

**MINUTES** of 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 10, 2020.

**Mayor Mark Sheldon called the meeting to order at 6:00 PM.**

**ROLL CALL**

**MAYOR MARK SHELDON**

**VICE MAYOR GEOFF MCCONNELL**

**COUNCILORS:**

**PAUL CASTO**

**PHIL CHESTER**

**MICHAEL JARMAN** (*attended remotely via Zoom*)

Others present were City Manager Tony O'Rourke, Interim City Clerk Jo Smith, City Clerk Lynne Fasone, City Attorney Cole Davis, Directors and members of the public and press.

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

Mayor Sheldon provided community announcements. Mayor Sheldon called for additions and/or deletions to the agenda. City Manager O'Rourke recommended removing Regular Agenda Item #6 relative to civil service as it was not advertised. Manager O'Rourke recommended the item be brought back to Council on September 24<sup>th</sup>. Manager O'Rourke also recommended rescheduling the proclamation presentation (Item 6B) for Mr. Sehlhorst as he was unable to attend. Mayor Sheldon called for additional changes. Hearing and seeing none, **Councilman Casto moved to approve the agenda with the recommended changes. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).**

<b>Councilman Jarman</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Sheldon</b>	<b>Aye</b>

**PRESENTATIONS**

Mayor Sheldon invited Bay District Superintendent of Schools Bill Husfelt to the podium. Superintendent Husfelt provided Council with update on the schools, handout **attached**.

**PUBLIC COMMENTS - NON-AGENDA BUSINESS (LIMITED TO THREE MINUTES)**

Mayor Sheldon opened the floor for non-agenda public comments.

1. Mr. Gary Beck - Mr. Beck expressed concern that his constitutional rights were being violated.
2. Bill Caravellum, 407 Dolphin Street- Mr. Caravellum spoke in favor of Pickleball. Mr. Caravellum reported he had 123 emails/addresses from people in support of Pickleball in PCB. Mr. Caravellum offered his help with getting courts in the City.
3. Burnie Thompson – Mr. Thompson discussed the previous city manager going after \$60 million in FEMA money and expressed concern with using Hagerty company to do the same. Mr. Thompson expressed concern with the city’s records policy and asked Council to review the policy.
4. Cherie Crim – Ms. Crim thanked Council for their hard work. Ms. Crim commented that it was amazing being involved with the city planning process. Ms. Crim reported there were not enough woman and people of color involved in the planning process. Ms. Crim expressed concern with transparency and with board appointments made by Council.
5. Tom Klomps – Mr. Klomps expressed concern with the proposed traffic circle at Front Beach Road and with Councilman Casto and Councilman Chester attending an event hosted by GSA on March 17, 2000.
6. Frank Sewell – Mr. Sewell reported there had been an ongoing illegal parking problem and fire safety issue at Front Beach Road and Sundial, at Mike’s Diner. Mr. Sewell discussed change in occupancy at the Diner, regulating and angled parking at the Diner, and there being no fire and safety lanes at the Diner. Mr. Sewell asked Council to look into this in all fairness to others.

Hearing and seeing no further comments, Mayor Sheldon closed the public comments section.

**CONSENT AGENDA**

Mayor Sheldon asked Clerk Fasone to read the consent agenda. Mayor Sheldon called for comments. City Attorney Davis offered clarification on Resolution 20-172, the Ironman resolution, in that he made one small amendment after speaking with the event coordinators. Mr. Davis added there would be no traffic control on Lullwater Drive. Mayor Sheldon called for additional comments. Hearing and seeing none, **Vice Mayor McConnell moved to approve the consent agenda. Councilman Casto seconded the motion. All were in favor by a roll call vote (5-0).**

Councilman Jarman	<b>Aye</b>
Councilman Casto	<b>Aye</b>
Councilman Chester	<b>Aye</b>
Councilman McConnell	<b>Aye</b>
Mayor Sheldon	<b>Aye</b>

**REGULAR AGENDA- DISCUSSION/ACTION**

**ITEM 1. ORDINANCE 1537, AMENDING REGULATION OF PORTABLE STORAGE CONTAINERS. 1<sup>ST</sup> READING.**

City Attorney Davis read Ordinance 1537 by title only. Mayor Sheldon called for public comment and/or comments from Director Leonard. Hearing and seeing none, Mayor Sheldon called for comments from Council. Hearing and seeing none, **Councilman Chester moved to approve Ordinance 1537. The motion was seconded by Councilman Casto. Mayor Sheldon asked the Clerk to call the roll. The motion passed by a unanimous roll call vote (5-0). Ordinance 1537 was held over for a second reading and public hearing.**

Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Mayor Sheldon	Aye

**ITEM 2. ORDINANCE 1538, AMENDING BODY ALTERING BUSINESS DISTANCE LIMITATIONS AND APPEARANCE STANDARDS. 1<sup>ST</sup> READING.**

City Attorney Davis read Ordinance 1538 by title only. Mayor Sheldon called for public comment.

