

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 August 13, 2020.

ROLL

MAYOR MARK SHELDON

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

MICHAEL JARMAN

CITY MANAGER:

TONY O'ROURKE

INTERIM CITY CLERK:

JO SMITH

CITY ATTORNEY:

AMY MYERS

Mayor Sheldon called the meeting to order at 6:00 P.M.

Pastor Ramon Duvall of the Beachside Fellowship Church gave the invocation and Councilman McConnell led the Pledge of Allegiance.

Mayor Sheldon read the Community Announcements. Ms. Ward also gave a short presentation on the City's 50<sup>th</sup> anniversary, August 12, 1970, which marked the first meeting of the City Council of the City of Panama City Beach after the merger of four smaller cities.

The Minutes of the Regular Meeting of July 9 and the Special Meeting of April 30, 2020 were presented for approval.

**Councilman Jarman 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:**

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

Mr. O'Rourke asked to move Firefighter Liman Mahmud's presentation to August 28<sup>th</sup> as he was unable to attend tonight. He added that Consent Item #3, "**Resolution 20-145, Bid Award- City Parks Lawn Mowing and Landscape Maintenance Agreement**" would be tabled until the next meeting. There were no objections.

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

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

#### PRESENTATIONS

1 **MR. CHRIS TILLEY, PIER PARK MALL MANAGER- ROAD CLOSURES.** Mr. Tilley explained the request for the road closures and said his tenants almost 100% approved. He said this was a safety issue and well received. He said the roads were open now but he was concerned about the weekend.

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

Mayor Sheldon opened the floor for Public Comments.

1 Mr. Gary Beck. Mr. Beck spoke of the Constitution and the Bill of Rights, stolen inventions and BP funds, and media attacks.

With nothing further, The Mayor closed the Public Comments section.

**AMENDED CONSENT AGENDA**

Ms. Smith read the Amended Consent Agenda by titles.

1. **APPROVAL OF THE MASTER SURPLUS LIST.** These items are to be removed from the Master Audit List. STAFF RECOMMENDS APPROVAL. By approval of this matter in the Consent Agenda, the City Council makes a finding of surplus for these items and approves their removal from the Master Audit List.

2. **RESOLUTION 20-144, BID AWARD- APPROVING AUCTIONEER FOR ONLINE AUCTION SERVICES.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Florida Auction Network, LLC, to provide Online Auctioneer Services on a commission basis for a fee of 5% of the total proceeds received."

3. **RESOLUTION 20-145, BID AWARD- CITY PARKS LAWN MOWING AND LANDSCAPE MAINTENANCE AGREEMENT.** Tabled.

4\* **RESOLUTION 20-151, CHANDLER AND ASSOCIATES OF PANAMA CITY, INC., MASTER SERVICES AGREEMENT.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Chandler and Associates of Panama City, Inc., for the Professional Appraisal Services in the amount of \$36,735."

5. **RESOLUTION 20-147, BID AWARD- CITY PARKS CHEMICAL APPLICATIONS.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Gro Pro, LLC, for chemical application in City Parks in an amount not to exceed \$22,500."

6. **RESOLUTION 20-152, RAFTELIS UTILITY IMPACT FEE REVIEW.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Raftelis Financial Consultants, Inc., to undertake an Impact Fee Evaluation for \$13,890."

7. **RESOLUTION 20-153, AMENDMENTS TO FINANCIAL MANAGEMENT POLICIES.** "A Resolution of the City of Panama City Beach, Florida, approving Amendments to the City's Financial Management Policies."

Councilman McConnell made the motion to approve the Amended Consent Agenda. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

**REGULAR AGENDA- DISCUSSION/ACTION**

**ITEM 1 PLAT, BREAKFAST POINT PHASE 4-A, PUBLIC HEARING.** Ms. Myers explained this Plat with the residential lots located in the County. The City dealt with the stormwater for the Plat.

Ms. Myers asked the Councilors to give their Jennings Disclosures. Councilman Jarman knew the location and had spoken with no one. Councilman McConnell knew the location and had spoken with no one. Councilman Chester knew the location and had spoken with no one. Councilman Casto knew the location and had spoken with no one. Mayor Sheldon knew the location and had spoken with no one.

Mayor Sheldon opened the Public Hearing at 6:18 P.M.

1 Mr. Scott Heiland. Mr. Heiland asked the City to delay approval of the Plat to use as leverage against St. Joe to help the homeowners as some of their green areas had not yet been completed.

