Minutes as written. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

Mayor Thomas asked if there were any additions or deletions to the Agenda. There were none. **Councilman Chester made the motion to approve the Agenda as prepared. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

PRESENTATIONS

1 EMPLOYEE RECOGNITION FOR RETIREMENT AT 30+ YEARS OF SERVICE.

Councilman Casto welcomed Chief Whitman and Ms. Linda Humphreys to the podium, congratulated her on her impending retirement and presented her with a key to the City. Chief Whitman also congratulated Ms. Humphreys and stated she would be hard to replace and certainly missed. The audience applauded.

2 PROPOSED WATER AND WASTEWATER UTILITY IMPACT FEE STUDY PRESENTATION-PRMG.

Mr. Henry Thomas, Vice President of Public Resources Management Group (PRMG), presented the Water and Wastewater Utility Impact Fee Study. He said an Impact Fee Study had been updated in 2007 but the Council at that time chose not to implement the increases due to the economy. He explained how the rates were calculated and that the funds could not be used for operating costs or repairs. Mr. Thomas stated that the proposed Water Impact Fee would be Five Hundred Fifty-Seven Dollars (\$557) per ERC, 6% below the current Fee of Five Hundred Ninety-Five Dollars (\$595) per ERC. The total proposed Wastewater Impact Fee would be Two Thousand, Nine Hundred Eight-Nine Dollars (\$2,989) per ERC, compared to the current Fee of One Thousand Six Hundred Thirty Dollars (\$1,630) per ERC. He explained the reasons for the large increase and reminded that the rates had not been increased since 2000. He recommended the Study be prepared at least every five years or sooner.

Mr. Shortt added that this Study did not include the new wastewater treatment plant site nor construction of the facility. He said once a firm window for construction was planned, he would recommend the Impact Fee Study be redone to incorporate the new costs into the calculations. Mr. Gisbert said this Study was prepared almost a year ago and refreshed recently due to increased construction costs. Mr. Thomas agreed those construction costs were incorporated into this report.

Councilman McConnell agreed that the Study must be redone to include the new wastewater facility when ready. Councilman Casto asked about the timing for these new rates as it needed to be implemented quickly. Ms. Myers said the Council would be presented an Ordinance for 1st Reading on September 13th and Public Hearing and adoption at the September 27, 2018 meeting. She added that there would be a 90 day grace period after adoption. Councilman Chester asked the dates of the studies, and Mr. Gisbert said the current rates were based on a study from 1999. Councilman Chester asked Mr. Gisbert to calculate how much money the City lost with outdated Impact Fees. Mayor Thomas thanked Mr. Thomas for the presentation.

3 CRA SEGMENT 2 CONSTRUCTION UPDATE. Ms. Jenkins presented the CRA Segment 2 construction update with a slide presentation. She said much of the work so far was underground with this 1.3 mile segment one of the oldest areas of the beach. To date, 15 Change Orders had been issued, representing only 2.8% of overall cost, bringing the total contract amount for GAC to \$14.6 Million Dollars. The Gulf Power Undergrounding contract would bring the total to \$16.8 Million Dollars. Ms. Jenkins displayed current photos and explained there were thirty (30) linear miles of new conduit encased by concrete, and Mr. Gisbert added that the expansion capability was included within the system. Ms. Jenkins said the water system was complete and wastewater almost complete, over 95%. Mr. Gisbert explained the coordination with Gulf Power and the redundancy as the old aboveground lines could not be removed until all underground was installed, tested and active.

Councilman Solis complimented Staff on the small amount of Change Orders, only 2.8%, compared to the total contract price. He urged Staff to stay on top of the work and complete the project as quickly as possible.

Councilman McConnell said he was impressed with 30 linear miles of conduit in only 1.3 miles of Segment. He said it had been a good visual. Councilman Casto agreed that it was a good presentation and asked if the project should be completed by Spring and Ms. Jenkins replied affirmatively.

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

Mayor Thomas opened the Public Comments section of the meeting at 9:40 A.M. and invited comments.

1 Mr. Tom Klomps, 614 Poinsetta Ct. Mr. Klomps spoke of the prepared Minutes not including all comments by the public and requested the Minutes be amended.

2 Mr. Tod Ingram, 12202 Hutchison Blvd. Mr. Ingram asked if the CRA presentation and the Impact Fee Study were available to the public.

With nothing further, the Public Comments were closed at 9:44 A.M. Mayor Thomas offered Mr. Ingram his copies of the CRA and Impact Fee Study presentations.

CONSENT AGENDA

Ms. Smith read the Consent Agenda Items by title.

