

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 September 12, 2019.

ROLL
MAYOR MIKE THOMAS

COUNCILORS:
PAUL CASTO
PHIL CHESTER
GEOFF MCCONNELL

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

Mayor Thomas called the Regular Meeting to order at 6:00 p.m. with Councilman Casto, Councilman Chester, Councilman McConnell, the City Manager, City Clerk, and City Attorney present.

Mayor Thomas gave the invocation and led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events. He asked everyone to keep Councilman Solis and his family in their prayers.

The Minutes of the Budget Workshop of August 8, 2019, and the Special Meeting Beach Safety Workshop of August 13, 2019 were read.

Councilman Chester 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	Absent
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. Councilman Casto requested to add a discussion on the Glades and a lifeguard update to the agenda.

Councilman Chester made the motion to approve the additions to the agenda. Councilman Casto seconded the motion passed by unanimous roll call vote as follows:

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

PRESENTATIONS

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

2 "CONSTITUTION WEEK PROCLAMATION" PRESENTATION. Mayor Thomas explained the St. Andrew Bay Daughters of the American Revolution could not attend the meeting but will be picking up this Proclamation later.

3 "DIAPER NEED AWARENESS WEEK PROCLAMATION" PRESENTATION. Councilman Chester presented ladies of the Junior League of Panama City, Inc. with the diapers and a Proclamation designating September 23 – 29, 2019 as "Diaper Need Awareness Week".

4 DOLLY RUMP – RECREATIONAL ACTIVITIES FOR SPECIAL NEEDS PRESENTATION. Ms. Rump explained her son has down syndrome and since Hurricane Michael, there has been a decrease in activities for children with disabilities. She asked that the City add more programs like the Miracle League that stimulates the children mentally and physically.

5 EMPLOYEE MILESTONE PRESENTATION. Mayor Thomas recognized Mel Leonard for his 20 years with the City and presented him with a Key to the City as recognition for his long service. 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 6:16 p.m. and invited comments. There were none. He closed the Public Comments at 6:16 p.m.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Item by title.

1 RESOLUTION 19-121, INFRASTRUCTURE SOLUTIONS TASK ORDER FOR THE WASTEWATER TREATMENT FACILITY. *“A Resolution of the City of Panama City Beach, Florida, approving a Task Order 2019-01 to the Master Services Agreement with Infrastructure Solutions Services, LLC, related to the design of Wastewater Treatment Plant #2 and new underground utility facilities, in the amount of \$830,735.”*

2 RESOLUTION 19-122, RATIFYING KEYSTONE EXPANDED SCOPE OF SERVICES. *“A Resolution of the City of Panama City Beach, Florida, ratifying, confirming and approving that certain agreement between the City and Keystone Field Services, Inc. related to the preparation of appraisal price estimates for Front Beach Road Segment 3 and related right of way acquisition services.”*

3 RESOLUTION 19-124, BAEZINGER AGREEMENT FOR CITY MANAGER CANDIDATE SEARCH. *“A Resolution of the City of Panama City Beach, Florida, approving an agreement with Colin Baenziger and Associates relating to the candidate search for a new City Manager in the amount of \$21,000.”*

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

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

REGULAR AGENDA

ITEM 1 ORDINANCE 1496, PROHIBITING ILLICIT DISCHARGES INTO CITY MS4, 2ND READING, PUBLIC HEARING, AND ADOPTION. Ms. Myers read Ordinance 1496 by title. The Mayor asked if there were any questions by the Council Members; there were none. He opened the Public Hearing at 6:18 p.m. and invited comments, there were none. With nothing further, the Mayor closed the Public Hearing at 6:18 p.m.

Councilman McConnell made the motion to approve Ordinance 1496. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 2 ORDINANCE 1497, PERSONAL FLOTATION DEVICES, 2ND READING, PUBLIC HEARING, AND ADOPTION. Ms. Myers read Ordinance 1497 by title. The Mayor asked if there were any questions by the Council Members; there were none. He opened the Public Hearing at 6:19 p.m. and invited comments, there were none. With nothing further, the Mayor closed the Public Hearing at 6:19 p.m.

Councilman Casto made the motion to approve Ordinance 1497. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 3 ORDINANCE 1495, ANNUAL RATE ORDINANCE FOR SEWER AND RECLAIMED WATER, 2ND READING, PUBLIC HEARING, AND ADOPTION. Ms. Myers read Ordinance 1495 by title. The Mayor asked if there were any questions by the Council Members; there were none. He opened the Public Hearing at 6:20 p.m. and invited comments.

1 Frank Sewell, 435 Hidden Island Drive – Mr. Sewell explained he lives in unincorporated Bay County, he explained he pays 25% more for the services than those who live inside of the City limits. He asked that the rate increase to non-residents be off-set by the 25% increase.

With nothing further, the Mayor closed the Public Hearing at 6:21 p.m.

Councilman Casto made the motion to approve Ordinance 1495. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEMS 4-9 PUBLIC HEARINGS.

