

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 March 12, 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 6 P.M. with all Councilmen, the City Manager, City Clerk, and City Attorney present.

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

Mayor Thomas announced the upcoming Community Events.

Mayor Thomas asked if there were any additions or deletions to the Agenda. Councilman Solis requested a COVID-19 update, and the Mayor responded that the City Manager would give the update. The Mayor asked to add a discussion about sewer tie-in repayments. There were no objections.

Councilman McConnell made the motion to approve the agenda as amended. 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

PRESENTATIONS

1 **BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD.** Councilman Casto introduced Caden Reyes and presented him with the Civic Achievement Award for exemplary service to the Boys and Girls Club. Ms. Latina Reed, Club Representative, spoke of Caden's contributions to the Club. Mayor Thomas also thanked his parents for their good job. 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 6:07 P.M. and invited comments. Hearing none, Mayor Thomas closed the Public Comments at 6:07 P.M.

REGULAR AGENDA

ITEM 1 **ORDINANCE 1509, ST. JOE PIER PARK EAST LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT, 2ND READING, PUBLIC HEARING.** Ms. Myers read Ordinance 1509 by title. Mayor Thomas opened the Public Hearing at 6:09 P.M. and invited comments. There were none. Mayor Thomas closed the Public Hearing at 6:09 P.M.

Councilman Casto made the motion to approve Ordinance 1509. Second was made 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 1510, ST. JOE PIER PARK EAST REZONING, 2ND READING, PUBLIC HEARING. Ms. Myers read Ordinance 1510 by title. Mayor Thomas opened the Public Hearing at 6:10 P.M. and invited comments. There were none. Mayor Thomas closed the Public Hearing at 6:10 P.M. **Councilman McConnell made the motion to approve Ordinance 1510. Second was made 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 3 RESOLUTION 20-69, PIER PARK EAST DEVELOPMENT AGREEMENT, PUBLIC HEARING. Ms. Myers read Resolution 20-69 and made two comments correcting a typo error and language. She highlighted the details and asked the Council to include those two amendments in their motion. Mayor Thomas opened the Public Hearing at 6:13 P.M. and invited comments.

Mr. Ray Greer, 2910 Carey Force Pkwy, Tallahassee, FL. Mr. Greer stated that he was the applicant's representative and explained this Master Agreement allowed the St. Joe Company to create the Master Plan for the property. He said he was available for any questions by Council. Councilman Solis questioned the stormwater element and Mr Greer responded that the Agreement provided for the stormwater calculation to be submitted to the City.

1 Mr. Bob Malawan, 206 Summerwood Drive. Mr. Malawan asked how the City would ensure the development was done correctly without impacts to the Summerwood Subdivision or adjoining neighborhoods. Councilman Solis explained details from his knowledge of the Master Plan.

2 Ms. Karen Mathson, 166 Christopher Drive. Ms. Mathson asked why the City was moving so fast. She detailed the increased traffic volume on Panama City Beach Parkway over the years. With the volume of tourists, Ms. Mathson said the City did not have basic services for that many people. She spoke of developments affecting the residents, low water pressure in the evenings, and the wastewater plant odor.

Mayor Thomas asked Mr. Greer to respond to Mr. Malawan's concerns. Mr. Greer said the illustration attached to the Agreement was conceptual as a Master Plan had not yet been developed for the site. This merely outlined the various connections on the roads.

Mr. Shortt explained the computer model for the entire water system, adding input from all new projects, and planning future growth drivers. He said most complaints were for high water pressure, and the Mayor asked him to check Christopher Drive and its pressure. Mr. Shortt also explained the new wastewater plant to be built off Griffin Blvd, and its capacity which would handle future growth. In response to Councilman Solis, Mr. Shortt said the cost for construction would be north of \$40,000,000 and some reserves were available for that cost. In response to Councilman McConnell, Mr. Shortt said the existing plant was permitted at 14,000,000 gallons per day with last July being 10,000,000 gallons per day. He continued that at 80% capacity, the new plant must be under design and at 90%, the new plant must be under construction. The new wastewater plant was on schedule. In response to Councilman Casto, the new plant would be 12,000,000 gallons per day.

3 Ms. Karen Owens, 206 Beachwood Drive. Ms. Owens said she could not enjoy her yard or home due to the wastewater plant smell.

