

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 November 8, 2018.

ROLL
MAYOR MIKE THOMAS

COUNCILORS:
PAUL CASTO
PHIL CHESTER
HECTOR SOLIS

CITY MANAGER:
MARIO GISBERT
CITY CLERK:
JO SMITH
CITY ATTORNEY:
COLE DAVIS

Mayor Thomas called the Regular Meeting to order at 6 P.M. with Councilman Casto, Councilman Chester, and Councilman Solis, the City Manager, City Clerk and City Attorney present.

Pastor Ramon Duvall of the Beachside Fellowship Church gave the invocation and Councilman Solis led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Special Meeting for the Height Incentive Applications of September 27, and Regular Meeting of October 25, 2018 were read. **Councilman Chester made the motion to approve the Minutes as written. Second was by Councilman Solis and the motion passed by unanimous roll call vote of those present recorded as follows:**

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

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

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

PRESENTATIONS

1 **BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD.** Councilman Solis introduced Mr. Brody Rice and presented him with the Civic Achievement Award for exemplary service to the Beach Boys and Girls Club. Ms. Amber Persilver, Club representative and former Boys & Girls Club Youth of the Month, spoke of Brody's contributions to the Club. The audience responded with applause.

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

Mayor Thomas opened the Public Comments section of the meeting at 6:07 P.M. and invited comments.

1 Mr. Paul Dalton, 107 Manistee. Mr. Dalton spoke in support of Consent Item #1, *Resolution 19-17, Bid Award- Police Department Fleet Vehicles Purchase*, and thanked the Council for approving the hiring of three new Police Officers.

2 Mr. Tom Klomps, 614 Poinsettia Ct. Mr. Klomps spoke in opposition to Regular Item #5, *Ordinance 1465 Residential Garbage Collection*, commenting that many people brought their trash directly to the landfill or took their trash to work.

3 Mr. Ken Nelson. Mr. Nelson said he opposed the *Ordinance #1465, Residential Garbage Collection*, stating it would be a strain on the residents with the problem being the unincorporated areas of the island. He spoke of existing laws which would address any littering or illegal dumping.

4 Ms. Karen Mathson, 166 Christopher. Ms. Mathson spoke in opposition to *Ordinance 1465, Residential Garbage Collection*, because it was mandatory.

5 Mr. Tod Ingram, Sport Vehicle Association. Mr. Ingram spoke at length concerning sunsetting the LSVs, Home Rule, prior Ordinances related to the scooters, and the Bert Harris Act.

6 Mr. Matt Bush, 13226 Front Beach Road. Mr. Bush made comments about the number of LSVs sunsetting and urged the Council to keep the number set at the current 300.

7 Ms. Colleen Swab, 13416 Front Beach Road. Ms. Swab displayed a photo of one of her LSVs used as transportation because it was the only vehicle who could travel through the debris-narrowed roads. She spoke of golfcarts traveling on sidewalks and ensured that her renters knew the areas that could be traveled.

8 Mr. Burnie Thompson, 19272 Front Beach Road. Mr. Thompson spoke in opposition of *Ordinance 1465, Residential Garbage Collection*, because it would increase people's costs and alternatively supported issuing tickets for illegal dumping.

With no further comments, the Mayor closed the Public Comments section at 6:30 P.M. He then addressed some of the questions in that the City did not have a franchise Agreement with the County for garbage collection and he had supported getting garbage service for years.

CONSENT AGENDA

Ms. Smith read the Consent Agenda Items by title.

