

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 February 13, 2020.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

HECTOR SOLIS

CITY MANAGER:

TONY O'ROURKE

CITY CLERK:

MARY JAN BOSSERT

CITY ATTORNEY:

COLE DAVIS

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

Councilman McConnell gave the invocation and led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes for the Regular Meeting of January 9, 2020 were read. **Councilman Casto made the motion to approve the Minutes as written. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

Mayor Thomas asked if there were any additions or deletions to the Agenda. There were none.

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

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**PRESENTATIONS**

**1 BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD.** Councilman McConnell introduced Kailani House and presented her with the Civic Achievement Award for exemplary service to the Boys and Girls Club. Ms. Latina Reed, Club Representative, spoke of Kailani'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 6:05 p.m. and invited comments. There were none. With nothing further, Mayor Thomas closed the Public Comments at 6:05 p.m.

**REGULAR AGENDA**

**ITEM 1 ORDINANCE 1508, COMMUNITY MEETINGS, 2ND READING, PUBLIC HEARING.** Mr. Davis read Ordinance 1508 by title. The Mayor asked if there were any questions by the Council Members. There were none. Mayor Thomas opened the Public Hearing at 6:07 p.m. and invited comments.

**1** Scott Helmn, Breakfast Point. Mr. Helmn spoke on Phase 3 of Breakfast Point where he stated St. Joe did not give notice of meetings or hearings about the developments.

Mayor Thomas asked Mel Leonard to clarify the Ordinance. Mr. Leonard explained this Ordinance requires developers to hold community meetings before coming before the Planning Board.

With no further comments, Mayor Thomas closed the Public Hearing at 6:09 p.m.

**Councilman Solis made the motion to approve Ordinance 1508. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 2 ORDINANCE 1513, UPDATING CAPITAL IMPROVEMENTS SCHEDULE, 2ND READING, PUBLIC HEARING.** Mr. Davis read Ordinance 1513 by title. Mayor Thomas opened the Public Hearing at 6:11 p.m. and invited comments. There were none. Mayor Thomas closed the Public Hearing at 6:11 p.m.

**Councilman McConnell made the motion to approve Ordinance 1513. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 3 ORDINANCE 1514, R-3 SETBACKS, 2ND READING, PUBLIC HEARING.** Mr. Davis read Ordinance 1514 by title. Mayor Thomas opened the Public Hearing at 6:13 p.m. and invited comments. There were none. Mayor Thomas closed the Public Hearing at 6:13 p.m.

**Councilman Chester made the motion to approve Ordinance 1514. Second was made by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 4 ORDINANCE 1515, PODIUM STANDARDS, 2ND READING, PUBLIC HEARING.** Mr. Davis read Ordinance 1515 by title. Mayor Thomas opened the Public Hearing at 6:14 p.m. and invited comments.

1 Genese Hatcher, 601 Gardenia Street. Ms. Hatcher asked for clarification of the Ordinance.

Mr. Leonard explained this Ordinance cleans up the Land Development Code when the height incentives went away and did not allow for those upper-tier heights in the FBO districts. He explained when the height incentives were removed it set a maximum height in the Front Beach overlay districts. As a result, the podium standards established for FBO 2 and 3 districts needed to be modified to establish new heights as which the podiums should begin.

2 Genese Hatcher, 601 Gardenia Street. Ms. Hatcher stated this is limiting private residences to a height of 35 feet. She asked the Council why they are limiting homes but allow resorts to increase heights.

Councilman Solis explained this Ordinance does not pertain to FBO 1 when heights came down the podium standards had to be adjusted and reduced from 45 to 35.

3 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson stated Mayor Thomas commented on Ms. Hatcher's parking was not in compliance. He asked how the Mayor could comment about someone else's parking when he is not in compliance with the parking at his restaurant.

Mayor Thomas closed the Public Hearing at 6:24 p.m.