Attorney Tim Sloan, 427 McKenzie Ave. – Mr. Sloan reported the Planning Commission did approve this by a 5-0 vote. Mr. Sloan added he had been working with the City Attorney and City Planner to help his client, Gulf Coast Tattoo, relocate his business to PCB. Attorney Sloan reported his client needed to find a new location.

Mayor Sheldon called for comments from Council. Vice Mayor McConnell asked for comments from Director Leonard. Director Leonard briefly explained the proposed amendments to the city code language. Vice Mayor McConnell commented that the sign code language would realign the city with other businesses in the district. Director Leonard concurred. Discussion regarding the city code language regarding “sexually oriented businesses” remaining the same took place.

**Councilman Chester moved to approve Ordinance 1538. The motion was seconded by Councilman Casto. Mayor Sheldon asked the Clerk to call the roll. The motion passed by a unanimous roll call vote (5-0). Ordinance 1538 was held over for a second reading and public hearing.**

Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Mayor Sheldon	Aye

**ITEM 3. ORDINANCE 1539, AMENDING LSV RENTAL BUSINESS APPEARANCE STANDARDS. 1<sup>ST</sup> READING.**

City Attorney Davis read Ordinance 1539 by title only. Mayor Sheldon called for public comment.

Colleen Swab with California Cycles, 13416 Front Beach Road – Ms. Swab asked for clarification on some of the proposed code language: 1) being within 500 feet from residential, 2) being 500 feet from another low speed vehicle rental location, 3) storage/displays inside, and 4) the definition of “ROW”.

Mayor Sheldon called for further public comment. Hearing and seeing none, Mayor Sheldon asked for clarification from Attorney Davis. Attorney Davis discussed the 2017-2018 ordinance originally enacted and explained signage appearance standards were being amended to be consistent with the body altering standards just adopted by Council. Attorney Davis added as far as the 500 feet distancing and some of the other provisions, it appeared as though Ms. Swab’s business, which was established prior to 2017-2018, would be grandfathered in. Vice Mayor McConnell explained “ROW” meant right-of-way.

Mayor Sheldon called for comments from Council. **Councilman Casto moved to approve Ordinance 1539. The motion was seconded by Councilman Chester. Mayor Sheldon asked the Clerk to call the roll. The motion passed by a unanimous roll call vote (5-0). Ordinance 1539 was held over for a second reading and public hearing.**

<b>Councilman Jarman</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Mayor Sheldon</b>	<b>Aye</b>

**ITEM 4. ORDINANCE 1525, ANNUAL UTILITY RATE SEWER & RECLAIMED WATER AMENDMENT FISCAL YEAR 2020-2021, 1<sup>ST</sup> READING.**

City Attorney Davis read Ordinance 1525 by title only. Mayor Sheldon called for public comment.

Frank Sewell – Mr. Sewell noted that he did not live within City limits. Mr. Sewell asked to see a motion that would freeze the water and sewer rates for those that live outside City limits, until those that live within the City get caught up.

Mayor Sheldon called for further public comment. Hearing and seeing none, Mayor Sheldon reported that PCB had the lowest water and sewer rates within Bay County, even with this increase. Mayor Sheldon discussed the City not having an ad valorem tax.

Mayor Sheldon called for comments from Council. **Vice Mayor McConnell moved to approve Ordinance 1525. The motion was seconded by Councilman Chester. Mayor Sheldon asked the Clerk to call the roll. The motion passed by a unanimous roll call vote (5-0). Ordinance 1525 was held over for a second reading and public hearing.**

Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Mayor Sheldon	Aye

**\* ITEM 5. RESOLUTION 20-168, CRA 20-21 NEAR TERM WORK PLAN.**

City Attorney Davis read Resolution 20-168 by title only. Mayor Sheldon called for public comment. Hearing and seeing none, Mayor Sheldon invited Director Campbell to the podium. Director Campbell presented the **attached** presentation/near term work plan.

Councilman Casto asked Director Campbell to define the boundaries of each project to help the public understand. Councilman Casto inquired if the Powell Adams traffic light was being done ahead to the roadway. Director Campbell stated yes, it would be bid out with the Powell Adams improvements. Councilman Casto inquired if lowering the level of Lullwater Lake during the winter months, to help reduce invasive plants, was in the plan. Director Campbell stated yes.

Mayor Sheldon inquired about the \$6 million dollars being spent on 166 spaces in the CRA. Director Campbell reported the City was looking at a couple properties right now and that \$6 million was a high estimate. A brief discussion regarding economies to scale and building parking up took place. Discussion regarding the timeline shared with the County took place. Mayor Sheldon inquired about the possibly of painting the trolley lane a different color other than red. Director Campbell offered possible alternatives.

