

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 November 12, 2020.

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

ROLL CALL

MAYOR MARK SHELDON
VICE MAYOR GEOFF MCCONNELL
PAUL CASTO
PHIL CHESTER
MICHAEL JARMAN

Others present were City Manager Tony O'Rourke, City Attorneys Amy Myers and Cole Davis, City Clerk Lynne Fasone, Directors and members of the public and press.

Pastor Greg George from Gulf Beach Baptist Church led the invocation. Councilman Paul Casto led the Pledge of Allegiance.

Mayor Sheldon called for approval of the September 1, 2020 special meeting/budget workshop minutes and September 10, 2020 regular meeting minutes. Councilman Casto so moved. Vice Mayor McConnell seconded the motion. All were in favor by a roll call vote (5-0).

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

Mayor Sheldon called for additions and/or deletions to the agenda. Mayor Sheldon recommended that Item 7 be moved from the consent agenda and placed on the regular agenda as Item 19. Manager O'Rourke requested that Item 6 be removed from the consent agenda for further study of the turf chemicals. Vice Mayor McConnell moved to approve the agenda, as amended. Councilman Jarman seconded the motion. Hearing and seeing no further discussion, all were in favor by a roll call vote (5-0).

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

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

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

Burnie Thompson – Mr. Thompson commented that the agenda was not posted on the City's Facebook page. Mr. Thompson commented that it was taking too long to get the documents he requested from the City regarding the FBI subpoena.

Capitan Gary Beck – Mr. Beck expressed concern that his constitutional rights were being violated.

Bill Caravello, Dolphin Street – Mr. Caravello thanked everyone involved for installing the lights at the pickleball courts.

Tommy Priestley, PCB resident – Mr. Priestly advocated for lifting the moratorium on height restrictions on buildings in the future. Mr. Priestly recommended that impact fees be assessed and used by the fire department if buildings were over a certain height.

Mayor Sheldon closed public comments at 6:12 PM.

PRESENTATIONS

Mayor Sheldon reported that the Boys & Girls Club Civic Achievement Award would be moved to Council's December meeting.

Mayor Sheldon invited Councilman Casto, Congressman Neal Dunn and staff member Nicole Smith to the podium for a proclamation presentation. Council members thanked Congressman Dunn and Ms. Smith for supporting the City, especially on the Bay Parkway project.

CONSENT AGENDA

RESOLUTION 21-26, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AGREEMENTS WITH JONES, EDMUNDS & ASSOCIATES, INC. AND AZTECA SYSTEMS, LLC FOR THE PURCHASE, IMPLEMENTATION, AND INTEGRATION OF GIS CENTRIC ASSET MANAGEMENT SOFTWARE, IN THE TOTAL PROJECT AMOUNT OF \$271,650.

RESOLUTION 21-28, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH TAW POWER SYSTEMS, INC. FOR THE PURCHASE AND INSTALLATION OF TWO GENERATOR RADIATORS FOR THE CITY WASTEWATER TREATMENT FACILITY IN THE TOTAL AMOUNT OF \$129,872.53.

RESOLUTION 21-29, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AUTHORIZING AN AMENDMENT TO THE CITY'S AGREEMENT WITH NCOURT, LLC, RELATED TO BUSINESS LICENSE PAYMENT PROCESSING.

RESOLUTION 21-35, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, APPROVING AN AGREEMENT WITH DIVEBASE INTERNATIONAL, INC, FOR THE PURCHASE OF A SCBA AIR COMPRESSOR, FILL STATION AND STORAGE SYSTEM IN THE TOTAL AMOUNT OF \$73,403.10.

RESOLUTION 21-50, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH JERRY PATE TURF & IRRIGATION FOR THE PURCHASE OF A LARGE AREA ROTARY MOWER IN THE AMOUNT OF \$69,682.76.

RESOLUTION 21-51, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH SOUTHEASTERN TURF GRASS SUPPLY, INC. FOR THE PURCHASE OF TURF CHEMICALS IN THE TOTAL AMOUNT OF \$193,986.80. *Removed from the agenda.*

APPROVAL OF JOB DESCRIPTIONS. *Moved to Regular Item #19.*

REVISION OF THE MASTER AUDIT LISE TO REMOVE OBSOLETE ITEMS.