2 Ms. Erin Simmons. Ms. Simmons spoke of the HOA issues and that the residents were concerned as only one exit was planned for the area. She said no parks were on the plat even though she understood the City required green spaces. She said the County had no shade structures.

With no further comments, the Mayor closed the Public Hearing at 6:23 P.M. Ms. Myers explained the Plat and confirmed the dedication to the Association of the common areas. Ms. Jenkins said the City only dealt with the stormwater ponds. She said the drainage easement had been properly noticed for this Hearing and the City had resources to maintain those ponds. Mr. Leonard said two ponds were in City limits and they complied with the LDC. He said the Plat followed the County regulations and the City had no jurisdiction.

Councilman McConnell said that any dispute between the HOA and St. Joe would be a civil matter. The City had no standing or jurisdiction in that matter. Councilman Jarman concurred. Councilman Chester asked Mr. O'Rourke if he had spoken with St. Joe and Mr. O'Rourke responded no. Councilman Casto said Ms. Myers had

recommended approval and there was no legal way the City could deny the Plat. Ms. Myers added that the development request was complete. Councilman McConnell suggested the homeowners speak with the County Commissioners as much of the project was in unincorporated portions of Bay County.

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

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

**ITEM 2 ORDINANCE 1529, AMENDING BEACH BONFIRE REGULATIONS, 2<sup>ND</sup> READING, PUBLIC HEARING.** Ms. Myers read Ordinance 1529 by title. Mayor Sheldon opened the Public Hearing at 6:30 P.M. and called for comments. There were none. He closed the Public Hearing at 6:30 P.M. Mayor Sheldon asked Chief Morgan if he agreed with the Ordinance and the Chief responded affirmatively. Councilman Jarman said this would streamline the process.

**Councilman Casto made the motion to approve Ordinance 1529. Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 3 ORDINANCE 1535, CODE ENFORCEMENT AUTHORITY, 2<sup>ND</sup> READING, PUBLIC HEARING.** Ms. Myers read Ordinance 1535 by title. Mayor Sheldon opened the Public Hearing at 6:33 P.M. and called for comments.

1 Mr. Gary Beck. Mr. Beck spoke of Bay County Code Enforcement taking pictures at his property and destroying his tools. He elaborated.

With nothing further, the Mayor closed the Public Hearing at 6:36 P.M. Mayor Sheldon asked if there were any questions or comments from the Council and there were none.

**Councilman McConnell made the motion to approve Ordinance 1535. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 4 RESOLUTION 20-148, STRATEGIC PLAN.** Ms. Myers read Resolution 20-148 by title. The Mayor called for Public Comment and there was none. Mr. O'Rourke gave a short, detailed presentation with the Strategic Plan serving as the roadmap to achieve the City's vision and the mission that the City was committed to achieve. He spoke of the core values and being fiscally responsible. He said a business plan would be produced which would operationalize this Strategic Plan and to look at the Plan every six months since it was a living document.

Mayor Sheldon complimented Mr. O'Rourke and Ms. Ward on the great job for this Strategic Plan and its being a great work product. Councilman McConnell thanked Mr. O'Rourke and the community for their input. Councilman Jarman thanked the committee members who participated in its creation. Councilman Chester said it would be a working document and a wish list with the City being frugal with our funds. Councilman Casto gave kudos to Staff for the good job.

**Councilman Chester made the motion to approve Resolution 20-148. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 5 COVID ACTION PLAN UPDATES.** Mayor Sheldon called for public comments and there were none. Mr. O'Rourke said Staff had been tracking the virus and the concern remained with the positivity rate. He said the numbers were diminishing and the recent steps by Council had made a difference. Mayor Sheldon spoke of the testing site at Frank Brown Park for the residents. He thanked Mr. Ponak and Staff for their efforts. Councilman Jarman spoke of his concern for the hospitals and that he was not ready to drop the usage of masks as they were still busy with COVID cases. He recommended that the Council revisit the mask issue in two weeks. Councilman Casto said most people were trying to do the right thing and he agreed to delay action on the masks for another two weeks. He said the City could not stand another shutdown. Mayor Sheldon said no one loved wearing the masks but the numbers were not yet at the point to lift the mask mandate and recommended that the issue be revisited in two weeks. He said he hoped the hospitals would get back to elective care and more test locations would help. Councilman McConnell said the members at the dais were not wearing masks because they were socially distanced. Ms. Myers asked the Mayor to reopen the public comment period after she read the Resolution.

Ms. Myers read Resolution 20-150 by title. Mayor Sheldon reopened the floor for public comments and there were none. He closed the floor for public comments.

