

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 28, 2017.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:
JOHN REICHARD
JOSIE STRANGE
PHIL CHESTER
HECTOR SOLIS

CITY MANAGER:
MARIO GISBERT
DEPUTY CITY CLERK:
JO SMITH
CITY ATTORNEY:
AMY MYERS

Mayor Thomas called the Regular Meeting to order at 9:00 A.M. with all Council members, City Manager, Deputy City Clerk and City Attorney present.

Campus Pastor Derrick Bennett of the Northstar Church gave the invocation and Councilwoman Strange led the Pledge of Allegiance.

The Mayor announced the upcoming Community Events including that the City Tree Lighting would be held at Aaron Bessant Park on November 27, 2017 instead of Frank Brown Park on December 4, 2017. Councilwoman Strange announced the Barktoberfest at Hook'd on October 21, 2017. Councilman Solis reminded everyone about the Warrior Beach Retreat being open to the public. Councilman Reichard advised flags would be available for the public at Hathaway bridge.

The Minutes of the Regular Meeting of September 14, 2017 were read and approved as written per motion by Councilwoman Strange. Second was by Councilman Chester. The motion passed by unanimous roll call vote recorded as follows:

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

Mayor Thomas asked if there were any additions or deletions to the Agenda. Mr. Gisbert asked to add Resolution 17-147 for the Storm Event Emergency Pay Policy. Councilman Reichard asked to add Chief Whitman to the Agenda to advise the assistance given by the Department during Hurricane Irma. There were no objections. Councilwoman Strange 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 Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

PRESENTATIONS

1 "NATIONAL FALLEN FIREFIGHTERS MEMORIAL SERVICE WEEKEND" PROCLAMATION AND PRESENTATION. Councilwoman Strange invited Chief Daly to the podium as she read the Proclamation declaring October 7-8, 2017 as "National Fallen Firefighters Memorial Service Weekend".

2 MOONEY SUMMIT V AT ORIGINS, BETTER THE BREED- DR RON DUBIN. Councilwoman Strange welcomed Dr. Ron Dubin to the podium to explain about the Mooney Summit and his bringing Mooney aircraft pilots to the beach.

PUBLIC COMMENTS (Consent and Regular Items only)

The Mayor opened the Public Comments portion of the meeting and reminded that the speakers were limited to three minutes. There were none. He closed the Public Comments portion of the meeting.

CONSENT AGENDA

Ms. Smith read the Consent Agenda items by title.

1 RESOLUTION 17-144, BID AWARD, US 98 UTILITY RELOCATION AT MOYLAN. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Royal American Construction Company, Inc., in the amount of \$350,413 for the US-98 Utility Relocation Project at Moylan."

2 RESOLUTION 17-145, BID AWARD, PCB PARKWAY AND CAULEY AVE UTILITY RELOCATION. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Royal American Construction Company, Inc., in the amount of \$436,143 for relocation of the City's water and sewer utilities necessitated by DOT's intersection improvements at Panama City Beach Parkway and Cauley Avenue."

3 RESOLUTION 17-139, FDEP INSPECTION & REMEDIATION AGREEMENT AT WWTP. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Florida Department of Environmental Protection, relating to the Assessment and Cleanup from a possible petroleum contamination at City's Wastewater Treatment Plant site; authorizing the City Manager to enter a Site Access Agreement with FDEP's contractor for performance of the work; and providing an effective date."

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

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

REGULAR AGENDA- DISCUSSION/ACTION

ITEM 1 ORDINANCE 1420, BAY PARKWAY COMP PLAN AMENDMENT, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1420 by title. The Mayor asked if there were any questions from the Council; there were none. He opened the Public Hearing at 9:19 A.M. and asked if any questions or comments from the audience; there were none. He closed the Public Hearing at 9:20 A.M. **Councilwoman Strange made the motion to approve Ordinance 1420. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 2 ORDINANCE 1421, BAY PARKWAY REZONING, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1421 by title. The Mayor asked if there were any questions from the Council; there were none. He opened the Public Hearing at 9:20 A.M. and asked for comments or questions from the audience. There were none. The Public Hearing was closed at 9:20 A.M. **Councilwoman Strange made the motion to approve Ordinance 1421. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 3 ORDINANCE 1422, HOMBRE GOLF CLUB COMP PLAN AMENDMENT, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1422 by title. The Mayor asked if there were any questions or comments from the Council; there were none. He opened the Public Hearing at 9:22 A.M. and asked for comments or questions from the audience. There were none. The Public Hearing was closed at 9:23 A.M. **Councilman Reichard made the motion to approve Ordinance 1422. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 4 ORDINANCE 1423, HOMBRE GOLF CLUB REZONING, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1423 by title. The Mayor asked if there were any questions or comments from the Council; there were none. He opened the Public Hearing at 9:23 A.M. and asked for comments or questions from the audience. There were none. The Public Hearing was closed at 9:24 A.M. **Councilman Chester made the motion to approve Ordinance 1423. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 5 ORDINANCE 1424, WATER, SEWER, AND RECLAIMED WATER FY 2017-2018 RATE INCREASE, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1424 by title. The Mayor asked if there were any questions or comments from the Council; there were none. He opened the Public Hearing at 9:25 A.M. and asked for comments or questions from the audience. There were none. The Public Hearing was closed at 9:25 A.M. **Councilman Reichard made the motion to approve Ordinance 1424. Second was by Councilman Solis and the motion passed by majority roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Nay
Mayor Thomas	Aye

