

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 May 9, 2019.

ROLL
MAYOR MIKE THOMAS

COUNCILORS:
PAUL CASTO
PHIL CHESTER
GEOFF MCCONNELL
HECTOR SOLIS

CITY MANAGER:
MARIO GISBERT
CITY CLERK:
MARY JAN BOSSERT
CITY ATTORNEY:
AMY MYERS

Mayor Thomas called the Regular Meeting to order at 6 p.m. with all Councilmen, the City Manager, City Clerk, and City Attorney present.

Police Chaplain John Woodrow of Gulfview United Methodist Church gave the invocation and Councilman Solis led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Regular Meeting of April 25, 2019, were read. **Councilman McConnell made the motion to approve the Minutes as written. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

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

Mayor Thomas asked if there were any additions or deletions to the Agenda. Mr. Gisbert requested to add a Title VI Nondiscrimination Policy and Plan in order to receive federal funding from FDOT for future projects; and a discussion on an Examining Board Vacancy to the agenda. There were no objections.

PRESENTATIONS

1 BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD. Councilman Solis introduced Melanie Scott and presented her with the Civic Achievement Award for exemplary service to the Boys and Girls Club. Ms. Latina Reed, Club Representative, spoke of Melanie Scott's contributions to the Club. The audience responded with applause.

2 "NATIONAL POLICE WEEK" & "PEACE OFFICERS MEMORIAL DAY" PROCLAMATION & PRESENTATION. Councilman Solis presented Chief Whitman with the Proclamation designating May 15th as "Peace Officers Memorial Day" and May 11 – 16, 2019 as "National Police Week". Chief Whitman thanked the Council. The audience responded with applause.

3 "NATIONAL PUBLIC WORKS WEEK" PROCLAMATION & PRESENTATION. Councilman Solis presented David Campbell, Al Shortt, and Mark Shaeffer with the Proclamation designating May 19 – 25, 2019 as "National Public Works Week". The audience responded with applause.

4 "NATIONAL TOURIST WEEK" PROCLAMATION & PRESENTATION. Councilman Solis presented Kristopher McLane with the Panama City Beach Chamber of Commerce the Proclamation designating the week of May 5 – 11, 2019 as "National Tourism Week". Mr. McLane thanked the Council. The audience responded with applause.

5 "NATIONAL SAFE BOATING WEEK" PROCLAMATION & PRESENTATION. Councilman Solis presented Mr. Swezey, with U.S. Coast Guard Auxiliary, the Proclamation designating the week of May 18 – 24, 2019 as "National Safe Boating Week". Mr. Swezey spoke of Boating Safety and provided statistics on boating accidents in Florida and throughout the nation. The audience responded with applause.

6 CHECK PRESENTATION BY IRONMAN TO POLICE DEPARTMENT FOR COPS N' KIDS. Ben Rausa, Florida Ironman Race Director, thanked the Council for allowing them to continue the event in this community. The event is 37 years old and will host nearly 2,000 athletes. He presented two checks to Chief Whitman totaling \$8,000 for Cops 'n Kids. Chief Whitman thanked Mr. Rausa. The audience responded with applause.

7 PICKLEBALL PRESENTATION – CARL GENDECE. Mr. Gendece acknowledged those present supporting pickleball and submitted emails that were in support for the record. He explained the growth in the sport and how important it is for seniors. He requested consideration for extra pickleball courts and lighting at existing courts for playing at night. Councilman Casto spoke in favor of additional pickleball funding other accommodations to encourage pickleball. Councilman McConnell favored exploring evening staffing of the Frank Brown courts for accessibility. Mr. Gendece thanked the Council.

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

Mayor Thomas opened the Public Comments section of the meeting at 6:40 p.m. and invited comments. There were none. He explained there were interruptions during the Council Comments portion of the agenda at the last meeting and if further interruptions persist, he would ask those individuals to observe the meeting from the lobby area where it is televised. He closed the Public Comments at 6:42 p.m.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Item by title.