1 RESOLUTION 18-129, "PANAMA CITY BEACH MARATHON" ROAD USAGE. "A Resolution of the City of Panama City Beach, Florida, related to the "Panama City Beach Marathon"; authorizing extraordinary traffic control on portions of Front Beach Road, South Thomas Drive, Thomas Drive and Surf Drive on Saturday, December 1, 2018 for the Event."

2 RESOLUTION 18-130, "PIRATES OF THE HIGH SEAS FESTIVAL" ROAD CLOSURES. "A Resolution of the City of Panama City Beach related to the "Pirates of the High Seas Festival"; authorizing closure of portions of L.C. Hilton Jr. Drive, Sea Monkey Way, Longboard Way, and Pier Park Drive on October 5 and 6, 2018, for the Event; and authorizing closure of a portion of Powell Adams Road and the temporary usage of a portion of Front Beach Road on October 6 to permit the Event's Parade."

3 RESOLUTION 18-132, MASTER SERVICE AGREEMENT WITH MOTT MACDONALD FLORIDA, LLC, FOR PROFESSIONAL UTILITY ENGINEERING SERVICES, GENERAL WATER, SEWER AND RECLAIMED UTILITY FACILITIES. “A Resolution of the City of Panama City Beach, Florida, approving a Master Services Agreement with Mott MacDonald Florida, LLC, for professional utility engineering services related to the City’s Water, Sewer, and Reclaimed Utility Facilities.”

4 “NATIONAL DAYS OF PRAYER AND REMEMBRANCE” AND “PATRIOT DAY” PROCLAMATION. “A Proclamation designating September 7-9, 2018 as “National Days of Prayer and Remembrance” and September 11, 2018 as “Patriot Day” in Panama City Beach and requesting the citizens to display the flag at half-staff from their homes and businesses that day.

Councilman Casto 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 Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

REGULAR AGENDA

ITEM 1 ORDINANCE 1470, MORATORIUM ON ACCEPTING APPLICATIONS FOR HEIGHT INCENTIVES, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1470 by title. She said a Public Hearing had been held at the First Reading and the Planning Board gave an informal recommendation of approval at their last meeting. The Mayor opened the Public Hearing at 9:45 A.M.

1 Mr. Rick Ramos, 222 Summer Breeze. Mr. Ramos asked the Council not to approve any height incentives and gave his reasons. He said the City Council had denied a height incentive for a house and urged the Council to deny big business any height incentives.

2 Ms. Genese Hatcher, 203 South Wells. Ms. Hatcher asked the Council to consider increasing maximum building heights in certain zoning categories to allow for higher ceilings in three-story dwellings.

There were no further comments. Mayor Thomas closed the Public Hearing at 9:53 A.M. Mr. Leonard said this item only involved the moratorium on height incentives, not ceiling heights. Councilman Solis asked Mr. Leonard if higher ceilings were allowed as long as the height of the home was Thirty-Five Feet (35’). Mr. Leonard replied affirmatively. **Councilman McConnell made the motion to approve Ordinance 1470. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

ITEM 2 SET DATE(S) FOR SIX HEIGHT INCENTIVES HEARINGS. Mr. Gisbert asked the Council members if they would consider the Hearings after the September 27 meeting to allow time for advertising and notices. In response to the question of timing by Councilman Solis, Mr. Gisbert said it could be advertised at 10:00 A.M. and occur at the conclusion of the regular meeting, the same as previous Workshops. There were no objections to the date and time. Mayor Thomas said there was a slight possibility he might not be at the Council meetings that day.

ITEM 3 ORDINANCE 1471, PARKS & RECREATION BOARD MEMBERSHIP, 1ST READING. Ms. Myers read Ordinance 1471 by title and explained this Ordinance was in response to the discussion held at the last Council meeting. Mayor Thomas said for the last two years, when asking questions about who attended events at the Park, City Staff was unable to supply that information. He said he felt the TDC would have that information which would be helpful.

Councilman Chester made the motion to approve Ordinance 1471. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

ITEM 4 STREET DEPARTMENT BOOM TRUCK JOB DESCRIPTIONS. Mr. Gisbert said these job descriptions were not for additional employees but rather updating the current job descriptions for specific tasks and CDL requirements. Councilman McConnell asked if this change would escalate labor costs for the employees, and Mr. Gisbert replied negatively, that it was consistent with the pay plan. Councilman Casto confirmed that this action was not creating additional positions within the City. **Councilman McConnell made the motion to approve the Boom Truck job descriptions. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