**Councilman Casto made the motion to approve Resolution 20-150. Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 6 RESOLUTION 20-154, PUBLIC SAFETY ADVISORY COMMITTEE CREATION.** Ms. Myers read Resolution 20-154 by title. The Mayor called for public comments and there were none. Mr. O'Rourke said this Committee would be uniquely focused on public safety and beach safety, and add value to the City. The Mayor asked if there were any questions or comments, and there were none.

**Councilman McConnell made the motion to approve Resolution 20-154. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 7 APPOINTMENT OF COUNCIL LIAISON AND PUBLIC SAFETY ADVISORY BOARD.** Mayor Sheldon opened the floor for public comments and there were none. He then asked the Council members for a nomination for the Council Liaison.

**Councilman McConnell made the motion to nominate Councilman Casto as the Council Liaison. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

Mayor Sheldon asked for the Council members to make their nominations:

|                       |               |
|-----------------------|---------------|
| Councilman Casto-     | Ray Maulbeck  |
| Councilman Chester-   | J R Hott      |
| Councilman McConnell- | Ken McVay     |
| Councilman Jarman-    | Steve Nagy    |
| Mayor Sheldon-        | Paul Bonnette |

Councilman Chester made the motion to approve the slate for the Public Safety Advisory Committee. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 8 RESOLUTION 20-155, TASK ORDER 2020-01 FOR PCB PARKWAY NORTHSIDE SIDEWALK PROJECT AND BUDGET AMENDMENT #51.** Ms. Myers read Resolution 20-155 by title. The Mayor opened the floor for public comments.

1 Mr. Jim Slolina. Mr. Slolina thanked the Council for their help in this matter.

2 Ms. Erin Simmons. Ms. Simmons asked why not sidewalk all of the Parkway.

With no further comments, the Mayor closed the public comments section of the meeting. Councilman McConnell said the Parkway was a state road. Mayor Sheldon said the Nautilus Street traffic light slowed the traffic and that the plan was to keep the people on the northside of the Parkway. Councilman McConnell said this would alleviate crosswalks and other problems. Councilman Chester asked Ms. Jenkins if this was part of the school sidewalk grant. Ms. Jenkins responded negatively and that Staff was continuing to apply for grants.

Councilman Jarman made the motion to approve Resolution 20-155. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 9 APPOINTMENT TO EXAMINING BOARD.** The Mayor opened the floor for public comment and there was none.

Councilman McConnell made the motion to appoint Mr. Rick Ehle to the Examining Board. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 10 JARMAN APPOINTMENT TO ECONOMIC DEVELOPMENT ADVISORY COMMITTEE.** Mayor Sheldon opened the floor for public comments and there were none. Councilman Jarman nominated Ms. Robyn Evans for his choice for the Committee.

Councilman Chester made the motion to approve the slate of the Economic Development Advisory Committee. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

**ITEM 11 DISCUSSION- PUBLIC ART PROGRAM.** Ms. Helen Ferrell said they had been working on a project about sea life with plans to purchase statues and place them at strategic locations within the City. She said this would be something for the community and get them involved. She said the City could be a dynamic partner, a good first step. She asked the City to contribute \$7,500 for the project and other members would solicit funds from civic groups.

Mr. O'Rourke said public art was a valuable asset and the community would do the artwork. He said this would bring vibrancy to the City at a low price. He added that St. Joe had provided \$5,000. Mayor Sheldon said this was exciting and a great idea. Ms. Ferrell said it would be called "SEELIFE". Councilman McConnell said this was a fantastic idea. Councilman Chester reminded about the past art projects with the dolphin in front of the TDC. Councilman Jarman said this would be a big focus for the community to get involved.

**Councilman Chester made the motion to move forward with the plan. 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 Jarman</b>    | <b>Aye</b> |
| <b>Councilman Casto</b>     | <b>Aye</b> |
| <b>Councilman Chester</b>   | <b>Aye</b> |
| <b>Mayor Sheldon</b>        | <b>Aye</b> |

**ITEM 12 DISCUSSION- RFP CITY BEACH LEASES.** Mayor Sheldon opened the floor for public comments.

1 Ms. Christine McLaughlin. Ms. McLaughlin said she appreciated the opportunity to bid for the project. She added that chair rentals and kiosks were also important. She said the beach service would clean up afterwards and kiosks generated traffic.

2 Mr. Brian Campbell. Mr. Campbell asked to keep the kiosks and chairs. He said they increased the traffic and revenue to Hook'd and the Pier.

