

MINUTES of the **May 13, 2021** 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.

Mayor Sheldon called the meeting to order at 6:00 p.m.

ROLL CALL

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

Others present were City Manager Drew Whitman, City Attorneys Amy Myers and Cole Davis, City Clerk Lynne Fasone, Directors, and members of the public and press.

Vice Mayor McConnell led the invocation. Vice Mayor McConnell and Boy Scout Troop #317 led the Pledge of Allegiance.

Mayor Sheldon provided community announcements. Mayor Sheldon called for approval of the February 25, 2021, meeting minutes. Councilman Jarman so moved. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

Mayor Sheldon called for approval, additions and/or deletions to the agenda. City Attorney Myers asked Council to consider **adding to the agenda for discussion and possible first reading: (1) Ordinance 1556, increasing the noise ordinance violation, (2) Ordinance 1557, increasing the fines for drinking in parking lots, (3) Ordinance 1558, increasing the fines for unmanaged parking lots, and (4) Ordinance 1559, establishing public nuisance businesses.** Mayor Sheldon asked Council to consider adding these as Items 14, 15 16, & 17 to the agenda. Mayor Sheldon called for additional items. Hearing and seeing none, Vice Mayor McConnell moved to approve the amended agenda. Councilman Chester seconded the motion. All were in favor of approval of the amended agenda by a roll call vote (5-0).

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

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

Mayor Sheldon opened the floor for consent agenda and/or non-agenda business public comments.

Tom Klumps, 614 Poinsettia Court – Mr. Klumps discussed the TPO public meeting/workshop and spoke against widening roads. Mr. Klumps asked Councilman Jarman for an update on the reports he requested.

Chad Baxter – Mr. Baxter spoke in favor of the Miracle League at Frank Brown Park. Mr. Baxter reported he was a pitcher for the Miracle League. Mr. Baxter informed the Council that he was told his services were no longer needed.

Frank Sewell – Mr. Sewell recommended that Council revisit Ordinance 1347, that permit bars and businesses to remain open until 2am. Mr. Sewell suggested that allowing the bars and businesses to remain open would help curtail the problems going on in parking lots.

Burnie Thompson – Mr. Thompson discussed a whistleblower lawsuit “filed” and requested a copy of a memo written by Tony O’Rourke. Mr. Thompson discussed how he believed Popeye Park was developed.

Mayor Sheldon called for further public comments. Hearing and seeing none, Mayor Sheldon closed public comments.

PRESENTATIONS

Mayor Sheldon called for presentations.

- Vice Mayor McConnell presented a Proclamation to the Boys & Girls Club recipient;
- Vice Mayor McConnell presented a Proclamation honoring Water Safety Month; and
- Vice Mayor McConnell presented Kelly Jenkins, Lori Philput and Hagerty Consulting Group with a Proclamation for grants received; and
- Mayor Sheldon invited Michael Hantman from Holland & Knight law firm to the podium to present internal findings on Popeye Park. Mayor Sheldon thanked Mr. Hantman.

CONSENT AGENDA

RESOLUTION 21-150, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH ODYSSEY MANUFACTURING COMPANY, FOR ODOR CONTROL AND CARBON AFTER-FILTER UNITS FOR THE CITY’S WASTEWATER TREATMENT FACILITY AND FOR VARIOUS LIFT STATIONS 40, 73, 96 AND 128 IN THE AMOUNT OF \$1,241,600.

RESOLUTION 21-151, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A MASTER SERVICES AGREEMENT WITH DAG ARCHITECTS, INC. FOR PROFESSIONAL ARCHITECT AND SUPPORTING ENGINEERING SERVICES FOR THE UTILITIES DEPARTMENT; AND APPROVING A TASK ORDER FOR DESIGN, BID AND CONSTRUCTION ADMINISTRATIVE SERVICES RELATED TO CONSERVATION PARK OFFICE BUILDING IN THE AMOUNT OF \$48,870.

RESOLUTION 21-152, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AUTHORIZING THE CITY TO NEGOTIATE A CONTINUING CONTRACT FOR SERVICES FOR ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE FIRE AND POLICE DEPARTMENT FACILITIES ACCORDING TO THE RANKING SET FORTH IN THE BODY OF THE RESOLUTION.

RESOLUTION 21-153, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RATIFYING A CHANGE ORDER WITH C.W. ROBERTS CONTRACTING INC. FOR GRIFFITS PARKWAY SEGMENT 2 IMPROVEMENTS IN THE AMOUNT OF \$115,571.40.