4 Ms. Katy Riley, Breakfast Point. Ms. Riley said asked when the new plant construction would be completed, ad the Mayor stated that was unknown until the construction was started.

With nothing further, Mayor Thomas closed the Public Hearing at 6:27 P.M.

Councilman McConnell made the motion to approve Resolution 20-69 with the amendments by Ms. Myers. Second was made 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 ORDINANCE 1516, GULF POWER FRANCHISE AGREEMENT, 1ST READING. Ms. Myers read Ordinance 1516 by title. Councilman McConnell made the motion to approve Ordinance 1516. Second was made 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 5 ORDINANCE 1517, SPECIAL EVENT SERVICES, 2ND READING, PUBLIC HEARING. Ms. Myers read Ordinance 1517 by title. The Mayor opened the Public Hearing at 6:28 P.M. There were no comments. He closed the Public Hearing at 6:28 P.M.

Councilman McConnell made the motion to approve Ordinance 1517. Second was made 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 6 RESOLUTION 20-65, SPECIAL EVENT SERVICES RATES. Ms. Myers read Resolution 20-65 by title. Councilman Chester asked about the different rates between Police and Fire. Chief Whitman explained how the hourly rates for Police were determined. Ms. White explained how the hourly rates on average for Fire were determined. Chief Couch suggested that it would be easier for the promoters if the rates were the same whether Fire or Police.

Councilman Solis made the motion to approve Resolution 20-65. Second was made 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 7 RESOLUTION 20-70, BID AWARD – TALENTKEEPERS EMPLOYEE ENGAGEMENT CONSULTANT SERVICES AND BUDGET AMENDMENT #22. Ms. Myers read Resolution 20-70 by title. Councilman Solis recommended a conservative stance in light of the current fiscal circumstances and felt it prudent to delay this non-essential matter. Mr. O'Rourke said this was important to identify the strengths of the City personnel. He said this survey would help the City save the taxpayers money and would ultimately pay for itself. Councilman McConnell stated that he agreed with Councilman Solis on the large-scale projects but something small as this, he felt it could move forward. Councilman Casto said he agreed with Mr. O'Rourke to move forward. Councilman Casto made the motion to approve Resolution 20-70. Second was made by Councilman McConnell and the motion passed by majority roll call vote recorded as follows:

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

ITEM 8 RESOLUTION 20-71, GRANICUS AGENDA MANAGEMENT SOFTWARE AND BUDGET AMENDMENT #19. Ms. Myers read Resolution 20-71 by title. There were no comments.

Councilman Chester made the motion to approve Resolution 20-71. Second was made by Councilman Casto and the motion passed by majority roll call vote recorded as follows:

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

Councilman Solis repeated his comments about expenditures and future incoming funds.

ITEM 9 RESOLUTION 20-72, BID AWARD – CONDREY CLASSIFICATION AND PAY PLAN STUDY AND BUDGET AMENDMENT #23. Ms. Myers read Resolution 20-72 by title. Councilman Solis repeated his comments and concerns about the budget and that he felt it prudent to delay this expenditure. Councilman Casto recommended moving forward. There were no further comments.

Councilman Casto made the motion to approve Resolution 20-72. Second was made by Councilman McConnell and the motion passed by majority roll call vote recorded as follows:

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

ITEM 10 RESOLUTION 20-73, CITY OF PANAMA CITY BEACH 50TH ANNIVERSARY CELEBRATION BUDGET AMENDMENT #21. Ms. Myers read Resolution 20-73 by title. The Mayor asked for comments and there were none.

Councilman McConnell made the motion to approve Resolution 20-73. Second was made by Councilman Casto and the motion passed by majority roll call vote recorded as follows:

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

ITEM 11 RESOLUTION 20-74, SUPPORTING FDOT ROAD SAFETY AUDIT RECOMMENDATIONS. Ms. Myers read Resolution 20-74 by title. Mr. Campbell said that last year, the Council had requested the audit to determine the number of accidents between Alf Coleman and Richard Jackson Blvd. This Resolution would show Council support for FDOT Priority 2 and Priority 3 improvements. Illustrations of the proposed improvements were shown and Mr. Campbell explained in detail. He continued that he had worked with FDOT’s Safety Officer and they would work with the City to make the changes in a timely fashion prior to six-laning the Parkway.

Councilman Casto asked about the cost and Mr. Campbell stated it would be the State as those were State intersections.