Mayor Sheldon asked the Clerk to read the consent agenda, as amended. Mayor Sheldon announced that the consent agenda was available. Councilman Jarman moved to approve the consent agenda. Vice Mayor McConnell seconded the motion. All were in favor by a roll call vote (5-0).

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

REGULAR AGENDA- DISCUSSION/ACTION

ITEM 1. ORDINANCE 1541, FALSE ALARMS, 2ND READING / PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1541 by title only. Mayor Sheldon opened Item 1 up for public comment.

Frank Sewell – Mr. Sewell inquired as to what the definition of a “false alarm” was, if lift alert was included, etc., and if everyone needed to pay a \$40 fee.

Hearing and seeing no further public comments, Mayor Sheldon closed public comments. Mayor Sheldon asked City Manager O’Rourke for comments. Manager O’Rourke explained this was a common remedy to false alarms for alarm companies to have to register and be put on notice that they are responsible. Manager O’Rourke reported the City was experiencing on average 2,200 false police and fire alarms per year. Manager O’Rourke further discussed this alarm ordinance being consistent with other cities around the country. Manager O’Rourke reported that it was his hope that the ordinance would keep the general public safer and reduce false alarms in the City. Penalties to be discussed at the next agenda item.

Councilman Jarman clarified that if it was a manual activation, like life alert, it would not be considered a false alarm. Councilman Jarman added this ordinance would address habitual false alarm offenders.

Mayor Sheldon discussed every false alarm being serious and first responders handling false alarm with the same urgency as a real alarm. Mayor Sheldon called for further comments. Hearing and seeing none, Councilman Jarman moved to approve Ordinance 1541. Councilman Casto seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 2. RESOLUTION 21-31, FALSE ALARMS PENALTIES.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-31, by title only. Mayor Sheldon opened Item 2 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

City Manager O'Rourke explained this Resolution would allow the public three false alarms, per residential property, before being issued a citation of \$250 and then \$500 thereafter. Manager O'Rourke reported commercial properties would be granted two false alarms before a penalty would be triggered of \$500 for the first offense and \$1,000 thereafter. Councilman Jarman discussed the City's alarm permitting fee process. Discussion regarding this fee structure being in line with other City's fees took place. Discussion regarding warnings took place. Hearing and seeing no further discussion.

Councilman Jarman moved to approve Resolution 21-31. Councilman Casto seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 3. RESOLUTION 21-32, BUDGET AMENDMENT - CASH CARRYFORWARD.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-32, by title only. Mayor Sheldon opened Item 3 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion. Hearing and seeing none, Councilman Chester moved to approve Resolution 21-32. Councilman Jarman seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 4. RESOLUTION 21-18, BUDGET AMENDMENT – SALARY AND CLASSIFICATION STUDY.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-18, by title only. Mayor Sheldon opened Item 4 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

Manager O'Rourke provided background information on the salary study, the consultant, parameters of the study, and the equity adjustment. Manager O'Rourke reported the consultant put forth two recommendations. Manager O'Rourke added he was recommending Plan A at \$1.2 million, to be competitive. Manager O'Rourke expressed concerned that the Police Department was not fully staffed and was behind the curve. Manager O'Rourke recommended the full complement of Plan A to make the City competitive.

Councilman Casto noted his support and complimented the City Manager and leadership. Councilman Casto added that he had been pushing for this for some time now and hoped Council would pass the resolution tonight.

Mayor Sheldon inquired if the memo that Council received was or was not the latest and greatest. Manager O'Rourke explained that there were 5 positions that had not been identified, but no one would

be left behind. Mayor Sheldon noted that no one should be going down in pay. Councilman Jarman agreed.

Councilman Casto inquired if the City Manager was recommending Plan A. Manager O'Rourke stated yes and the full wage compression. Discussion regarding evidentially getting back to the October cost-of-living adjustment took place.

Mayor Sheldon recommended, that since it had taken Council sometime to get this sorted out, Council should consider giving every employee an extra day off this year as a make-up. Manager O'Rourke reported that the City of PCB did not recognize Martin Luther King (MLK) Day. Council agreed employees should have that day off.

