

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 23, 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 9 a.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 Casto led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Regular Meeting May 9, 2019 were read. **Councilman Casto made the motion to approve the Minutes as written. 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

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 written. Second was by Councilman McConnell 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 **STREET/STORMWATER DEPARTMENT UPDATE.** Ms. Jenkins gave a PowerPoint presentation on the Public Works Department. She explained the Public Works Department provides a multitude of services to residences and businesses in the community. Public Works consists of four different divisions: Engineering, Community Redevelopment Agency (CRA), Stormwater and Streets. A breakdown was presented for each department.

Mr. Gisbert compliments Ms. Jenkins' management of the department. He noted that vastly increased number of projects being handled by the department as well as praising the department's handling of Hurricane Michael debris. Councilman McConnell commented he received several calls complimenting the department for a great job with storm debris pickups. At Councilman Casto's request, Ms. Jenkins stated that Bay Parkway Segment 2 should break ground this fall with completion the following year. Mayor Thomas commented about the construction delays caused by Hurricane Michael, including City Hall construction. Councilman McConnell suggested early completion incentives in future contracts. Councilman Chester thanked Ms. Jenkins for a job well done. Councilman Solis thanked Ms. Jenkins for being proactive in pursuing grant.

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

Mayor Thomas opened the Public Comments section of the meeting at 9:26 a.m. and invited comments.

1 Todd Ingram. Mr. Ingram thanked Ms. Jenkins for a terrific job. He reminded everyone it was Memorial Day weekend and thanked all men and women who died for our freedom. He asked which state legislation was preempted in Ordinance 1490. Councilman McConnell stated it was SB-1000, Ms. Myers affirmed.

With no further comments, Mayor Thomas closed the Public Comments period at 9:28 a.m.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Items by title.

ITEM 1 RESOLUTION 19-89, TASK ORDER #1, WEST END WATER IMPROVEMENTS – MOTT MACDONALD. *“A Resolution of the City of Panama City Beach, Florida approving Task Order #1 to the Master Services Agreement with Mott MacDonald Florida, LLC related to Professional Utility Engineering Services for the West End Water System Improvements in the amount of \$96,092.”*

Councilman Chester made the motion to approve the Consent Agenda. Second was by Councilman McConnell 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 1490, TELECOMMUNICATION FACILITIES IN THE RIGHT-OF-WAY, 1ST READING. Ms. Myers read Ordinance 1490 by title. She explained Ordinance waives applicable placement and design requirements for utility companies who propose to install a utility pole that closely resembles a CRA-style light pole and replaces and existing CRA-style light pole or is placed where a CRA-style light would be placed in the future. The ordinance also provides that when an applicant can meet the regular rules for placement of a Small Wireless Pole or other utility poles in a location, that applicant has no obligation to utilize the CRA-style light pole design. The ordinance strikes pole to pole spacing requirement to ensure consistency with the Legislature’s 2019 amendments to the Advanced Wireless Infrastructure Deployment Act. The Mayor asked if there were any Council questions or comments. There were none.

Councilman McConnell made the motion to approve Ordinance 1490. 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

ITEM 2 ORDINANCE 1491, AMENDING LDC RELATING TO HOSPITALS, 2ND READING, PUBLIC HEARING, AND ADOPTION. Ms. Myers read Ordinance 1491 by title. The Mayor opened the Public Hearing at 9:33 a.m. for comments from the audience. There were none. He closed the Public Hearing at 9:34 a.m.

Councilman Solis made the motion to approve Ordinance 1491. Second was by Councilman McConnell 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 3 RESOLUTION 19-90, SICK LEAVE POOL PAYOUT – BUDGET AMENDMENT #36. Ms. Myers read Resolution 19-90 by title. She explained this budget amendment affects a payout of a cap of up to 150 hours to eligible employees.

Councilman McConnell commented this is a good deal for the employees and even more are participating in it than last time.

