

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 27, 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:

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.

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

Mayor Thomas announced the upcoming Community Events.

The Minutes for the Regular Meeting of January 23, 2020 were read. **Councilman McConnell 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 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. There were none. **Councilman Casto 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:**

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

PRESENTATIONS

1 EMPLOYEE RECOGNITION, EMORY "BO" REEVES – PRESENTATION FOR 30 YEARS OF SERVICE. Councilman Solis expressed his thanks to Mr. Reeves's service to the City. He announced that Public Works Director, Kelly Jenkins, would present the Key to the City and certificate to Mr. Reeves at a meeting with Mr. Reeves department colleagues.

2 EMPLOYEE RECOGNITION, JAMES CREAMER – PRESENTATION FOR 30 YEARS OF SERVICE. Councilman Solis invited Mr. Creamer to the podium and congratulated him on his 30 years with the City. He presented Mr. Creamer with his certificate of Appreciation for his years of service as well as congratulations from the Civil Service Commission. He also received a Key to the City and lapel pin for his 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 9:06 a.m. and invited comments.

1 Tom Trossen, 107 Heron Turn. Mr. Trossen asked if the Council intends to fully fund any or all projects in total if HGMP funding is not received, if so which projects. He

commented several projects cost and cost-share totals have changed and inquired on the decrease in the project amount cost for the Hombre Circle Drainage Project. He asked for the logic on why the Front Beach Road Communication Hardening Project went from a 5 million, single-phase project, to a 20 million, multi-phase project. He commented the 2nd Amendment Resolution states in the resolution that the second amendment should not be infringed.

2 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson echoed Mr. Trossen concerning the 2nd Amendment and explained the Constitution.

3 Gary Beck. Mr. Beck spoke on the Constitution, he commented the Bay County Government is corrupt. Mayor Thomas asked Mr. Beck to conform to the agenda.

4 Tom Klomps, 614 Poinsettia Court. Mr. Klomps asked the Council to modify Ordinance 1517 so that the special events rates will be modified yearly.

With nothing further, the Mayor closed the Public Comments at 9:14 a.m.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Items by title.

ITEM 1 RESOLUTION 20-61, BID AWARD – FRANK BROWN PARK ELECTRONIC SCOREBOARDS PROJECT. *“A Resolution of the City of Panama City Beach, Florida, approving an agreement with Daktronics, Inc. for the purchase and installation of eleven electronic scoreboards with thirty remotes and two consoles in the amount of \$81,564.”*

ITEM 2 RESOLUTION 20-62, BID AWARD – FRANK BROWN PARK PLAYGROUND SHADE PROJECT. *“A Resolution of the City of Panama City Beach, Florida, approving an agreement with Creative Shade Solutions, Inc. for the purchase and installation of playground shade structures for Frank Brown Park in the amount of \$155,000.”*

ITEM 3 RESOLUTION 20-68, LAWSON AND ASSOC. PROPERTY ACQUISITION WORK ORDER. *“A Resolution of the City of Panama City Beach, Florida, approving a work order with Mark G. Lawson, P.A. related to property acquisition services for community redevelopment projects, in the initial amount of \$25,000.”*

Councilman McConnell 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 ORDINANCE 1517, SPECIAL EVENT SERVICES, 1ST READING Ms. Myers read Ordinance 1517 by title. Mr. Leonard explained this Ordinance allows the City to contract with special event holders to provide municipal services at a rate determined by the Council. Ms. Myers explained the staffing formula and process. She commented a Resolution will be brought to the Council to adopt the special event rates later.

Councilman McConnell made the motion to approve Ordinance 1517 with the modification to change the notification of cancellation to 72 hours instead of 24 for medium and large special events. Second was 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 2 RESOLUTION 20-60, BID AWARD – BAY PARKWAY PHASE 2 CONSTRUCTION. Ms. Myers read Resolution 20-60 by title. She explained there has been an amendment to the Resolution to include designating the use of half-cent infrastructure sales tax for the project.

Councilman McConnell made the motion to approve Resolution 20-60 with the amendment. 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

ITEM 3 RESOLUTION 20-64, TASK ORDER 18-04 – GORTEMOLLER ENGINEERING POST DESIGN SERVICES FOR BAY PARKWAY PHASE II. Ms. Myers read Resolution 20-64 by title. There were no comments.

Councilman Chester made the motion to approve Resolution 20-64. 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

ITEM 4 RESOLUTION 20-63, TASK ORDER 20-01 – NOVA GEOTECHNICAL SERVICES FOR BAY PARKWAY PHASE II. Ms. Myers read Resolution 20-63 by title. There were no comments.