ITEM 6 ORDINANCE 1426, REVISING PODIUM STANDARDS IN FBO-1 DISTRICT, 1ST READING. Ms. Myers read Ordinance 1426 by title and explained this came as a recommendation from the Planning Board. Mr. Leonard explained the intent of podium standards and their being visually apparent. He said lots less than 55' wide would not be required to do the podium, which was already the rule on the north side of Front Beach Road. The Mayor asked if there were any questions from Council.

Councilman Solis asked the areas affected by this Ordinance and Mr. Leonard responded with the three areas affected. Mayor Thomas asked Mr. Leonard to confirm if the Front Beach Overlay had not been created, then this Ordinance would not be necessary, and Mr. Leonard replied affirmatively. Mr. Leonard said Staff had no objections. **Councilwoman Strange made the motion to approve Ordinance 1426. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 7 ORDINANCE 1429, FRONT YARD SETBACKS FOR LAWN DEVELOPMENTS IN FBO DISTRICTS, 1ST READING. Ms. Myers read Ordinance 1429 by title. She added that this came as a recommendation from the Planning Board. Mayor Thomas asked if there were any questions or comments from the Council. There were none. Mayor Thomas asked Mr. Leonard to confirm that if the Front Beach Overlay had not been created, then this Ordinance would not be necessary, and Mr. Leonard replied affirmatively. **Councilwoman Strange made the motion to approve Ordinance 1429. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 8 ORDINANCE 1434, REVISION OF ROADS ON WHICH GOLF CARTS CAN TRAVEL, 1ST READING. Ms. Myers read Ordinance 1434 by title and explained Ordinance 980 had specified streets in which golf carts were prohibited, one being Beckrich Road. Since then, Beckrich Road was renamed Richard Jackson Blvd. and this Ordinance would clarify the name change as well as that North Richard Jackson Blvd. would permit golf carts due to having a lower speed limit. **Councilwoman Strange made the motion to approve Ordinance 1434. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 9 RESOLUTION 17-140, GOLF CART CROSSING AT NAUTILUS. Ms. Myers read Resolution 17-140 by title. Councilwoman Strange asked for a timeline and Ms. Myers said once adopted, Staff would prepare a traffic study and submit the application to FDOT. Mayor Thomas said he opposed even preparing a study for the golf cart crossing because FDOT had already denied the first application and they did not want a crossing at that location. He asked Chief Whitman to confirm that a fourteen year old child could drive a golf cart in the community, and Chief Whitman responded affirmatively due to State law. Mayor Thomas opposed the crossing due to the liability of possibly fourteen year olds crossing the Parkway. Councilman Solis said he shared that concern. Councilman Reichard questioned fourteen year olds being allowed to drive the golf carts and the Mayor said the golf carts were meant to stay within neighborhoods. Councilwoman Strange mentioned keeping traffic off the Parkway with one less car. Councilman Chester said Pier Park had a golf cart crossing in which fourteen year olds could cross the Parkway. **Councilwoman Strange made the motion to approve Resolution 17-140. Second was by Councilman Chester and the motion failed by majority roll call vote recorded as follows:**

Councilman Solis	Nay
Councilman Reichard	Nay
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Nay

ITEM 10 RESOLUTION 17-142, NORTH GLADES TRAIL NAME CHANGE TO BREAKFAST POINT BLVD. Ms. Myers read Resolution 17-142 by title. The Mayor asked for comments and questions from the Council. Councilman Reichard said he thought it was a good idea. **Councilman Reichard made the motion to approve Resolution 17-142. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 11 RESOLUTION 17-143, BREAKFAST POINT PHASE 3B HORIZONTAL INFRASTRUCTURE COMPLETION AGREEMENT. Ms. Myers read Resolution 17-143 by title, explained the HICA and stated the Agreement came with the recommendation of Ms. Jenkins. The Mayor asked if there were questions or comments from the Council; there were none. **Councilwoman Strange made the motion to approve Resolution 17-143. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 12 PLAT APPROVAL BREAKFAST POINT PHASE 3B, PUBLIC HEARING. Ms. Myers stated that the developer had requested that the Public Hearing be continued until October 12th in order to resolve a title issue. There were no objections.