Vice Mayor McConnell asked Director Campbell to talk about the reserve set aside. Director Campbell reported the main issue was to spend the money in a timely manner, to be in compliance with the bonds. Director Campbell discussed debt service being put into reserves. Vice Mayor McConnell asked if some of the Florida DOT takings/transfers of Front Beach Road could be completed quicker. Director Campbell concurred. Councilman Casto noted he wanted to make sure the City received a fair trade from FDOT. Discussion regarding funding to maintain Bay Parkway took place.

Mayor Sheldon thanked Director Campbell for the gantt chart and recommended that it be added to the city's website. Mayor Sheldon recommended Director Campbell provide Council with monthly updates on the CRA. Mayor Sheldon called for further comments. Hearing and seeing none. **Councilman Jarman moved to approve Resolution 20-168. The motion was seconded by Vice Mayor McConnell. Mayor Sheldon asked the Clerk to call the roll. The motion passed by a unanimous roll call vote (5-0).**

Councilman Jarman	Aye
-------------------	-----

Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Mayor Sheldon	Aye

**ITEM 6. CIVIL SERVICE BOARD APPOINTMENT.** *Removed from agenda.*

**ITEM 7. COUNCILMAN JARMAN, ECONOMIC DEVELOPMENT COMMITTEE APPOINTMENT.**

Mayor Sheldon called for public comment on Item #7.

Cherie Crim – Ms. Crim asked Council to be more transparent when doing committee appointments.

Hearing no further comments, Mayor Sheldon closed the public comment portion on Item #7. Mayor Sheldon turned the floor over to Councilman Jarman.

Councilman Jarman reported he had met Kara Wootson during the strategic planning workshop and was impressed with her. Councilman Jarman recommended Ms. Wootson be appointed to the Economic Development Committee. Mayor Sheldon called for a motion. **Councilman Chester moved to appoint. The motion was seconded by Councilman Casto. Mayor Sheldon asked the Clerk to call the roll. The motion passed by a unanimous roll call vote (5-0).**

Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Mayor Sheldon	Aye

**ITEM 8. COUNCILMAN MCCONNELL, ECONOMIC DEVELOPMENT COMMITTEE APPOINTMENT.**

Mayor Sheldon called for public comment on Item #8. Hearing and seeing none, Mayor Sheldon closed the public comment portion.

Mayor Sheldon turned the floor over to Vice Mayor McConnell. Vice Mayor McConnell reaffirmed his appointment of Jeremy Martin to the Committee and recommended Les McFatter as his second appointment. Mayor Sheldon called for a motion to approve the entire slate. **Councilman Casto moved to approve. The motion was seconded by Vice Mayor McConnell. Mayor Sheldon asked the Clerk to call the roll. The motion passed by a unanimous roll call vote (5-0).**

Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Councilman McConnell	Aye
Mayor Sheldon	Aye

**CITY MANAGER REPORT**

City Manager O'Rourke thanked and recognized Ms. Jo Smith for filling in as City Clerk and training Ms. Fasone. Mr. O'Rourke welcomed Ms. Fasone as City Clerk. City Manager O'Rourke recognized and thanked Vice Mayor McConnell for his appointment to the Florida League of Cities Transportation and Intergovernmental Relations Committee. Mr. O'Rourke reported on the 30% undeliverable rate with respect to the citizen survey. City Manager O'Rourke recommended giving Council an update, at the first meeting of each month, on the Utility and General Fund projects and an update at the second meeting of each month on the CRA. Mr. O'Rourke added that a 5-year plan would be presented to Council mid-November as well as the 2021 proposed business plan.

**CITY ATTORNEY REPORT**

City Attorney Davis thanked Ms. Smith for coming back and stepping in as City Clerk and welcomed Ms. Fasone.

**COUNCIL COMMENTS**

Councilmen Casto and Chester also thanked Ms. Jo for coming back and helping out and welcomed Ms. Fasone aboard. Vice Mayor McConnell also thanked Ms. Jo and welcomed Ms. Fasone. Vice Mayor McConnell inquired if Director Jenkins would provide a quick update on the Bay Parkway schedule.

Director Jenkins reported the contractor was doing a phenomenal job and exceeding her expectations. Director Jenkins reported that the project was 95% complete and discussed waiting on a core permit.

Councilman Jarman thanked Ms. Jo for her help and welcomed Ms. Lynne.

Mayor Sheldon also thanked Ms. Jo and welcome Ms. Lynne. Mayor Sheldon discussed the importance of the census and citizen survey and asked residents to complete both. Mayor Sheldon wished Councilman Casto a happy birthday!

With nothing further, the meeting was adjourned at 7:25 PM

READ AND APPROVED this 12<sup>TH</sup> day of November, 2020.

  
\_\_\_\_\_  
Mark Sheldon, Mayor  
City of Panama City Beach, Florida

ATTEST:

  
\_\_\_\_\_  
Lynne Fasone, MMC  
City Clerk

*\* ACTION ITEMS 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.*