Councilman Casto made the motion to approve Resolution 20-63. 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

ITEM 5 RESOLUTION 20-66, REVISING HGMP PROJECT LIST AND MATCH. Ms. Myers read Resolution 20-66 by title. Mayor Thomas called Hagerty's representative to the podium. Mr. Jason Rosberg explained the reason for the Resolution. He explained the projects list and commitment from from the City to provide some matching funds. He commented the project list is a complete list of all possible projects in Bay County that will be prioritized. Since the HMGP application period has opened, several City projects have been modified, added or deleted with a resulting increase of \$366,129 in local funding to be committed to the program.

Councilman Solis made the motion to approve Resolution 20-66. Second was by Councilman McConnell 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 6 RESOLUTION 20-67, SUPPORTING SECOND AMENDMENT RIGHTS. Ms. Myers explained this Resolution does not offend the Constitution. There were no further comments.

Councilman McConnell made the motion to approve Resolution 20-67. 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

ITEM 7 PIER PARK EAST DEVELOPMENT AGREEMENT, PUBLIC HEARING. Ms. Myers explained the Pier Park East Development Agreement. She explained no action is required by the Council at this first public hearing except to confirm the day,

time and place of the second public hearing. Mayor Thomas opened the Public Hearing at 9:30 a.m. and invited the audience's comments. There were none. With nothing further, Mayor Thomas closed the Public Hearing at 9:30 a.m.

ITEM 8 DISCUSSION OF PENSION PLAN. Ms. Myers explained City employees who are participants in the general employees' pension plan currently are vested after ten years of service with the City. She explained during the recruitment of a new city manager, the City's recruiting consultant noted that city managers generally serve between 5 and 8 years in a given city. As part of the contract with Mr. O'Rourke, the Council committed to consider in good faith a change to the city's pension plan which would allow employees who are not members of civil service and hired after October 1, 2019, to become vested in their pension benefits upon achieving five years of service with the City. The Council agreed to the change. She explained an amendment to the City's pension ordinance will be considered by the general employees' pension board at its March 5, 2020 meeting. The Council agreed to move forward.

ITEM 9 DISCUSSION OF AUDIT COMMITTEE VACANCIES. Mr. O'Rourke 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 will select four qualified persons to serve alongside the Chair. He asked the Council for recommendations. Councilman McConnell appointed Shawn Hochstetler who has dealt with government finances for twenty years. Council Casto appointed John Johnson who is a CPA. Councilman Chester appointed Zachary Van Dyke who is a local attorney. **Councilman Casto made a motion to appoint Councilman McConnell to be the Chair of the Audit Committee and to appoint Shawn Hochstetler, John Johnson, and Zachary Van Dyke to the committee. 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 10 DISCUSSION OF BEACH LIFEGUARDS. Chief Couch gave a presentation and discussed the history of the Beach Lifeguard program. He explained the current state, including the challenges in staffing, resource development, funding, double-red flag enforcement, public-private partnerships, and drownings related to alcohol use; and a plan for the next five years. He explained the goal of reduced drownings and rescues can be achieved through continued education, growing career lifeguards, the continuation of training firefighters in open-water rescue for emergencies and backup, creating a volunteer ambassador program to help educate beachgoers, and building partnerships with private entities to responsibly address a new approach of enhancing the safety of all those enjoying the sandy beach.

ITEM 11 DISCUSSION OF NARCAN GRANT FUNDING. Chief Whitman gave a presentation and overview of Naloxone (Narcan) for Law Enforcement and First Responders. He explained with drug overdose emerging as the leading cause of accidental deaths in the United States, law enforcement officers are responding to a growing number of incidents that have the potential to end in death due to opioids. By providing Naloxone (commonly called Narcan) to officers, law enforcement agencies can reverse many of these opioid overdoses, saving countless lives. Narcan has no known side effects, is not addictive, and cannot be used to get high. Narcan only works on opioid drugs. Narcan does not harm a patient, it only reduces the effect of an opioid overdose. He explained the Panama City Beach Police Department has applied to the Department of Health, via a Helping Emergency Responders Obtain Support (HEROS) Program, for 150 doses of the nasal spray version of the emergency opioid antagonist; which is worth approximately \$4,500, on February 10, 2020, the Police Department received notification for approval of the request and are anticipating the delivery of the Narcan towards the end of March 2020.