With no further comments, the Mayor closed the public comments portion of the meeting.

Mr. O'Rourke said he felt a separate RFP would be appropriate for the kiosks. Mayor Sheldon concurred and added that the chairs should be a separate RFP. He added that he felt they were a great amenity. Councilman Casto agreed that the kiosks and chairs should be removed from the RFP. Councilman Jarman concurred.

**Councilman McConnell made the motion to separate the RFP into three RFPs. Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:**

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

**ITEM 13 DISCUSSION- CITY MANAGER EVALUATION.** Mayor Sheldon opened the floor for public comments.

1 Mr. Burnie Thompson. Mr. Thompson spoke of the City manager form of government in the Charter. He said he had received the individual evaluation forms via a Public Records Request.

With no further comments, the Mayor closed the floor.

Mr. O'Rourke said the evaluations were important and would allow him time to reflect and improve, making him a better City Manager. Mayor Sheldon said it had been tough to be an honest and clear critic, but they were working together. Councilman McConnell said Mr. O'Rourke had accomplished everything the Council had requested when they did the interview process. He said he looked forward to continuing. He said Mr. O'Rourke had done a fantastic job and went in the right direction. Councilman Jarman said the City Manager and Council worked well together and that he looked forward to the annual evaluation. Councilman Chester said Mr. O'Rourke had "hit the ground running" and everything the Council had hoped. He continued that the City Manager had done a fantastic job through the COVID and was careful with the City funds. Councilman Casto said he had enjoyed working with Mr. O'Rourke and that there would be challenges in the future. Mayor Sheldon said all the Council members were all in agreement with the scores.

### CITY MANAGER REPORT

Mr. O'Rourke said the City had received 43 applicants for the Fire Chief position. He said the Civil Service Board would narrow that selection down to ten and interview them August 19<sup>th</sup>. Then two panels of Fire Department employees would interview the applicants, taking ownership in the decisions. He said a decision was hopefully to be made soon.

A Budget Workshop was planned for September 1<sup>st</sup>. He continued that he was concerned about the uncertainty of the economy and the GDP drop. He said this would be a conservative budget with a series of contingencies which would be implemented during the year. He said he did not see a rapid change.

Regarding the Citizens Survey, Mr. O'Rourke said the postcards had already been mailed and the survey itself would be mailed tomorrow. He encouraged the community to complete the survey of 173 questions which would only take about 15 minutes. He said he would report the results October 8<sup>th</sup>. He added that an online version would be made available after the written surveys were mailed.

Mr. O'Rourke explained the Employee Council would meet monthly for him to hear directly from the employees and make improvements to the organization. Suggestions would be made to refine ideas.

### CITY ATTORNEY REPORT

Ms. Myers said Attorney Kevin Obos would be at the August 27<sup>th</sup> meeting since she and Mr. Davis would be in Pensacola that day. She added that a Special Meeting would be held August 28<sup>th</sup> at 10:00 A.M. for additional Council business.

### COUNCIL COMMENTS

Councilman Casto complimented Ms. Jenkins and Staff for the excellent work on SR79 as it looked immaculate. Councilman McConnell said the Audit Committee would meet at 8 A.M. and then schedule the one on one's with the individual Council members on the Financial Statement. He urged the people to complete the Census and spoke of its importance to the City.

Councilman Jarman spoke of the CRA Advisory Committee meeting with the Committee's theme and desire to do multiple sections of the CRA at the same time. He said the Committee members discussed smart lighting, an intriguing concept. He said the Committee also asked the Council to consider approving wayfinding.


Mayor Sheldon asked about the CRA timelines. Mr. Campbell replied that they were looking at the SR79 roundabout and the Powell Adams roundabout. He said the issue was timing in buying the property for the new master lift station. He spoke of buying the property and its construction before Segment 4.1. Segment 2 was all but complete but Gulf Power still needed to cut the power poles and waiting on the other communication companies to do their part. He said Dewberry was scheduling a utility meeting to make the communication companies aware of the aggressive design so that they could keep up. The Mayor also urged the community to complete the citizens survey and Census. He also wished the City a Happy Birthday.

With nothing further, the meeting was adjourned at 7:50 P.M.

**\* ACTION ITEMS NOTED WITH AN ASTERISK ARE TAKEN BOTH BY THE CITY COUNCIL AND THE PANAMA CITY BEACH REDEVELOPMENT AGENCY JOINTLY AND CONCURRENTLY.**

READ AND APPROVED this 24th of September, 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:

  
\_\_\_\_\_  
City Clerk