Mr. Campbell continued that another Priority 3 improvement would be delayed until the CRA four-laned Alf Coleman but was included in the Resolution. One improvement not included was the intersection between Publix and Home Depot, a City road. The recommendation was to add an island in the center to force vehicles exiting Publix to turn right and make a u-turn to reach the Parkway. He said this improvement was not in this year’s budget but could be added next year. Other options were being considered but the work was very preliminary. Councilman McConnell suggested placing the project in next year’s budget. He also thanked staff for their work in this matter. Mr. Campbell added that he had been working with the Breakfast Point residents in keeping them apprised.

Councilman Casto made the motion to approve Resolution 20-74. Second was made 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 12* RESOLUTION 20-75, AUTHORIZING SERIES 2020 BOND ISSUANCE, PUBLIC HEARING. Ms. Myers read Resolution 20-75 by title. Mayor Thomas opened the Public Hearing at 6:48 P.M.

1 Ms. Karen Mathson, 166 Christopher Drive. Ms. Mathson asked what this Resolution meant in laymen's terms.

With nothing further, the Mayor closed the Public Hearing at 6:49 P.M. and asked Ms. Myers to explain the Resolution. This Resolution authorized the sale of \$40,000,000 capital improvement bonds for the Front Beach Road CRA. The intention of this bond issue was to speed the process for the future CRA segments.

Councilman Casto made the motion to approve Resolution 20-75. Second was made 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 13 RESOLUTION 20-79, JOINT RESOLUTION OF CITY AND AGENCY REGARDING SERIES 2020 BONDS. Ms. Myers read Resolution 20-79 by title, stating that this Resolution made covenants between the City and Agency in the Interlocal Agreement, and payment of that debt. The Mayor asked if there were any question and there were none.

Councilman Casto made the motion to approve Resolution 20-79. Second was made 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 14 RESOLUTION 20-76, EXTENSION OF SEGAL CONSULTING AGREEMENT BUDGET AMENDMENT #18. Ms. Myers read Resolution 20-76 by title. The Mayor called for questions and there were none.

Councilman McConnell made the motion to approve Resolution 20-76. Second was made 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 14A SEWER TIE-IN REPAYMENTS- DISCUSSION. Mayor Thomas referred to an email he received from a water customer who requested a longer length of time to recover his investment in laying sewer lines to his property and recouping those capital costs from other properties tying into his line. The Mayor asked Mr. Shortt to explain in detail.

Mr. Shortt gave the history of revenue certificates, beginning with large development projects which allowed the developer to get back 25% of the Impact Fee over 20 years but those were \$50,000 and above. Beginning in 2008, homeowners who wished to tie into the sewer line, due to the smaller amounts, were paid 75% of the cost over five years.

Councilman Solis said he would consider extending the five to seven or ten years.

ITEM 15 RESOLUTION 20-78, BALL REVENUE CERTIFICATE. Ms. Myers read Resolution 20-78 by title.

Councilman McConnell made the motion to approve Resolution 20-78. Second was made 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

CITY MANAGER. City Manager O'Rourke began with a powerpoint presentation concerning the COVID-19 virus and its affect worldwide. He spoke of events being cancelled as well as steps people could take to prevent exposure. Mr. O'Rourke mentioned upcoming events at Frank Brown Park and Aaron Bessant Park, and whether the events should be canceled. Councilman Solis said he felt the private sector would take those events into consideration and weigh their options. Mr. O'Rourke confirmed the hospitals had the testing facilities. Councilman McConnell asked about the City leagues scheduled for Frank Brown Park. Mr. O'Rourke said decisions were being made daily, and more would be learned tomorrow when Governor DeSantis briefed the State. The Council stated they needed more information before making decisions. Mr. O'Rourke stated he would get feedback from the State and County and call a special meeting if needed.

Mr. Shortt gave details about the water leak and repair of the West Bay transmission line. He said it was unknown as to the extent of the leak until the pipes were uncovered by the contractor. He explained that one of the City's contractors responded to an emergency call and discovered that the twenty-year old pipe, which supplied 60% of the City's water customers, had a failed gasket. Mr. Shortt displayed photos and explained the three repair options at length, all of which would result in a boil water notice. The Option B was to install a short bypass, not turn the water off, and minimize the boil water affect to the citizens. He said after the emergency repairs Sunday night, it would take two days for the boil water notice to be rescinded after the water was tested. Mr. Shortt said he had prepared contingency plans in case the repair was not successful. He asked for Council questions.