ITEM 12 DISCUSSION OF PCB 50TH ANNIVERSARY. Ms. Ward explained the 50th Anniversary Committee has proposed to close up city offices at 3 p.m. on Friday, August 7th and have an event at Aaron Bessant Park for current and former employees and their families, to include food, cornhole tournament, specialty item giveaways with

the 50th anniversary logo, and children's games. The Committee suggests opening the celebration up to the community at 7 p.m. as an extra concert to the free event at Aaron Bessant with a video of history from past and present officials and employees; recognizing past and present city officials; including an interactive art element that the community would create; presentations/speeches; burying of a time capsule; recognition of middle school essay contest winner and food vendors. The Committee requested an increase to \$25,000.

Councilman Casto made the motion to increase the PCB 50th Anniversary Committee budget to \$25,000. Second was 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

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 10:20 a.m.

1 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson thanked Mr. O'Rourke for his leadership. He spoke on the blockage and emergency vehicles on Sundial Street. He handed the Council a picture of the parking lot of Mike's Diner and Sundial Street. He explained cars are extending far into the road that leads to cars veering to pass around them. He argued that Mayor's diner should not be grandfathered in due to his remodel in 2011 that revokes the LDC grandfather clause.

2 Jason Heise, 103 Sea Oats Drive. Mr. Heise laid a Purple Heart medal on the desk in the Council Chamber. He asked if it is a Code Enforcement issue if someone has a 10 ft fence and their permit reflects eight feet. Councilman Chester answered yes. He commented the Mayor stated people get paid to criticize and believe the statement untrue. He commented people of the City are not happy, the whole town is upset. He explained he is disabled from the war. He argued that Councilman Solis should not hide behind the Wounded Warrior Project and spoke of stolen valor. He commented Councilman McConnell ran a negative campaign. He commented the Mayor has illegal parking.

3 Genese Hatcher, 601 Gardenia Street. Ms. Hatcher commented on a past situation with her guest parking. She commented Mayor Thomas' business gets preferential treatment. She commented she called the police department regarding the dangerous parking situation at Mike's Diner and Sundial Street. She made a verbal public records request for the corresponding police reports and citations and any other document related to this issue. She commented there should be "no parking" signs in this area. She asked if the City is enforcing laws equally.

4 Tom Trosson, 107 Heron Turn. Mr. Trosson gave kudos to the public works and water departments. He explained the street department replaced the speed limit signs in the Glades and he thanked the water department for their quick service. He requested for attention during the upcoming year since the Hombre Golf Course is currently under negotiation for development. He explained the process is moving slowly and there may be some more issues regarding maintenance to the property.

5 Gary Beck, 45835 Front Beach Road. Mayor Thomas asked Mr. Beck to conform to the Delegations period. Mr. Beck was escorted out of the meeting.

With no further comments, Mayor Thomas closed the Delegations period at 10:34 a.m.

ATTORNEY REPORT

Ms. Myers stated the Bay County Supervisor of Elections has asked if the Council is interested in early voting. There were no objections.

CITY MANAGER REPORT

Mr. O'Rourke explained he will present a roadmap to the strategic plan to the Council at the next meeting. He commented he has a scheduled meeting with Edgewater Resort to speak on the current life safety sprinkler issue and a proposed crosswalk from their property to the shopping mall across the street.

COUNCIL COMMENT

Councilman Solis thanked Mr. Heise for his service. He explained the truth does not make its way to the public regarding his property not being in violation. He explained his

retirement paperwork as a law enforcement officer is filed on the State's website. He commented he is proud of his law enforcement career. He thanked all of those involved in the construction of the new city hall complex. He expressed his concern about high gas prices and commented gas prices are still high this long after the hurricane.

Councilman McConnell stated the Council passed the contract to get Bay Parkway rolling. He commented the Council is investing in infrastructure and trying to solve the congestion issue. He commented the City has invested heavily in the Parks and Recreation division. He gave kudos to the Parks and Recreation department.

Councilman Casto had no comments.

Councilman Chester commented the pickleball courts are coming along great. He asked Chief Couch for a copy of the department's budget up to 2025. He thanked the departments for a great job.

Mayor Thomas announced the open house after this meeting adjourned.

With nothing further, the meeting was adjourned at 10:54 a.m.

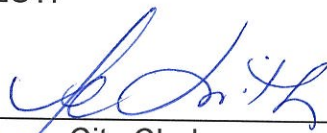
READ AND APPROVED this 26th of March 2020.

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



Mayor

ATTEST:



Interim City Clerk