RESOLUTION 21-154, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH L & R CONTRACTING, LLC FOR THE CONSTRUCTION OF THE PANAMA CITY BEACH – HOMBRE CIRCLE CULVERT IMPROVEMENTS & CLEANING PROJECT IN THE AMOUNT OF \$225,991, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS FOR UNFORSEEN CIRCUMSTANCES AND UNDER CERTAIN CONDITIONS IN AN AMOUNT NOT TO EXCEED \$10,761.57.

RESOLUTION 21-155, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH TETRA TECH FOR THE GATHERING OF SUPPLEMENTAL SITE MONITORING INFORMATION ASSOCIATED WITH A PERMIT MODIFICATION AT THE CONSERVATION PARK FOR THE BASIC AMOUNT OF \$11,000.

RESOLUTION 21-156, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH LAS CONTRACTING CORP. FOR THE PANAMA CITY BEACH PARKWAY (NORTH PIER PARK DRIVE TO NAUTILUS STREET) SIDEWALK PROJECT IN AN AMOUNT NOT TO EXCEED \$434,000; AUTHORIZING CHANGE ORDERS FOR UNFORSEEN CIRCUMSTANCES AND UNDER CERTAIN CONDITIONS IN AN AMOUNT NOT TO EXCEED \$20,000.

RESOLUTION 21-157, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING A TASK ORDER WITH DEWBERRY ENGINEERS, INC. FOR PROVISION OF PROFESSIONAL ENGINEERING DESIGN SERVICES FOR FRONT BEACH ROAD 4.2 UTILITIES RELOCATION IN THE AMOUNT OF \$222,940.

RESOLUTION 21-158, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AND TO THE EXTENT NECESSARY RATIFYING A NOISE VARIANCE FOR EARLY MORNING CONSTRUCTION ACTIVITY AT 16006 FRONT BEACH ROAD DURING THE PERIOD MAY 5 THROUGH JUNE 16, 2021.

RESOLUTION 21-159, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A MAINTENANCE AND RIGHT OF WAY MAP VESTING ALL RIGHT, TITLE, EASEMENT AND APPURTENANCES IN AND TO A PORTION OF THE ROAD KNOWN AS EAGLE DRIVE; AND AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO CERTIFY AND RECORD SUCH MAP IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

Mayor Sheldon asked Ms. Fasone to read the consent agenda. Mayor Sheldon announced that the consent agenda was available. **Councilman Chester moved to approve the consent agenda. Councilman Jarman seconded the motion. All were in favor of approval by a roll call vote (5-0).**

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

REGULAR AGENDA- DISCUSSION/ACTION

ITEM 1. ORDINANCE 1548, AMENDING CITY ORDINANCE INCREASING WATER AND SEWER IMPACT FEES 2ND READING / PUBLIC HEARING, AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1548 by title only. Mayor Sheldon opened up Item 1 for public hearing/comments. Mrs. Myers reported that (1) the Council received a study demonstrating the need for these increases, which was included in the packets, (2) Council has held three public hearings at the March, April and tonight's meetings, (3) that all meetings were properly noticed, (4) there was pending legislation with the Governor that could affect Council's abilities to enforcement the increases, and (5) staff recommended approval. Mayor Sheldon called for public comments. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Council. Councilman Chester noted this ordinance would affect new construction. Mrs. Myers concurred. **Councilman Casto moved to approve Ordinance 1548. Councilman Jarman seconded the motion. Hearing and seeing no further comments, all were in favor of approval by a roll call vote (5-0).**

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

ITEM 2. ORDINANCE 1544, AMENDING THE CITY'S FUTURE LAND USE MAP REGARDING LAND LOCATED AT 285 POINSETTIA DRIVE, FIRST READING.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1544 by title only. Mayor Sheldon opened up Item 2 for public hearing/comment.

Mike Burke – Mr. Burke thanked Council for opening up the first reding. Mr. Burke reported that he represented Alvins. Mr. Burke noted he was available for questions. Mr. Burke asked Council to move this on to the adoption stage.

Tom Klumps, 614 Poinsettia Court – Mr. Klumps recommended that the zoning be unchanged, remain the same.

John Hughes 258 Poinsettia Drive – Mr. Hughes reported that he lived across the street from the property. Mr. Hughes recommended that the zoning classification remain the same.

Mrs. Myers clarified that the property Council was considering right now was the developed piece.

Paul Turner – Mr. Turner reported that he had lived in Open Sands for 43 years. Mr. Turner reported that most people who live in Open Sands were against changing the zoning to a commercial high intensity, however, a CL may not be that bad. Mr. Turner added that the two lots being discussed would be an encroachment on Open Sands.