Vice Mayor McConnell expressed concern with the comparative communities that the consultant used. Vice Mayor McConnell expressed concern that Utilities and Public Works were compared to private companies. Vice Mayor McConnell recommended that Council be given the opportunity to have one on ones with consultants, as was the practice in the past. Mayor Sheldon concurred. Vice Mayor McConnell noted the study assumed a 5% raise each year. Vice Mayor McConnell stated that yes, employees need to be stepped up in pay, however he was unsure that the comps were correct. Manager O'Rourke discussed most comps being regional and for a couple positions the consultant went outside the region. Vice Mayor McConnell expressed his concern again with the comps the consultant used and added that he would love to see our employees get pay raises, but he was not a fan of the comps.

Councilman Casto noted the consultant was a professional company and moved that Council and **moved to forward Plan A for consideration. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion.

Councilman Chester pointed out that every city looked at in the report had an ad valorem tax, so the City needed to be very careful. Councilman Chester added the City had the best employees, however, the City had to be careful.

Mayor Sheldon expressed concern with anyone being in a Director position with zero direct reports; the CRA Manager position. Manager O'Rourke described the job duties of the CRA Manager. Further discussion regarding the City Manager's discretion, Council's purview, and policy decisions took place.

Councilman Jarman noted that Council had three weeks to review this item since last discussed. Councilman Jarman recommended Council find a solution to move forward. Vice Mayor McConnell noted his preference was to redo the comps. Councilman Casto inquired if Vice Mayor McConnell did not want to pass this tonight. Vice Mayor McConnell reported he did not. Discussion regarding police staffing took place. Councilman Jarman discussed difficulty hiring. Discussion regarding it being a turnover market, the cultural trend of moving from one position to the next, and the transient community took place.

Mayor Sheldon offered his support for Plan A, keeping the CRA Manager position as a manager and going from paygrade 23 to 24 and moving forward with giving the employees a day off.

Councilman Casto amended his motion as stated above by Mayor Sheldon and giving the employees MLK Day off. Councilman Chester seconded the motion.

Mrs. Myers reviewed the motion as being Plan A, with the full equity adjustment, with the addition of an extra vacation day, recommended to be MLK Day, with the CRA Manage being at paygrade 24 and there being no downgrades of any employees.

Councilman Casto agreed with Mrs. Myers review and restated his motion. Councilman Chester restated his second. The motion passed by a roll call vote of (4-1).

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

ITEM 5. RESOLUTION 21-27, BID AWARD AND BUDGET AMENDMENT IT INFRASTRUCTURE ASSESSMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-27, by title only. Mayor Sheldon opened Item 5 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

City Manager O'Rourke reported the City needed to step-up and make significant investments in IT infrastructure. City Manager O'Rourke recommended awarding the contract to Plant Morane, a national firm, specializing in this sort of IT strategic planning.

Mayor Sheldon noted going forward he would like to see a spreadsheet on bid tabulations in the Council packet, as he would have liked to see how the other two companies responded. Mr. Jason Pickle, IT Manager, updated Council on the bid tabulations. Further discussion regarding the next IT assessment being done in 5 years. Vice Mayor McConnell concurred with Mayor Sheldon and added that Council used to see bid tabulations and he'd like to see that practice resurrected so Council can make informed decisions. Councilmembers concurred. Mayor Sheldon noted this item was available.

Councilman Chester moved to approve Resolution 21-27. Vice Mayor McConnell seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 6. RESOLUTION 21-49, BUDGET AMENDMENT APPROVAL OF SENIOR ACCOUNTING TECHNICIAN JOB DESCRIPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-49, by title only. Mayor Sheldon opened Item 6 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

Councilman Chester moved to approve Resolution 21-49. Vice Mayor McConnell seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 7. RESOLUTION 21-33, AUTHORIZING UTILITY BOND REFUNDING 2020A.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-33, by title only. Mayor Sheldon opened Item 7 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

Mrs. Myers summarized the purpose of Resolution 21-33. Mrs. Myers reported that the Resolution would authorize the full refunding of the 2016 Utility Bonds that were outstanding, saving the City approximately \$2.7 million. Council members complimented the Administration.