ITEM 5* RESOLUTION 18-133, CRA SEGMENT 3/SR 79 PROPERTY ACQUISITION OFFERS. This item with an asterisk is one in which the City Council was also acting as the Panama City Beach Community Redevelopment Agency and voting as both. Ms. Myers read Resolution 18-133 by title and explained the offers for two parcels and three parties. The Mayor called for questions. Councilman Casto asked what would occur with the old Pizza Hut site being a brownsite. Ms. Jenkins said Staff had examined both locations and both had contaminations from the 1980's. She said the contaminants were not significant and elaborated with more concern for the existing Chevron site. Councilman McConnell asked if the purchase prices were within budget and Ms. Jenkins replied affirmatively. Mr. Gisbert added that additional funds were available to address any contaminant issues if found. Councilman Solis mentioned the new manner for handling stormwater meant savings by not having to purchase additional land. **Councilman Casto made the motion to approve Resolution 18-133. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 10:02 A.M.

1 Mr. Burnie Thompson, 17292 Front Beach Road. Mr. Thompson commented about the draft Minutes and the advertised Planner position. He asked that the person chosen for Planner have the required degree and hiring based on merit, not preferential treatment.

2 Mr. Frank Sewell, Hidden Pines neighborhood. Mr. Sewell questioned if hotels paid a lower sewer rate than homeowners and if the new impact fees would apply if a home was upgraded more than 51%.

3 Ms. Cherie Crim, 17680 Front Beach Road. Ms. Crim commented about the Mayor's remarks at the July budget workshop, the other Council members talking down to the citizens, and asked the Mayor to resign and the other Councilors to resign or change.

4 Ms. Genese Hatcher, S Wells St. Ms. Hatcher mentioned the Sunshine Law and things deleted from the Minutes.

5 Ms. Judy Thorndyke, 102 Sandollar Drive. Ms. Thorndyke said the additional 25% charge for water for the people in unincorporated Bay County was unfair and asked for everyone to pay the same amount.

6

With no further comments, the Delegations portion of the meeting was closed at 10:14 A.M.

Mayor Thomas said there was a higher water rate for those locations outside of City limits and had been that way since the 1960's. Ms. Myers said they were authorized by law and in the Bay County franchise agreement. Regarding water rates for hotels, they paid the same rate. Ms. Myers said regarding the Minutes, they were a summary of the items discussed and actions taken during the meeting and the Sunshine Law did not require a transcript of the meeting. Councilman McConnell said the videos had the exact comments which pertained to the Sunshine Law. Councilman Chester addressed the comments of Mr. Thompson, and that Mrs. Chester had been employed by the City for over ten years and should not be punished nor discriminated against merely because he was on the City Council. He asked Mr. Leonard to confirm that, under the job description, experience could substitute for the degree. Mr. Leonard said equivalent work experience could replace the required degree and that she would still go through the Civil Service Board process.

Councilman Solis said condominiums paid the same water rates as residences. He said that many units paid the minimum fee even with the unit empty. Regarding the additional 25% fees to the locations outside of City limits, there were additional costs to provide the extended services.

Mr. Gisbert said the Impact Fees would not apply if the same facilities were being replaced, only if additional services were added. Mr. Shortt explained that the water rates were the same, whether a hotel, condo or home. However, for a hotel, the base rate was slightly lower because typically, the hotel room did not have a kitchen or washroom.

Councilman Chester asked about Thomas Drive. Mr. Shortt said the County was waiting on the City to complete moving the utilities before starting construction.

ATTORNEY REPORT

Ms. Myers had no report.

CITY MANAGER REPORT

Mr. Gisbert reported the various job opportunities posted on the City website. He also distributed pie charts of the taxable values of the cities and the County. He explained the figures with the majority of income coming from the island for the surrounding areas. He also distributed a construction schedule for the City Hall building.

COUNCIL COMMENTS

Councilman Solis and Councilman Casto had no comments. Councilman McConnell suggested amending the Land Development Code so that all future land use changes come to the City Council for approval, and he asked for Council comments. Ms. Myers responded that the Planning Board had final approval for various items. Councilman Solis asked for further discussion to determine the implications for the changes. Councilman Casto said he would look at the issue.

Councilman McConnell announced a Town Hall meeting September 11th at 5:30 P.M. about the height incentive process. However, no discussion could occur about the issues to be heard at the September 27th Quasi-Judicial Hearing. He said Ms. Myers and Mr. Leonard would attend and this would be the opportunity to collect ideas. Mr. Gisbert said Staff had met one on one with the Council to discuss removing incentives and Staff was preparing an amendment to the LDC and reminded that the moratorium was in place for accepting any new applications. Councilman McConnell invited everyone to the 9/11 Stair Climb on September 8th.

The meeting was adjourned at 10:30 A.M.

READ AND APPROVED this 13th of September, 2018.

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



Mayor

ATTEST:



City Clerk