Bobby at 611 Poinsettia Court – Representing Tom Pickle, Randy Pugh, David and Allison Wilson, and others at Open Sands. Gentleman reported that all live within 2 blocks of the property and all were unable to attend today. The gentleman reported that all were against the rezoning of any residential lots

in Open Sands now and/or in the future. The gentleman noted that they all agreed with the previous speaker to allow the building to be rebuilt as is, when necessary.

Madam on Poinsettia Drive – Madam reported that she was relatively new to Open Sands and lived ½ block from the property. Madam added that she’d like to keep Open Sands a residential neighborhood. Madam stated she was not in favor of the rezoning.

Kurt Anderson, 217 Poinsettia Drive – Mr. Anderson noted that he was not in favor of the rezoning.

Mayor Sheldon called for further public comments. Hearing and seeing none, Mayor Sheldon closed public comments.

Mayor Sheldon invited Director Leonard to the podium. Director Leonard explained the difference between the three ordinances before Council this evening.

Mayor Sheldon noted this item was available for Council. **Councilman Jarman moved to approve Ordinance 1544. Councilman Casto seconded the motion. All were in favor by a roll call vote (5-0).**

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

ITEM 3. ORDINANCE 1545, REZONING A 0.573 ACRE PARCEL OF LAND LOCATED AT 285 POINSETTIA FROM R1c TO CH, 1ST READING.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1545 by title only. Mayor Sheldon opened up Item 3 for public comment. Mrs. Myers reported this was the rezoning portion related to the ordinance just presented.

Bobby with 611 Poinsettia Court – Bobby clarified that all involved were talking about the vacant land.

Mr. Burke, representing Alvin’s – Mr. Burke asked Council to consider this at first reading and pass to second reading so he could present evidence as to why it should be passed.

Mayor Sheldon called for further public comments. Hearing and seeing none, Mayor Sheldon closed public comments.

Mayor Sheldon asked Director Leonard for comments. Director Leonard reported that the Applicant requested to go to a CH, Commercial High Intensity, zoning. The Planning Board voted 6-0, on December 9, 2020, to go to a CL, Commercial Low Intensity instead of a CH. Director Leonard described the differences between CH and CL zoning.

Mayor Sheldon reported that he was comfortable with the Planning Board’s recommendation. Mayor Sheldon noted this item was available to Council. Vice Mayor McConnell concurred. **Vice Mayor McConnell moved to change this to a CL. Councilman Jarman seconded the motion. Hearing and seeing no further discussion, Mayor Sheldon asked Ms. Fasone to call the roll. All were in favor of Ordinance 1545, with the CL amendment by a roll call vote (5-0).**

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

ITEM 4. ORDINANCE 1553, AMENDING THE CITY'S FUTURE LAND USE MAP REGARDING LAND LOCATED AT 283 POINSETTIA DRIVE, 1ST READING.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1553 by title only. Mayor Sheldon called for public comment.

Mr. Burke, representing Alvin's – Mr. Burke requested that the Ordinance be moved on so it could be considered. Mr. Burke reported that this piece of property had always been a commercial piece and he could present the evidence that he thought the piece had been missed, a scribe error. Mr. Burke that thought the CL designation was a diminishment on his client's property.

Madam on Poinsettia Drive – Madam expressed Concern that if approved this would be a diminishment of her property.

Bobby at 611 Poinsettia Drive – Bobby on behalf of himself and others as noted previously stated they were not in favor of the rezoning and the second reading.

Brad Bugg, 611 Poinsettia Drive – Mr. Bugg highly objected to the rezoning of this parcel.

Kurt Anderson, 217 Poinsettia Drive – Mr. Anderson concurred with Mr. Bugg and noted he was against the rezoning.

Tom Klumps – Mr. Klumps stated he was against the rezoning.

John Hughes, 258 Poinsette Drive – Mr. Hughes reported the owners were bad stewards of the land and expressed concern of the owners backing up over mailboxes. Mr. Hughes stated he was against the rezoning.

Linda Gorman, 259 Poinsettia Drive – Ms. Gorman reported that she was a neighbor to the property. Ms. Gorman reported that she was not in favor of the commercial use and asked Council to leave as is residential.

Mayor Sheldon called for additional public comments. Hearing and seeing none, Mayor Sheldon closed public comment. Mayor Sheldon invited Director Leonard to comment. Director Leonard reported that the Planning Board recommended denial of this portion of the request, that it remain single family residential.