ITEM 13 RESOLUTION 17-141, BREAKFAST POINT CHANNEL CONTRACT. Ms. Myers read Resolution 17-141 by title and said Breakfast Point LLC would give the City an easement and right of entry to maintain a widened stormwater ditch. She said Staff believed this would alleviate some of the drainage issues in that area. Mayor Thomas said that was one of the wettest areas and a good opportunity. Councilman Reichard asked Ms. Jenkins about the annual maintenance and she responded with details as to how the maintenance would occur. She said it would reduce the flood level in the Glades by 6 inches and added that the State planned to move the culverts to better align with the new channel which would help with the water flow. In response to Councilman Reichard's questions concerning appearance, Ms. Jenkins said there would be no excessive landscape maintenance required, only mowing and cleaning out the ditch. She said the City was paying for the channel and had applied for a grant but had been denied. The permit could take up to a year to be approved, and she was continuing to look for other funding. Ms. Jenkins said Staff was meeting with Water Management next week to explore their funding. **Councilwoman Strange made the motion to approve Resolution 17-141. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 14* RESOLUTION 17-136, ADOPTION OF THE AMENDMENT TO THE 2016-2017 CRA AGENCY BUDGET AND ADOPTION OF THE PROPOSED 2017-2018 CRA AGENCY BUDGET. Action on this item was taken by both the City Council and the City of Panama City Beach Community Redevelopment Agency, jointly and concurrently. Ms. Myers read Resolution 17-136 by title. The Mayor asked if there were any questions or comments by the Council members. There were none. **Councilman Solis made the motion to approve Resolution 17-136. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 15 RESOLUTION 17-137, AMENDING FISCAL YEAR 2016-2017 CITY BUDGET. Ms. Myers read Resolution 17-137 by title. The Mayor asked if there were any questions or comments by the Council members; there were none. **Councilman Solis made the motion to approve Resolution 17-137. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 16 RESOLUTION 17-138, ESTABLISHING FISCAL YEAR 2017-2018 CITY BUDGET. Ms. Myers read Resolution 17-138 by title. The Mayor asked the Council members if there were any questions or comments. There were none. **Councilman Reichard made the motion to approve Resolution 17-138. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 17 RESOLUTION 17-135, PAYOFF SRF LOAN WWG120694060. Ms. Myers read Resolution 17-135 by title. Mayor Thomas said this had been suggested by Councilman Solis and Mr. Gisbert said this payoff would save approximately \$400,000 over ten years. **Councilman Solis made the motion to approve Resolution 17-135. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 18 JOB DESCRIPTION- REVISED BUILDING CODE ADMINISTRATOR. Mr. Leonard explained the proposed changes to the current job description, raising the standards with additional certifications. He said the Department was now in the position to need someone with the wide range of certifications. The Mayor asked the Council members if there were any questions or comments, and there were none. **Councilman Solis made the motion to approve the revised Building Code Administrator job description. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 19 RESOLUTION 17-146, PUBLIC RECORDS POLICY. Ms. Myers read Resolution 17-146 by title. She mentioned two issues since the agenda was published that in light of the volume of public records requests received that the time frame to produce the records be changed from "same day" to two business days for very specific requests. For the second, with regards to the calculations, the City's practice was for the first 60 minutes of labor be free instead of 30 minutes noted in the policy. Councilman Reichard suggested changing the time frame for producing the records to be two business days following the date of the request. **Councilman Solis made the motion to approve Resolution 17-146 with the changes. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 20 RESOLUTION 17-148, CLOSING A PORTION OF LYNDELL LANE. Ms. Myers read Resolution 17-148 by title. The Mayor asked if there were any questions or comments from the Council members; there were none. **Councilwoman Strange made the motion to approve Resolution 17-148. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

ITEM 21 RESOLUTION 17-147, STORM EVENT EMERGENCY PAY POLICY. Ms. Myers read Resolution 17-147 and Mr. Gisbert explained the current protocol. He said this Resolution would authorize the City to pay those essential employees 1.5 times their usual salary if they were required to stay during a storm. The employees required to stay home would receive their normal pay. Mayor Thomas asked why and Mr. Gisbert responded it was the practice of the rest of Bay County and the other municipalities. The Mayor stated he had no problems paying those employees who stayed but did have issues with paying those employees who stayed home. Councilman Solis said he understood the Mayor's concerns but felt it was the right thing to do in a state of emergency. However, there was a problem with the notice that the bridges would be closed at 40 mph as opposed to 55 mph, causing many problems with businesses getting their employees to work. Discussion ensued. Councilman Solis said he felt it had been an over-reaction and City Hall should not have closed. He said he had a problem with implementing the policy. Mr. Gisbert explained the main issue was the change of closing the bridges at 40 mph which prompted the call from Mark Bowen and that a majority of the City's employees live across the bridge. **Councilwoman Strange made the motion to approve Resolution 17-147. Second was by Councilman Chester and the motion passed by majority roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Nay

DELEGATIONS

Mayor Thomas opened the Delegations period.