**Councilman Solis made the motion to approve Ordinance 1515. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 5 RESOLUTION 20-55, SICK LEAVE PAYOUT AND BUDGET AMENDMENT #13.** Mr. Davis read Resolution 20-55 by title. There were no comments. Councilman McConnell made the motion to approve Resolution 20-55. Second was made by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 6 RESOLUTION 20-56, CITY MANAGER SALARY AND BENEFITS, BUDGET AMENDMENT #14.** Mr. Davis read Resolution 20-56 by title. There were no comments.

Councilman Solis made the motion to approve Resolution 20-56. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 7 RESOLUTION 20-57, BEACH AND SURF ATV PURCHASE AND BUDGET AMENDMENT #15.** Mr. Davis read Resolution 20-57 by title. There were no comments.

Councilman McConnell made the motion to approve Resolution 20-57. Second was made by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 8 RESOLUTION 20-59, AMENDMENT TO AGREEMENT WITH GAC CONTRACTORS, INC. AND BUDGET AMENDMENT #16.** Mr. Davis read Resolution 20-59 by title. Mr. Shortt explained the additions. He explained there are two smaller items in the new City Hall, which is the installation of a bronze exterior dedication plaque and casework to provide drawers and a large desk area in the council chamber A/V room. He explained the major proposed expenditure is the addition of a curved masonry feature wall on the north end of the park, additional concrete paving adjacent to the wall, sidewalks connecting to the sidewalks along PCB Parkway and irrigation and sod in the PCB Parkway right of way.

Councilman Solis made the motion to approve Resolution 20-59. Second was made by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 9 POLICE DEPARTMENT WRECKER SERVICE RFQ DISCUSSION.** Mr. O'Rourke explained we are revisiting the City's current exclusive use of sole-source wrecker services and term allowance throughout the city. The request for Qualifications is seeking qualified proposals for two types of services. Problematic/Specialty services will be awarded exclusively to the most qualified responsive firm. The City will award nonexclusive wrecker services to all qualified responsive firms. He explained staff has

prepared a request for qualifications for these services. The Council gave the direction to proceed with the Wrecker Service RFQ.

**ITEM 10 CIVIL SERVICE BOARD APPOINTMENT.** Mr. O'Rourke explained there was one applicant, Mr. Mark Kinkade, who has a strong background in business and is qualified for this opportunity.

**Councilman Casto made the motion to approve Mr. Mark Kinkade to the Civil Service Board. Second was made by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 11 AUDIT COMMITTEE VACANCIES DISCUSSION.** Mr. Davis explained the City Council revised the makeup of the audit committee to prohibit city employees from serving on the committee beyond an advisory role. He explained a member of the City Council will serve as Chair and the City Council select four qualified persons to serve alongside the Chair. Mr. Davis requested direction on making appointments to the committee. Councilman Casto asked how often the committee would be meeting. Ms. White explained the primary responsibilities of the committee and explained the committee will meet at least once a year. The Council discussed that Councilman McConnell, Casto, and Chester would return with recommended appointments.

**ITEM 12 CITIZEN SURVEY TOPICS DISCUSSION.** Mr. O'Rourke explained the City is preparing to conduct a citizen survey of Panama City Beach's residents. The survey will be conducted by a competitively procured consulting firm who shall prepare the questions and administer the survey. While most of the questions will be standard questions common to many cities, the survey will also include specific questions on the community's policy preferences. He explained the survey will be anonymous and asked for direction from the Council on any specific policy topics to be included in the survey. Councilman McConnell stated he would like to see the top three challenges the residents see in Panama City Beach and the satisfaction of services provided.

#### DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 6:45 p.m.

1 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson inquired if the Mayor and Code Enforcement are joining the St. Joe Company in supporting Mark Sheldon for Mayor. He alleged that Code Enforcement officer was filmed putting out sandbags and setting up signs for the mayoral candidate. Mr. Thompson stated the Mayor made a deal with the hotel developer across from his diner in regard to height incentives. Mr. Thompson played a tape from a previous council meeting.