Councilman Chester moved to approve Resolution 21-33. Councilman Jarman seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 8. RESOLUTION 21-34, AUTHORIZING UTILITY BOND REFUNDING 2020B.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-34, by title only. Mayor Sheldon opened Item 8 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

Mrs. Myers summarized the purpose of Resolution 21-34. Mrs. Myers reported that this would authorize the conversion of the City's federally taxable bonds into federally tax-exempt bonds in 2022. Council members complimented the Administration.

Councilman Chester moved to approve Resolution 21-34. Vice Mayor McConnell seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 9. RESOLUTION 21-36, MULTI-YEAR CONTRACT FOR SANDJAM.

Mayor Sheldon noted he would abstain from discussion on Resolution 21-36 and had filed his Form 8B with the City Clerk. Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-36, by title only. Mayor Sheldon explained, as the promoter of SandJam, he would recuse himself

from the vote and he had already filed a disclosure form with the City Clerk. Mayor Sheldon opened Item 9 up for public comment. Hearing and seeing no public comment.

City Manager O'Rourke explained with respect to this contract and the next agenda item, the Jazz Festival, music festivals were big business now drawing over 32 million people per year. City Manager O'Rourke reported that SandJam and the Jazz Festival were two significant music events in PCB and had become part of the City's brand. Manager O'Rourke added to keep the events from being poached, the City should propose multi-year contracts with the events. Manager O'Rourke added that both events provide significant economic return for the City. Mayor Sheldon noted this item was available for discussion.

Councilman Casto inquired if the City was just locking in the dates/times right now, not the fees. Manager O'Rourke concurred and discussed the "key person continuity clause" in the contract.

Vice Mayor McConnell moved to approve Resolution 21-36. Councilman Casto seconded the motion. All were in favor by a roll call vote (4 aye, 0 nay, 1 abstention).

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

ITEM 10. RESOLUTION 21-37, MULTI-YEAR CONTRACT FOR SEABREEZE JAZZ FESTIVAL.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-37, by title only. Mayor Sheldon opened Item 10 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

Vice Mayor McConnell moved to approve Resolution 21-37. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 11. RESOLUTION 21-38, AARON BESSANT PARK USER FEES/AQUATIC CENTER FEES.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-38, by title only. Mayor Sheldon opened Item 11 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

Vice Mayor McConnell inquired about the swim club fees and expressed concern with the individual swim pass and spectator pass fees. Vice Mayor McConnell expressed concern that the item went to the Parks & Rec Board and then was being placed back on the council agenda without discussion.

Director Ponek reported that there had been a lot of discussion about this, especially with the Parks & Rec Board. Director Ponek explained they were trying to collect as much data as possible and the annual

passes were really important to help track people coming in and out of the pool. Director Ponek reported the same with the spectator pass, it would help track everyone coming in and out of the pools, which in turn would also help the swim club teams. Director Ponek reported the proposed fees were very fair for the entire year.

Councilman Chester inquired as to how many local swim teams the City had at this time. Director Ponek reported one at this time. Discussion regarding the "Swim Club Swimmer Annual Pass" took place. Discussion regarding the number of kids in the swim club took place. Director Ponek expressed the need to track people coming in and out of the pool. Director Ponek reported that the prices were actually less than other cities.

Mayor Sheldon reported that he had no problem with the spectator fee, however, he was not a fan of the fee to the club members, especially if they were already paying lane fees. Director Ponek added that it was more about tracking for him. Mayor Sheldon inquired if the City could issue each club swimmer a pass. Director Ponek inquired if the Council would like to absorb the expense of the pass. Councilmembers concurred.

Vice Mayor McConnell moved to approve Resolution 21-37, as amended, with the swim club fees removed. Councilman Casto seconded the motion.

Mayor Sheldon requested that the set-up fee for the "Theatrical Performers" be brought in line and be \$100, instead of \$200, especially if the City keeps the concessions receipts.

Vice Mayor McConnell amended his motion as stated by the Mayor. Councilman Jarman seconded the amended motion. All were in favor by a roll call vote (5-0).

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

ITEM 12. RESOLUTION 21-45, BAY PARKWAY APPROPRIATION AGREEMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-45, by title only. Mayor Sheldon opened Item 12 up for public comment. Hearing and seeing no public comment. Mayor Sheldon noted this item was available for discussion.

Councilman Chester moved to approve Resolution 21-45. Vice Mayor McConnell seconded the motion. All were in favor by a roll call vote (5-0). Councilman Casto complimented the Staff, Representative and Floridian Partners.