1 Ms. Colleen Swab, California Cycles, 13416 Front Beach Road. Ms. Swab said she had made changes to the brochure and had given copies to Chief Whitman for his consideration. She explained the changes and her reasons for suggesting the brochure be updated. Councilwoman Strange asked for a copy and the Mayor stated all Council members would receive a copy.

2 Ms. Genese Hatcher. Ms. Hatcher entered into the record a picture of the new blacktop on Oleander Drive and questioned the sand being able to correct the drainage problem. She explained about the water runoff and its flow.

3 Mr. Matthew Bush, 170 Crane St. Mr. Bush asked if the Council members would give their addresses at the first of each meeting and made comments about Department Heads being afraid to enforce the laws.

4 Mr. Todd Ingram, Sports Vehicles Assn, 12282 Hutchison Blvd. Mr. Ingram had questions concerning Ordinance 1434 and Resolution 17-140, and differentiating between golf carts and LSVs.

5 Dr. Ron Dubin. Dr Dubin complimented the Council on their tremendous job and professionalism and the City growing in a positive way. He said he owned 18 homes on the beach and he was very happy with the City.

There were no further speakers. The Mayor closed the Delegation section of the meeting.

Ms. Myers had no report and responded to Mr. Ingram that Ordinance 1434 and Resolution 17-140 were specific to golf carts since State laws regulated LSVs.

Mr. Casto addressed Ms. Hatcher's concerns about the Oleander Drive blacktop and that it would be a sand swale for the excess water. He said the water would be diverted towards the north and the swale instead of toward the homes since the grade was changed. He added that the project was not completed and the water would percolate into the sand.

For the City Manager report, Mr. Gisbert read the posted job vacancies. He explained at the last meeting, Staff was requested to start another sewer Impact Fee financing program and the packets were now available. He said door hangers would be placed on every home not already connected and a list was available of the seven neighborhoods. He said most of the seven neighborhoods were less than 50% connected so there would be the opportunity for over 1200 people to be connected to the system. He said it would be strictly residential and only within the seven neighborhoods.

Mr. Gisbert said the City had received commendations from various mayors and officials thanking the City for sending the sworn officers to the hurricane impacted areas. Chief Whitman explained these officers were all volunteers with the missions of patrolling, helping in the shelters, extra help as needed. He said the officers did a great job, working 12 on/12 off, varying from 7 to 13 days deployed. He added that a total of seventeen officers were sent to Tallahassee and to the Keys.

Regarding the Gulf Coast Jam, Mr. Gisbert said the promoters had asked the City for a multiyear contract for Frank Brown Park, three years through 2020 with the same date each year. They stated this would help their efforts in attracting top entertainment. **Councilwoman Strange made the motion to approve a three year contract through 2020 with Gulf Coast Jam. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

Councilman Solis thanked the Police Department for extending the helping hand to the hurricane devastated areas. He also gave kudos to the Department for the recent bust leading to federal indictments. He complimented the Chief in the participation in the task force.

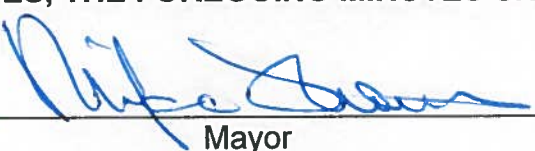
Councilman Chester announced that the Optimist Club had honored Chief Daly and Deputy Chief Couch. Mr. Gisbert said in January when Chief Daly retired, Deputy Chief Couch would assume the rank of Chief. Mayor Thomas said that was a good choice.

Mayor Thomas said he did not see a lot of construction work being done on the CRA and that he would like a status report at the next meeting since he saw the roadway torn up but no one working. Regarding the bridges being closed during the hurricane, it was the Florida Highway Patrol who closed the bridges, not FDOT. He said common sense should have been used in the emergency as those actions crippled a lot of the state that had not been affected.

The meeting was adjourned at 10:29 A.M.

READ AND APPROVED this 12th of October, 2017.

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