2 Genese Hatcher, 601 Gardenia Street. Ms. Hatcher asked who the hotel developer was across from Mike's Diner. She asked was the developer Bill Carr with Carr, Riggs, and Ingram that does audits on the City's financials every year? She stated County Commissioner, Robert Carroll, was contracted by this developer to present the request for the height incentive. She asked the Mayor if he sees a conflict of interest in that. She asked what personal issue he has with her.

3 Chase Brown, 11739 Seashore Lane. Mr. Brown stated he has seen a video on social media of the Mayor, and he was rude to the person filming. He expressed the Council should be aware of what they spend their money on. He stated the Police Department does not have any body or dash cams. He commented money is not being spent correctly.

4 Gary Wayne Beck, 17001 Front Beach Road. Mr. Beck explained his distrust of the Bay County Government.

5 Tony Horton, 17292 FBR. Mr. Horton echoed Mr. Thompson and Ms. Hatcher's comments. He asked if it is a valid request to ask for the road extension for Shalimar after the votes were cast. He asked if the vote is valid or should that be voted on again.

6 Chaz Brown, 461 Clair Avenue. Mr. Brown stated in 2017 the News Herald printed an article on Councilman Solis that he did not have a permit for several years for his business. How can we trust the council with these actions?

7 Frank Sewell, Hidden Pines. Mr. Sewell stated the lift station on Joan Avenue still has a horrible smell. He inquired if Edgewater has put in their fire sprinkler system, if not, why aren't they shut down?

8 Karena Delton, 107 Manistee Drive. She stated there is a dedication plaque ordered and inquired whose name is on it. Mr. O'Rourke explained this plaque is outside of the building that recognizes the city council, key architect, contractors, and city manager that is involved with the construction.

9 Christopher Nayler. Mr. Nayler stated his 4<sup>th</sup> amendment right by not giving his address. He read State Code U.S. 241. He stated he is a U.S. Naval Veteran and helps his community. He encouraged the audience to check out 1<sup>st</sup> Amendment Auditors on YouTube.

Councilman Chester asked Mr. Shortt to address the odor issue. Mr. Shortt explained the issue is being evaluated, the prices for replacement and repair has escalated.

With no further comments, Mayor Thomas closed the Delegations period at 7:07 p.m.

#### ATTORNEY REPORT

Mr. Davis had no report.

#### CITY MANAGER REPORT

Mr. O'Rourke explained there will be an RFP to upgrade the City's website, which is a very important portal for the public. He commented the website needs to be updated. He explained the proposal for an employee survey. He announced the upcoming City's 50<sup>th</sup> anniversary.

#### COUNCIL COMMENTS

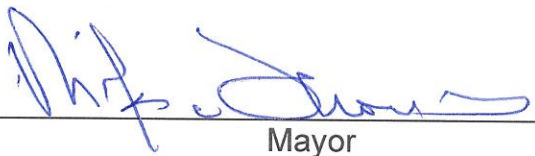
Councilman Casto requested an update at the next City Council meeting on the public/private partnership with the lifeguard program.

Mayor Thomas stated he did not swap a vote for the height incentives. He explained it was a good chance to reduce traffic behind the development and that the developer voluntarily offered to build the road. Mayor Thomas stated the Council has worked hard to have a great City. He commented Ms. Hatcher made her issues personal with both himself and Councilman Solis.

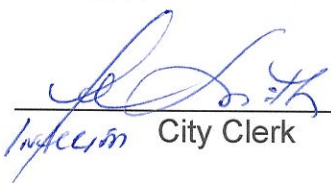
With nothing further, the meeting was adjourned at 7:22 p.m.

READ AND APPROVED this 26th of March 2020.

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

  
\_\_\_\_\_  
Mayor

ATTEST:

  
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City Clerk