1 RESOLUTION 19-88, TYLER TECHNOLOGIES EXECUTIME MOBILE ACCESS. *"A Resolution of the City of Panama City Beach, Florida, approving an agreement with Tyler Technologies, Inc. for cloud-based service for Executime in the amount of \$68,868; and providing an immediately effective date."*

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

REGULAR AGENDA

ITEM 1 RESOLUTION 19-87, BID AWARD – FRANK BROWN PARK SOCCER FIELD LIGHTING PROJECT. Ms. Myers read Resolution 19-87 by title. Councilman McConnell expressed concerns that the sole bid was \$100,000 over the project budget. Mr. Ponek explained the design and manufacture specifications were requested to minimize light pollution to the nearby residential areas as certified by the International Dark Sky Association. Councilman McConnell explained the total cost of the certification would be \$8,000 and questioned how frequently the fuses blew. Councilman Chester believed that lightning was the main cause of fuse failure. Councilman Solis approved of the requisite 25-year warranty and approved limiting lighting impacts for neighboring communities.

Mr. Ponek explained the International Dark Sky Association applies stringent standards for light pollution and the trends in conversion to LED lights. Councilman Casto questioned the timing to re-bid this project. Mr. Ponek explained that if re-bid, the project would could not take place until 2020.

Councilman McConnell made the motion to reject Resolution 19-87 and review the spec sheets to make sure the City is not over-stringent. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 2 ORDINANCE 1490, AMENDING LDC REGARDING TELECOMMUNICATION FACILITIES IN THE RIGHT-OF-WAY. Ms. Myers explained Ordinance 1490 was advertised as required by law. Since the Ordinance was placed on the agenda, the State Legislature passed legislation that significantly limits municipal regulation in this area. She proposed to bring an updated Ordinance before the Council at the next meeting. Ms. Myers and Mr. Gisbert explained the desire to protect the undergrounding requirements and CRA design standards wherever possible.

Councilman McConnell made the motion to continue Ordinance 1490. Second was made by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 3 ORDINANCE 1491, AMENDING LDC RELATING TO HOSPITALS, 1ST READING, PUBLIC HEARING. Ms. Myers read Ordinance 1491 by title. Mayor Thomas asked if there were any questions or comments by the Council members. Councilman McConnell commented a thirty-acre requirement seemed excessive, he suggested striking the size from the Ordinance. All Council members were in favor. The Mayor opened the Public Hearing at 7:07 p.m. for comments from the audience. There were none. He closed the Public Hearing at 7:08 p.m.

Councilman McConnell made the motion to approve Ordinance 1491 with the size limitation stricken. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 4 CIVIL SERVICE BOARD VACANCY – COUNCIL APPOINTEE –

Mr. Gisbert explained a Civil Service volunteer vacated the position and requested the Council to consider the appointment of another City elector to the seat. This seat is appointed by the Council. Councilman McConnell commented he had a candidate for consideration. Councilmen Chester and Casto explained they would like to advertise, as done in the past. The Council agreed to advertise for the vacancy.

ITEM 5 EXAMINING BOARD VACANCY – COUNCIL APPOINTEE –

Mr. Gisbert explained there is a vacancy for the Examining Board. This seat is appointed by the Council. Ms. Myers explained unlike the other seats on the Examining Board, the Consumer Representative must be a City resident that is not and has never been a member or practitioner of a profession regulated by the Board or a Member of any closely related profession. The Council agreed to advertise for the vacancy.

ITEM 6 RESOLUTION 19-83, TITLE VI STATEMENT OF NONDISCRIMINATION POLICY.

Ms. Myers explained the City is attempting to get Local Agency Program (LAP) certified in order to receive federal funding from the Florida Department of Transportation (FDOT) for future projects. As part of that process, it is required to give assurance to FDOT that the City has nondiscrimination policies in place that is specific to Title VI. Ms. Myers read Resolution 19-83 by title. This Resolution will take effect on June 1st.

Councilman McConnell made the motion to approve Resolution 19-83. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

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

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 7:12 p.m.