Mayor Thomas explained items 4 – 9 are similar items and are all related to assessments and would, thus, be heard together in a combined public hearing. He called special counsel to the City, Mr. Mark Lawson, to the podium. Mr. Mark Lawson explained the special assessment items before the Council. He explained the differences between ad valorem taxes and non-ad valorem assessments. Mr. Lawson clarified that special assessment is not based upon the value of properties but is based upon the fact that these charges are made because the property has a special benefit attributed to it from the expenditure or it creates a demand that needs to be addressed by an expenditure. He explained the purpose of the four types of assessments. The assessments will be for the Front Beach Road CRA Assessment; the Stormwater Assessment; the Fire Assessment; and the Annual Nuisance Abatement Assessment. He explained the notice of intent and commented the law requires the public hearings to be made and proof of publication given. Mr. Lawson explained a stenographer was present for recording these sections. Discussion ensued.

ITEM 4 ORDINANCE 1498, COMMUNITY REDEVELOPMENT AGENCY ASSESSMENTS, 2ND READING, PUBLIC HEARING, AND ADOPTION. Ms. Myers read Ordinance 1498 by title. The Mayor asked if there were any questions by the Council Members; there were none. He opened the Public Hearing at 6:32 p.m.

1 Paula Henry, 514 Evergreen Street – Ms. Henry commented she receives no benefit from the CRA assessment but will be charged \$50 a year. She requested the charges should be based on property value.

With nothing further, the Mayor closed the Public Hearing at 6:35 p.m.

Mr. Lawson explained every property related to the CRA area has been asked to pay a per parcel charge. Mr. Lawson explained the methodology for determining the assessment prepared by Dr. Owen Beitsch and the categories and weight given to each category. The first category is the heated and cooled area of the property; the second category is the improvement value cost; the third category is the land value of the property.

Ms. Myers stated she received one email of someone objecting to any new assessments. Mr. Lawson requested it to be stated in the record that 33 people were in attendance for the public hearings.

Councilman McConnell made the motion to approve Ordinance 1498. Second was made by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

Councilman Solis	Absent
Councilman Casto	Aye

Councilman Chester Aye
Councilman McConnell Aye
Mayor Thomas Aye

ITEM 5 RESOLUTION 19-133, ESTABLISHING FRONT BEACH ROAD CRA ASSESSMENT PROGRAM FOR FY 2019-2020, PUBLIC HEARING. Ms. Myers read Resolution 19-133 by title. Mr. Lawson commented for the record, they will prepare a notice and bill and bring it back to the next meeting. There were no further comments. **Councilman Casto made the motion to approve Resolution 19-133. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 6 RESOLUTION 19-127, ANNUAL STORMWATER ASSESSMENT FOR FY 2019-2020, PUBLIC HEARING. Ms. Myers read Resolution 19-127 by title. There were no comments. **Councilman McConnell made the motion to approve Resolution 19-127. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 7 RESOLUTION 19-129, ANNUAL FIRE ASSESSMENT FOR FY 2019-2020, PUBLIC HEARING. Ms. Myers read Resolution 19-129 by title. There were no comments. **Councilman McConnell made the motion to approve Resolution 19-129. Second was made by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 8 RESOLUTION 19-128, ANNUAL NUISANCE ABATEMENT ASSESSMENT FOR FY 2019-2020, PUBLIC HEARING. Ms. Myers read Resolution 19-128 by title. There were no comments. **Councilman Chester made the motion to approve Resolution 19-128. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 9 RESOLUTION 19-135, NOTICE OF INTENT TO USE UNIFORM METHOD TO COLLECT FRONT BEACH ROAD CRA ASSESSMENT BEGINNING IN 2020-2021, PUBLIC HEARING. Ms. Myers read Resolution 19-135 by title. There were no comments. **Councilman Casto made the motion to approve Resolution 19-135. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 10 RESOLUTION 19-117, SALE OF 10591 PARKHILL CIRCLE. Ms. Myers read Resolution 19-117 by title. Councilman Casto asked why this sale of land was not advertised for bid. Mr. Gisbert commented it was not part of the CRA, therefore advertisement is not required. Ms. Myers stated the buyer offered to purchase at the City's appraised price. Councilman Casto stated others should have the opportunity to buy the property and requested advertising be put in the policy for future surplus property and that this sale be postponed allowing competitive bids. Councilman Chester agreed that surplus property should be advertised for sale in the future.

Councilman McConnell made the motion to approve Resolution 19-117. Second was made by Councilman Chester and the motion passed by majority roll call vote recorded as follows:

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

ITEM 11 RESOLUTION 19-134, APPROVING ISSUANCE OF NOTE USING FRONT BEACH ROAD CRA ASSESSMENT REVENUES. Ms. Myers read Resolution 19-134 by title. Mr. Lawson gave a brief overview of the capital improvement purchase of the street sweeper.