1 RESOLUTION 19-17, BID AWARD- POLICE DEPARTMENT FLEET VEHICLES PURCHASE. *"A Resolution of the City of Panama City Beach, Florida, authorizing the purchase of 10 Ford Explorer Police Interceptors from Beck Auto Sales in the total amount of \$319,000; and providing an immediately effective date."*

2 RESOLUTION 19-18, BID AWARD- CONSERVATION PARK FY 18/19 AND FY 19/20 LONGLEAF PINE ECOSYSTEM RESTORATION PROJECT. *"A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Panhandle Land Management Services in an amount not to exceed \$115,000, inclusive of all services using per acre rates and hourly rates for the Conservation Park FY18/19 and FY19/20 Prescribed Burning/Seedling Planting Project."*

Councilman Chester made the motion to approve the Consent Agenda. Second was by Councilman Casto and the motion passed by unanimous roll call vote of those present recorded as follows:

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

REGULAR AGENDA

ITEM 1 ORDINANCE 1475, AMENDING LDC REPEALING HEIGHT INCENTIVES, 1ST READING, PUBLIC HEARING. Mr. Davis read Ordinance 1475 by title. The Mayor opened the Public Hearing at 6:34 P.M.

1 Ms. Genese Hatcher, 203 S. Wells. Ms. Hatcher spoke of Height Incentives applications at the recent meeting which were approved unanimously. With parking such a concern in the City, she questioned why parking would not be allowed under homes with additional height of 3'-5'. Mayor Thomas responded that none of the developers received what has been requested on their applications, one request was denied, and the applications were considered because they were received before the moratorium. Ms. Hatcher urged the Council to do something about parking.

2 Ms. Josie Strange. Ms. Strange said she agreed with Ms. Hatcher about the additional 3' for parking under the houses. She questioned requiring turnarounds on lots and spoke of property rights. She also questioned short term rentals being required to have mandatory garbage.

3 Mr. Burnie Thompson, 19272 Front Beach Road. Mr. Thompson commented that it was a conflict of interest for the Mayor to vote on the Height Incentive Applications for those properties near his restaurant. Mayor Thomas said voted in support of the application only after the developer agreed to build a road to Back Beach Road and did not see a conflict of interest.

Councilman Solis responded that the votes for the Height Incentives were not unanimous as he did not vote for approval.

Mr. Leonard said Staff was looking at the LDC now to make changes concerning parking. Councilman Chester said he did not have concerns about parking underneath the houses as long as the parking was not enclosed. Mr. Davis clarified that this Ordinance only concerned Height Incentives, not parking. With nothing further, the Public Hearing was closed at 6:43 P.M. **Councilman Casto made the motion to approve Ordinance 1475. Second was by Councilman Solis and the motion passed by unanimous roll call vote of those present recorded as follows:**

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

ITEM 2 RESOLUTION 19-15, POLICE- OUTREACH PROGRAM TO FIGHT AGAINST SPEED & AGGRESSIVE DRIVING GRANT AWARD & BUDGET AMENDMENT #3. Mr. Davis read Resolution 19-16 by title. The Mayor asked if the Council members had any questions; there were none. **Councilman Solis made the motion to approve Resolution 19-15. Second was by Councilman Chester and the motion passed by unanimous roll call vote of those present recorded as follows:**

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

ITEM 3 RESOLUTION 19-16, BID AWARD- DISASTER RECOVERY ADMINISTRATIVE SERVICES FOR FEDERAL DISASTER GRANT MANAGEMENT CONSULTING. Mr. Davis read Resolution 19-16 by title and explained its purpose. Mayor Thomas questioned the costs for the per diem, travel, and lodging for the consultants. Mr. Davis reminded that FEMA would reimburse the costs and the negotiated contract would have a ceiling price. The Mayor asked if there were any local firms who applied and there were none. Councilman Solis mentioned these type consultants being very specialized. Mr. Gisbert explained that FEMA used these type consultants as part of their process. Councilman Solis said these consultants knew how to do the complicated FEMA paperwork. **Councilman Solis made the motion to approve Resolution 19-16. Second was by Councilman Casto and the motion passed by unanimous roll call vote of those present recorded as follows:**