Councilman McConnell asked about the water quality at this time. Mr. Shortt explained that a planned boil water notice was posted but it had not been placed in effect. The water is fine. Regarding the County's water line crossing the bridge, they proposed to tie into the line underwater next week.

Councilman Casto said in his prior experience as Public Works Director and experiencing many large water breaks over the years, he agreed with Mr. Shortt in that Option B was the best choice without interrupting service to the island. There were no objections. Mayor Thomas said for Staff to proceed, and added that he appreciated his office, Ms. Ward, and Mr. O'Rourke keeping the public updated every step along the way. Mr. Shortt also offered thanks to the County and their Utilities Director, Mr. Ben Blicht, who offered any County equipment to help in this emergency.

ITEM 16 DISCUSSION OF PROPOSED 2020 STRATEGIC PLAN. Mr. O'Rourke gave a brief overview of the strategic planning process, a nine-step process of strengths, weaknesses, opportunities and threats. He explained in detail. Mayor Thomas said good job. Councilman McConnell said he had been asking for a five year plan as the City was too big to not have a well-documented plan for the future.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 7:45 p.m.

- 1 Mr. Burnie Thompson, 17292 Front Beach Road. Mr. Thompson spoke of unsafe parking at Mike's Diner and displayed photos of Sundial Street. He spoke of the grandfathering and its legal authority. He asked for the Building Official's opinion in this matter and said the State Fire Marshall had been notified.
- 2 Mr. Justin Wilson, 215 Birdie Lane. Mr. Wilson spoke of severe headaches and nausea due to the 5G compliant towers. He talked about the over abundance of radiation. He said he had asked the County for scientific data but had not received any information. He said the phone companies had not obtained any permits.
- 3 Ms. Michelle Carter, Bay County resident. Ms. Carter said her home in Panama City had been damaged in Hurricane Michael and she was having health issues. She spoke of living in her car and sleeping overnight in the Wal-Mart parking lot. She contended she was sleeping in private parking lots which would not be covered by City Ordinances.
- 4 Ms. Genese Hatcher, 601 Gardenia Street. Ms. Hatcher spoke of arbitrary and oppressive treatment as outlined in the News Herald article of July 6, 2017. She spoke of life safety and the disruption to her life, and that everyone must follow the rules.
- 5 Mr. Gary Beck spoke of issues criminal allegations not against the City. After warnings, Mr. Beck was escorted out of the meeting.

6 Mr. Frank Sewell, Hidden Island Drive. Mr. Sewell asked for the status of the Edgewater sprinklers.

With no further comments, Mayor Thomas closed the Delegations period at 7:56 P.M.

ATTORNEY REPORT

Ms. Myers stated a Bond validation meeting was scheduled for the same time as the next City Council meeting so she would be unable to attend the next meeting.

CITY MANAGER REPORT

Mr. O'Rourke gave kudos to Ms. Ward for keeping the public updated on the water leak as well as the COVID-19 virus. He complimented Mr. Shortt and staff for their work in providing the Council a clear course of action in repairing the water leak. He also gave kudos in advance to the Police and Fire Departments in facing the upcoming Spring Break. Regarding the Edgewater sprinkler situation, they had the option of meeting the State requirements or opt out and that information would be supplied. He stressed however that compliance was not required until 2024.

COUNCIL COMMENTS

Councilman Solis said the sprinklers were a State issue and the City had no control. Ms. Myers confirmed a lot of the City authority had been preempted by the State. He urged the citizens not to panic but to prepare for the virus. He spoke of the high gas prices on the beach.

Councilman McConnell had no comments.

Councilman Casto said many streetlights on South Thomas were out near Pineapple Willy's. He asked about using portable towers during Spring Break period since this section of the road was so dark.

Councilman Chester thanked Mr. Shortt and Staff.

Mayor Thomas thanked staff for their hard work during this virus. He added that in the past, Gulf Power had roving crews which would repair streetlights. He asked Chief Whitman once a month to ask his officers to identify non-working streetlights and report their location so that Gulf Power could be informed.

With nothing further, the meeting was adjourned at 8:04 P.M.

READ AND APPROVED this 23rd of April 2020.


- Any item noted with an asterisk are taken both by the City Council and the Panama City Beach Redevelopment Agency jointly and concurrently.

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