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

ITEM 13. RESOLUTION 21-46, CDBG PROJECTS LIST AND POLICY.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-46, by title only. Mayor Sheldon opened Item 13 up for public comment.

Captain Gary Beck – Captain Beck inquired if the grant money would be going to the people, those that did not receive their FEMA money effected by Hurricane Michael.

Councilman Chester moved to approve Resolution 21-46. Vice Mayor McConnell seconded the motion.

Mayor Sheldon explained the funds would be used for outfalls at Lullwater Beach and South Lagoon septic sanitary conversion. All were in favor by a roll call vote (5-0).

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

ITEM 14. RESOLUTION 21-47, ADOPTING THE CITY’S COMPREHENSIVE EMERGENCY MANAGEMENT PLAN.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-47, by title only. Mayor Sheldon opened Item 14 up for public comment. Hearing and seeing none.

Chief Morgan reported that Staff put together a comprehensive emergency response plan. Chief Morgan shared a short PowerPoint with Council.

Mayor Sheldon thanked Chief Morgan and Staff. Vice Mayor McConnell expressed his gratitude as well. Councilman Jarman concurred. Chief Morgan reported that a copy of the Plan was on the City’s website. Chief Morgan thanked Kyle for all her help.

Councilman Jarman moved to approve Resolution 21-47. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 15. DISCUSSION REGARDING CROSSWALK ACTION PLAN.

Mayor Sheldon invited Mr. Dexter M. Gortemoller, PE, to the podium. Mr. Gortemoller reviewed the **attached** PowerPoint slides regarding crosswalks. Mayor Sheldon opened Item 15 up for public comment. Hearing and seeing none. Mayor Sheldon noted this item was available for discussion.

Discussion regarding public safety being first and foremost to the City took place. Discussion regarding in-road and LED lighting being part of the CRA standards took place. Mr. Gortemoller reported the

difference between an automated light versus the press button light was about \$45,000. Vice Mayor McConnell asked the City Manager for an update on the education piece, the PSAs. Vice Mayor McConnell discussed the House and Senate Bills regarding signalized crosswalks. Mr. Gortemoller reported that they were following those Bills and tests were being done in Miami and Tampa. Mayor Sheldon noted that he was 100% on board with fixing the crosswalks. Mayor Sheldon thanked Mr. Gortemoller.

ITEM 16. DISCUSSION REGARDING TRAM LANE MARKING.

Mayor Sheldon invited Mr. Dexter M. Gortemoller, PE, to the podium. Mr. Gortemoller reviewed the attached PowerPoint slides regarding tram lane marking. Mayor Sheldon noted this item was available for discussion. Hearing and seeing none. Mayor Sheldon reported the red lanes just didn't work for the City and safety was a concern. Vice Mayor McConnell concurred. Discussion regarding the product being used in Orlando, various products available to the City, choices of colors, and raised profile markers took place. Mayor Sheldon thanked Mr. Gortemoller.

ITEM 17. DISCUSSION REGARDING ASSIGNED RESERVES / FUTURE PROJECTS.

Mayor Sheldon opened Item 17 up for public comment. Hearing and seeing none.

Mayor Sheldon invited Director White to the podium. Director White reported this item was being brought back to Council to give Council the opportunity to leave items in or take items out. Director White reported it was broken down into 6 different buckets. Director White added there was an increase in the cash carry forward because of being very conservative on the budget estimates and expenditures. Director White discussed impact fees, using the most restricted funds first and restricted Parks & Rec fees. Director White asked Council for direction on the assigned reserves at \$7.2 million.

Mayor Sheldon noted this item was available for discussion. Mayor Sheldon recommended setting funds aside for the IT assessment to get the City on one platform. Councilmen Chester and Jarman concurred. Vice Mayor McConnell recommended funds for the 800 megahertz. Councilman Jarman recommended putting funds toward crosswalks. Mayor Sheldon recommended more lights in neighborhoods. Vice Mayor McConnell agreed that lights and sidewalks should be added. Councilman Casto noted that matching funds for the saferoom/new community center would be needed. Mayor Sheldon recommended the City do a better job with the cleanliness of the City, picking up trash, trash receptacles, etc. Additional possible projects were discussed. Director White noted that Staff could bring forward a budget amendment to Council. Mayor Sheldon recommended Council members email priority items to Director White. Councilman Casto inquired if the Council needed to hold a workshop. Mayor Sheldon recommended a succession plan for key leadership positions be put in place. Director White ask Council members to send her emails and she would bring back the costs.