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

ITEM 4 ORDINANCE 1479, AMENDING LDC RELATED TO TRADITIONAL NEIGHBORHOOD OVERLAY DISTRICTS, 1ST READING. Mr. Davis read Ordinance 1479 by title. The Mayor asked if there were any questions from the Council members and there were none. **Councilman Chester made the motion to approve Ordinance 1479. Second was by Councilman Solis and the motion passed by unanimous roll call vote of those present recorded as follows:**

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

ITEM 5 ORDINANCE 1465, RESIDENTIAL GARBAGE COLLECTION, 1ST READING. Mr. Davis read Ordinance 1465 by title. Mr. Leonard explained the problem areas such as short-term rentals and dumping on the ROW on vacant lots and that every property should have receptacles. Mr. Davis said existing Ordinances required receptacles but this Ordinance would require that they be collected and confirmed this would only be for residential areas. Councilman Solis asked Mr. Leonard if he knew of any business which caused problems due to trash. Mr. Leonard said none to his knowledge. Councilman Chester asked if this meant the homeowner could choose their own hauler. Mayor Thomas said yes. Mr. Davis said if this First Reading was approved, a Franchise Agreement would be considered at the 2nd Reading and Public Hearing. Mayor Thomas explained that the Franchise Agreement would allow the City to know who had service and every company that operated on the beach would enter the Franchise. Councilman Casto said 99% of the people in the City had garbage service so he thought the 1% was causing the problems. Regarding the County following suit, Mayor Thomas said the prior Commissioners had said they would but he has not spoken with the new Commission on this topic. Discussion ensued concerning non-residents. Councilman Casto asked the haulers in the audience if there were different sized cans for homes with one person, smaller cans.

Mr. Lloyd Childer, Waste Pro, said the trucks were designed to pick up a certain size can. However, the numbers could be managed through the frequency of service.

Mr. Larry Hardee, Nate's Sanitation, said the County charged by the pound.

Discussion ensued concerning the Cooley cards which allowed free service at the dump. Councilman Casto confirmed that yard debris was not related to this Ordinance. The Mayor asked if there were any further questions and there were none. **Councilman Solis made the motion to approve Ordinance 1465. Second was by Councilman Casto and the motion passed by majority roll call vote of those present recorded as follows:**

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

ITEM 6 ORDINANCE 1398 SUNSETTING- DISCUSSION. Mr. Davis explained that the cap on rental LSVs and the provision which regulated the cap would sunset in February. Staff needed direction whether the Council wanted the cap to go away, make the cap permanent, or modify the number allowed. Councilman Solis said he would prefer to keep the cap at 300. He said it was a good number and the shops had shifted their business plans. Councilman Casto agreed but the Mayor disagreed and asked Chief Whitman to speak.

Chief Whitman reported the statistics for the past 20 months since the cap was enacted. He said the number of calls and incidents had increased. He said scooters had been worse because they could travel on the sidewalks. Councilman Chester asked if it would help with additional signs at the crossroads. Chief Whitman replied that Back Beach and Middle Beach Roads were State roads and Mr. Gisbert replied that FDOT refused additional signs. Mayor Thomas said he would support lowering the number back to the original 98 as he felt 300 was too many LSVs. He said a vehicle that could not go the speed limit was creating an impediment to traffic. **Councilman Solis made the motion to stay with the existing cap and bring back an Ordinance. Second was by Councilman Chester and the motion passed by majority roll call vote of those present recorded as follows:**

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

ITEM 7 BEACH HOSPITAL, DISCUSSION. Councilman Casto said a hospital on the beach had been discussed for many years which would serve 17 Million tourists. We never dreamed that a disaster would destroy both hospitals and having to resort to air evacs. He suggested a letter of support be forwarded to St. Joe for a hospital to be located on the island. Mayor Thomas said St. Joe was looking for locations one near the existing Bay Medical ER, and this recent chain of events showed the need. He said it was a good idea. Mr. Davis said he would do the letter.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 7:11 P.M.

1 Mr. Tom Klomps, 614 Poinsettia. Mr. Klomps asked that the Agenda Packets be available to the public Monday afternoon for review.