1 Bill Caravello, 407 Dolphin Street. Mr. Caravello stated he is in support of pickleball. He requested the City provide lighting to play at night, and for the courts at Frank Brown Park to be open at night a few days a week. He also asked for five additional courts at the Lyndell Center. He noted other cities with more courts than Panama City Beach.

2 Cherie Crim, 17680 Front Beach Road. Ms. Crim explained a comment made at the Trump Rally by an audience member to shoot immigrants is putting a negative light on Panama City Beach. She stated we should not condone violence against people.

3 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson thanked Councilman McConnell for beginning the conversation about the expenditure for soccer lights. He commented the soccer lights are needed and will benefit the community. He stated he was concerned about a single bidder for that project. The idea of being frugal with that money will go a long way. He commended those supporting pickleball for bringing their requests directly to Council. In his opinion, the Trump rally went very well and thanked Mr. Ponek and Mr. Gisbert for a job well done.

4 Genese Hatcher, 203 S. Wells Street. Ms. Hatcher commented she will always speak out against corruption.

5 Gary Beck. Mr. Beck approached the podium was asked to sit down and make his comments in writing. Mr. Beck refused and Mayor Thomas called for a recess at 7:25 p.m.

With no further comments, the Mayor closed the Delegations period at 7:27 p.m.

ATTORNEY REPORT

Ms. Myers had no report.

CITY MANAGER REPORT

Mr. Gisbert explained there is an opportunity to have another sick leave payout. Ms. Myers explained last time it was limited to a 150-hour cap. Mr. Gisbert explained it will be brought before the Council at the next meeting. He read the open bids and available jobs.

COUNCIL COMMENTS

Councilman Casto asked about putting restrictions on the parcel of land for sale next to Ripley's. Ms. Myers explained the statute that is controlling the consideration of this offer, or any additional offers that may come in, the standard we are forced to consider is the sale of this property and proposed development in the best interest of, consistent with, and will it further the purposes of the CRA. The property can be deed restricted. Mr. Gisbert explained it was advertised for hotel and condominium associated type uses. The offer made to the City was for that use. Mr. Gisbert explained the money from the sale will be put back in the CRA fund.

Councilman Chester thanked the police department, fire department and Mr. Ponek for assisting with the rally. Everyone did a great job!

Councilman Solis clarified how surplus money is spent. He commented he would hope CRA projects would move quickly after the closing of the CRA parcel, possible doing two segments at one time. He explained he does not condone any violence in the city or any statement on violence. He received a call from a tourist that was upset about the statement made at the rally, and that one person's comment doesn't speak for the community. Councilman Chester commented they can't legislate integrity.

Councilman McConnell thanked Mr. Campbell with the CRA, saying paving is almost complete. He thanked the Public Works department and Mr. Campbell for closing the turning lane across from Auto Zone. He explained he is very proud of the Police department, in recognizing National Police Week, he was there with the Police department through the hurricane and watched officers go door to door and check on the residents without knowing about their own home and family's condition. He thanked the department for everything they do on a daily basis.

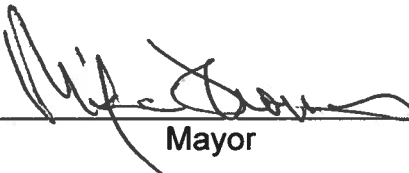
Mayor Thomas explained there was a drowning last week. We need to make sure equipment is on first responder's vehicles. He explained he did not hear any bad comments at the rally. He said it goes without saying that we do not condone violence. Regarding the vacant lot on Escanaba, Mayor Thomas stated that the City Manger had made all diligent efforts to acquire the property. He disagreed that the Council has neglected their job because there are not enough pickleball courts. The issue has gained the attention of the Council and it will be addressed. Mayor Thomas mentioned the need for another retirement option.

Mayor Thomas commented for all mothers to have a Happy Mother's Day.

With nothing further, the meeting was adjourned at 7:41 p.m.

READ AND APPROVED this 23rd of May, 2019.

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