Councilman McConnell made the motion to approve Resolution 19-134. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 12 RESOLUTION 19-137, AMENDING CRA BUDGET FOR FY 2018-2019 AND ESTABLISHING CRA BUDGET FOR FY 2019-2020. Ms. Myers read Resolution 19-137 by title. There were no comments.

Councilman Chester made the motion to approve Resolution 19-137. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 13 RESOLUTION 19-138, AMENDING CITY BUDGET FOR FY 2018-2019. Ms. Myers read Resolution 19-138 by title. There were no comments.

Councilman Casto made the motion to approve Resolution 19-138. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 14 RESOLUTION 19-139, ADOPTING CITY BUDGET FOR FY 2019-2020. Ms. Myers read Resolution 19-139 by title. There were no comments.

Councilman McConnell made the motion to approve Resolution 19-139. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 15 GLADES BUFFER DISCUSSION. Councilman Casto explained he spoken with the City's special counsel on this matter, Mr. Gary Hunter. He explained that Mr. Hunter advised against increasing the buffer, but recommended staff review the eventual permit application and plans to maximize the buffer as much as possible. He called Mel Leonard to the podium. Mr. Leonard commented given the circumstances, the safest thing the City can do is once the application is submitted, is to work with the developer and preserve as much landscaping as possible that is already there and look at the buffers and where the stormwater can go.

ITEM 16 LIFEGUARD DISCUSSION. Councilman Casto explained the Fire Department is taking over the lifeguard duties from the Police Department. At the last meeting, the Council directed Chief Couch to investigate costs associated with entering a private-public partnership. Chief Couch reviewed his recent fact-finding mission to St. Johns County and reviewed their program. He commented he based his cost projections on South Walton Fire and Rescue District's program. He explained the South Walton contract that has two people and a 2-year contract. For the first year the cost is \$120,000 and the next year will be \$60,000. The employees will be seasonal which is a six-month contract. He commented the City needs to get this program off the ground before contracting out.

Returning to the discussion of the Glades, Mayor Thomas explained to Councilman Casto that he felt the City had reached a conclusion as to its legal rights months ago and wanted to stop spending money on attorneys. Councilman McConnell explained they all received the same email from the president of the HOA at the Glades detailing out the conversations from the developer and seller. The HOA has been involved in the processes and he encouraged the Glades to work through their HOA to keep that going because the City cannot help from a legal perspective. Mayor Thomas commented City staff has been instructed to do whatever they can do to make the community comfortable in the subdivision, legally there is nothing the City can do. Discussion ensued.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 7:09 p.m.

1 Bill Caravello, 407 Dolphin Street. Mr. Caravello spoke of pickleball and addressed Ms. Rump by stating they have a disability program in pickleball. He asked for an update on additional pickleball courts.

2 Mr. Gary Wayne Beck attempted to speak about unrelated matters. Mr. Beck was asked to leave the chambers. Mayor Thomas apologized for the outburst.

3 Michael Knapp, 145 Glades Turn. Mr. Knapp commented he had a concern with pool equipment and the fences surrounding the pool in the Glades. He commented that DR Horton has cut down trees that they shouldn't have and paid the fine.

4 June Kennedy, 105 Glades Turn. Ms. Kennedy thanked Councilman Casto and Mr. Leonard. She explained the HOA has denied the resident's information and will not talk with them; the residents are doing this on their own. She commented there is something morally wrong with this.

With no further comments, Mayor Thomas closed the Delegations period at 7:15 p.m.

ATTORNEY REPORT

Ms. Myers had one report. She explained she has prepared a notice of a public hearing for the next meeting on September 26th to consider an extension of the CRA. She requested confirmation to ratify and confirm the actions of publishing that notice. Mayor Thomas asked for an update of the CRA.

Mr. David Campbell, CRA Director, explained projections have been done out to 2031; Segment 2 is being completed and they are working on Hwy 79 and Segment 3. He commented projecting out to 2031 Front Beach Road from 79 to Richard Jackson can be completed but would be unable to complete Segment 5 for the north and south connectors. Mayor Thomas commented the CRA will need to be extended.

Councilman Casto made a motion to ratify and confirm the notice of the public hearing previously sent by the City. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman Solis	Absent
Councilman Casto	Aye

Councilman Chester Aye
Councilman McConnell Aye
Mayor Thomas Aye

CITY MANAGER REPORT

Mr. Gisbert explained the new budget has been approved that includes several new positions. Mr. Gisbert read the open bids and available jobs.

COUNCIL COMMENTS

Councilman Casto had no comments.

Councilman Chester commented it was an honor speaking with the teachers and students of Surfside Middle School about local government.


Councilman McConnell thanked the staff for their hard work on the budget.

Mayor Thomas requested all departments utilize the Public Information Officer, she needs to be more involved and informed of information for all departments. Councilman McConnell would like to see an employee spotlight to build morale. Mayor Thomas commented we have great employees.

With nothing further, the meeting was adjourned at 7:23 p.m.

READ AND APPROVED this 10th of October, 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