2 Ms. Cherie Crim, 17680 Front Beach Road. Ms. Crim spoke of the learning curve in this emergency and if the beach was planning to do a post mortem, FEMA hotel vouchers, and the FEMA temporary housing/trailers and their delay.

3 Mr. Frank Sewell. Mr. Sewell said the County would mirror the City's mandatory garbage and it would affect everyone. Mayor Thomas said Mr. Sewell should speak to the County Commissioners.

With no further comments, the Mayor closed the Delegations period at 7:17 P.M. He said the City was talking with the EOC and both the City and County would do a post mortem.

ATTORNEY REPORT

Mr. Davis had no report.

CITY MANAGER REPORT

Mr. Gisbert read the open bids and available jobs. He said there were some Veterans Day events to be held this weekend to honor all Veterans.

COUNCIL COMMENTS

Councilman Solis spoke to the increased sexual offenders on the beach and that it was a top priority to ensure the correct measurements on properties to protect the families and kids. He spoke of instances of rent being doubled during this emergency and that it was not right. He spoke of helping others. He spoke of Dr. Zabih and his free clinic and medical trailer now out in Callaway. He also thanked all Veterans for their service.

Councilman Casto spoke of the City Clerk position being advertised, replacing Ms. Smith who would be retiring in February. He said this position worked for the City Council and questioned if Civil Service should do the vetting, background checks, and creating a short list for the Council of qualified applicants. Mayor Thomas said he did not see the need for Civil Service to interview the applicants and Mr. Gisbert could review the applications and bring a recommendation. Councilman Solis concurred and said he reviewed all the prior applications. Mr. Gisbert said the applications were coming in and would be handled similar to the Civil Service process, just not going through the Civil Service interview. He hoped to have someone on board by Christmas to allow for training.

Councilman Chester requested an update on Hurricane Michael debris removal. Mr. Gisbert advised that commercial business debris would not be picked up by the City since those costs would not be reimbursed and they should haul their own debris. He spoke of yard debris being separated when placing in the ROW for pickup. Any services contracted out, such as fencing and shingle removal, should be hauled off. He spoke at length. Ms. Jenkins said the City had used our own resources to pick up the debris, almost 600 loads so far.

Mayor Thomas spoke of the alcohol ban and curfew lifting and advised that the City was not consulted. He said he personally liked the midnight to 5 A.M. curfew for security reasons. Regarding the City not applying for housing, he was not aware of any City residents who lost their home. The County would have contacted FEMA with their needs. The Mayor stated that the City voted to amend the curfew hours but not remove the curfew. Regarding the job vacancies, the Mayor spoke of the time-consuming process used by the Civil Service Board hindered vacancies being filled. He continued that he personally thought Department Heads should be able to interview and hire their own people. The Mayor stated that the Civil Service Board was in the City's Charter, and it would require a vote by the people to make any changes. He asked for discussion at the next meeting about placing this matter on the next ballot. Mr. Davis said his office had contacted the Supervisor of Elections regarding timing on the April election, and was advised that adopted Ordinances and Resolutions would be due at the SOE's office by noon, February 8th.

Councilman Casto said he did not agree as the Civil Service Board assumed the burden of interviewing applicants for the City. He spoke of nepotism and current Federal laws. He said the Board was also changing to meeting twice per month to interview applicants. The Mayor asked for any other comments.

Mr. Davis recommended that if the Council wanted to move forward, that a draft Ordinance be presented at the next meeting. Councilman Chester stated that he would like to speak with the Department Heads individually.

With nothing further, the meeting was adjourned at 7:45 P.M.

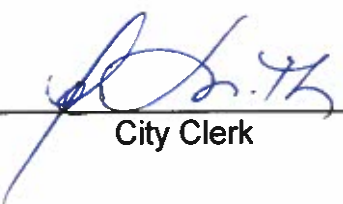
READ AND APPROVED this 13th of December, 2018.

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