ITEM 18. RESOLUTION 21-48, ADOPTING FISCAL YEAR 2021 BUSINESS PLAN.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-48, by title only. Mayor Sheldon opened Item 18 up for public comment. Hearing and seeing none.

Director O'Rourke reported this proposed business plan was for the next fiscal year and would focus on the outcomes Council desired over the next 12 months. Mayor Sheldon reported he loved seeing this formulized and would like to see the Plan added to the City website. Mayor Sheldon added this item was available for discussion.

Councilman Jarman inquired if the ambulance service would be looked at in the future. Councilman Jarman noted that the ambulance service for this year might be a bit ambitious, but once the hospital was here we could take a look at that. Councilman Casto agreed, once the hospital here would be time to look at it. Manager O'Rourke recommended looking at the certificate of need next year to get the ball rolling. Mayor Sheldon concurred with Manager O'Rourke.

Councilman Chester moved to approve Resolution 21-48. Vice Mayor McConnell seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 19. APPROVAL OF JOB DESCRIPTIONS. *Consent Agenda Item #7 was moved here to Regular Agenda Item # 19.*

Mayor Sheldon opened Item 19 up for public comment. Hearing and seeing none.

Mayor Sheldon noted he was fine with all descriptions except the CRA Manager and that's why he asked to move it. Councilman Jarman noted he thought that the consensus was met with the pay plan study vote. Vice Mayor McConnell inquired about the beach rescue responder age requirements. Chief Morgan reported that he was looking at age 16 options, however, we would want a 16 year old paired up with a more experienced employee. Discussion regarding requirements, certifications, the city possibly paying for certification classes took place.

Vice Mayor McConnell moved to approve the job descriptions, with the Mayor's suggested changes. Councilman Jarman seconded the motion. All were in favor by a roll call vote (5-0).

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

CITY MANAGER REPORT

Mr. O'Rourke provided an update on COVID numbers. Manager O'Rourke recognized the organizers of the Ironman, the volunteers and promoters' COVID protocols. Manager O'Rourke reported the City received two proposals for Frank Brown Park 8 acer parcel and Ripley's. Manager O'Rourke reported 30 Seelife applicants were received and 10 were recognized and would receive dolphins and/or turtle sculptures. Manager O'Rourke reported on a portion of Gayle's Trails closings for the that Bay Parkway improvement.

CITY ATTORNEY REPORT

No report.

COUNCIL COMMENTS

Councilman Casto thanked the staff for the \$2.7 million savings on the bonds. Councilman Chester concurred and wished everyone a Happy Thanksgiving. Councilman Jarman thanked the Veterans and Staff members who put together tonight's large agenda. Mayor Sheldon provided the Community Announcements, wished everyone a Happy Thanksgiving and Happy 75th Birthday to his mom.

With nothing further, the meeting was adjourned at 9:47 PM

READ AND APPROVED this 11th day of February, 2021.



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.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME SHELDON MARK	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CITY OF PANAMA CITY BEACH CITY COUNCIL
MAILING ADDRESS 17007 PANAMA CITY BEACH PARKWAY	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY PANAMA CITY BEACH	COUNTY BAY
DATE ON WHICH VOTE OCCURRED NOVEMBER 12, 2020	NAME OF POLITICAL SUBDIVISION: CITY OF PANAMA CITY BEACH
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARK SHELDON, hereby disclose that on 11/12/, 20 20 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RESOLUTION 21-36 OF THE CITY OF PANAMA CITY BEACH APPROVED A PARK USE AGREEMENT WITH R&M ENTERTAINMENT, LLC, FOR THE SAND JAM MUSIC FESTIVAL ON CITY PROPERTY. AS A MEMBER OF R&M ENTERTAINMENT, LLC, THE USE OF THE CITY'S PROPERTY INURES TO MY SPECIAL GAIN OR LOSS.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

NOVEMBER 12, 2020

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.