Councilman McConnell made the motion to approve Resolution 19-90. 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 4 RESOLUTION 19-91, BEACH AND SURF VEHICLES FUNDS REALLOCATED TO FIRE DEPARTMENT – BUDGET AMENDMENT #35. Ms. Myers read Resolution 19-91 by title. Councilman Casto commented Beach and Surf is a better fit under the Fire department. He stated water safety is important and this would be a good move. Mr. Gisbert stated Mr. Couch has proposed the transition for next year's budget. Councilman Casto commented more presence needs to be on the beach. Mr. Gisbert explained that lifeguards are only provided at beaches owned by the City. Councilman McConnell commented he would like to see the TDC assist with beach safety. Councilman Casto commented he would like to expand the program.
Councilman Casto made the motion to approve Resolution 19-91. 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 5 LEGISLATIVE UPDATE. Ms. Myers explained she and Mr. Davis, with the assistance from the Florida League of Cities, prepared a summary of bills passed by the Legislature in the 2019 session which impact or are of interest to the City. The summary provided specific recommendations for action or consideration by City staff or the Council. Two specific time-sensitive items are reestablishing the audit committee and building fee requirements. New CRA reporting requirements and benefits for fire firefighters may affect the budget. Changes to the City's small cell tower regulations were being addressed. Ms. Myers also mentioned a change to the City's impact fee collection practice. She commented this update was presented to ensure that the cities practices and policies are consistent with state law. Councilman McConnell applauded the new cancer benefit for the firefighters. Mayor Thomas mentioned the importance of municipal home rule.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 9:47 a.m.

1 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson stated he is grateful for state preemption of home rule. He asked the Council to disclose any ownership interest in Simon Properties or the St. Joe Company. The Council indicated none of them had investments in the companies. Mr. Thompson spoke of an arrest of a Mr. Hunter at Pier Park and commended the Police department for being professional and understanding. He questioned whether the Mayor was involved in Mr. Hunter's arrest. Mr. Thompson made a spoken record request on any phone calls to the police about Mr. Hunter's activities at Pier Park.

2 Todd Ingram. Mr. Ingram asked what other statutes or ordinances need to be revisited. Councilman McConnell explained they are all included in the agenda packet.

3 Nick Bland. Mr. Bland thanked the Council for all they do. He explained the Edgewater Beach Resort always had a beach slide for the holiday weekends. They were unaware that a conditional use permit is needed. He requested approval.

4 Gary Beck. Mr. Beck spoke of his conspiracy allegations against Bay County. Consistent with previous warnings, Ms. Myers directed his comments to be placed in writing. Mr. Beck refused and was directed to leave the podium.

5 Cherie Crim, 17680 Front Beach Road. Ms. Crim announced a Pride Fest in McKenzie Park in Panama City, Florida.

With no further comments, Mayor Thomas closed the Delegations period at 9:57 a.m.

Mayor Thomas explained he does not have stock and he did not call anyone to be removed from Pier Park. Mr. Leonard explained the process of getting a conditional use permit. Mr. Bland explained the staff working the area are lifeguard certified and the location of the event is not intrusive to the flow of the beach. Ms. Myers stated the LDC can be changed for Staff to approve permits of this nature. Council agreed they do not see an issue for Edgewater having a conditional use permit for the holiday weekend.

ATTORNEY REPORT

Ms. Myers stated she had no report.

CITY MANAGER REPORT

Mr. Gisbert stated there is an increase in the amount of work being done on the beach. Currently there are 1,260 housing units under construction; next year there will be 1,400. He explained it was recently mentioned that the City received \$330,000 from FEMA, but other cities individually received millions in funds. He explained the various grants the City has applied for and stated staff is working diligently to make the beach stronger for the next storm occurrence. He read the open bids and available jobs.

COUNCIL COMMENTS

Councilman Casto had no comment.

Councilman Solis noted the benefits of tourism. He suggested a CRA plan of action is needed, such as signage for the multi-modal lane. Mr. Gisbert stated he will bring something back to the council regarding enforcement for moving violations into the trolley lane. Councilman Solis thanked everyone who served and to remember those who lost their lives for our freedom.

Councilman Chester asked Chief Couch about the downed trees. Chief Couch explained the coordination of issues between property owners and the state forestry department. Mr. Gisbert explained the weekly threat level monitoring from FEMA. At Councilman Chester's request, Mr. Ponak explained he will bring pickle ball ideas to the budget workshops. Mayor Thomas and Councilman Casto provided ideas for placements of additional pickleball facilities.

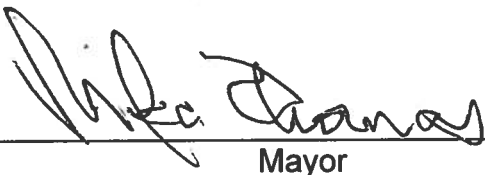
Councilman McConnell wished everyone a safe Memorial Day weekend. This is a time to reflect and honor those in service of their country.

Mayor Thomas explained he would like to build a cemetery. He mentioning 10 acres next to West Bay cemetery, and asked staff to investigate available options. The Council agreed.

With nothing further, the meeting was adjourned at 10:30 a.m.

READ AND APPROVED this 13th of June, 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