Mayor Sheldon noted this item was available to Council.

Councilman Casto reported that he was not in favor and agreed with the Planning Board. Vice Mayor McConnell concurred with Councilman Casto. **Vice Mayor McConnell moved to deny the rezoning. Councilman Jarman seconded the motion. Hearing and seeing no further comments, Mayor Sheldon asked Ms. Fasone to call the roll. All were in favor of denial of Ordinance 1553.**

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

ITEM 5. ORDINANCE 1554, REZONING 0.229 ACRES LOCATED AT 283 POINSETTIA DRIVE FROM R1C TO CH, 1ST READING.

Mayor Sheldon called for a point of clarification. Mayor Sheldon stated that since Item 4 was denied/failed this item was **withdrawn**. Mrs. Meyers concurred that since **Item 4 failed this item was mute and not up for discussion**. Further discussion regarding this item failing with the last item took place.

ITEM 6. ORDINANCE 1555, AMENDING THE GENERAL EMPLOYEE PENSION PLAN REGARDING RETIRED, 1ST READING.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1555 by title only. Mayor Sheldon opened up Item 6 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments. Assistant City Manager White recommended approval. Councilman Casto moved for approval. Councilman Jarman seconded the motion. Mayor Sheldon asked the Clerk to call the roll. All were in favor by a roll call vote (5-0).

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

ITEM 7. RESOLUTION 21-160, BUDGET AMENDMENT FOR CODE ENFORCEMENT STAFFING.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-160 by title only. Mayor Sheldon opened up Item 7 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon noted this was available for Council discussion. Councilman Chester moved for approval. Councilman Casto seconded the motion. Mayor Sheldon asked the Clerk to call the roll. All were in favor by a roll call vote (5-0).

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

ITEM 8. RESOLUTION 21-161, APPROVAL OF INTERLOCAL AGREEMENT, AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-161 by title only. Mrs. Myers reported that the City had already approved the budget amendment for the purchase of the radios. Mayor Sheldon opened up Item 8 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon noted this was available for Council discussion. Council members spoke in favor of the agreement and use of the radios. Vice Mayor McConnell moved

for approval. Councilman Jarman seconded the motion. Mayor Sheldon asked the Clerk to call the roll. All were in favor by a roll call vote (5-0).

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

ITEM 9. RESOLUTION 21-162, APPROVING A MUTUAL AID AGREEMENT, AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-162 by title only. Mayor Sheldon opened up Item 9 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Manager Whitman. Manager Whitman reported this would authorize a budget amendment replace the funds already spent during Spring Break and to approve mutual aid. Mayor Sheldon noted he was in favor and called for comments from Council. Councilman Casto moved for approval. Councilman Jarman seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 10. RESOLUTION 21-163, APPROVING GLOBAL RELAY BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-163 by title only. Mayor Sheldon called for comments from the public. Hearing and seeing none, Mayor Sheldon closed the public comments. Mayor Sheldon called for comments from Manager Whitman. Manager Whitman thanked Jason for working on this item and noted he would be saving the City over \$45,000 over the next five years. Council members thanked Jason. Mayor Sheldon noted this item was available to Council. Councilman Jarman moved for approval. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

ITEM 11. DISCUSSION ITEM – VICE MAYOR MCCONNELL’S AND COUNCILMAN JARMAN’S APPOINTMENTS TO THE PUBLIC SAFETY COMMITTEE.

Mayor Sheldon called for comments from the public.

Paul Bonnett – Mr. Bonnett noted he was the Chairman of the Public Safety Committee. Mr. Bonnett thanked the Council and members on the Committee for keeping the City safe. Council thanked Paul for his time.

Hearing and seeing no further comments, Mayor Sheldon closed the public comments. Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to appoint Brad Wakstein to the Committee. Councilman Jarman moved to appoint Joseph Toromino to the Committee. Mayor Sheldon called for approval of the full slate. Councilman Chester moved to approve the slate. Councilman Casto seconded the motion. Mayor Sheldon asked Ms. Fasone to call the roll.**

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

ITEM 12. DISCUSSION ITEM – COUNCILMAN JARMAN’S APPOINTMENT TO THE PARKS & RECREATION BOARD.

Mayor Sheldon called for comments from the public. Hearing and seeing no comments, Mayor Sheldon closed the public comments. Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to appoint Peggy Wilson to the Board. Mayor Sheldon called for approval of the full slate. Councilman Casto moved to approve the slate. Councilman Chester seconded the motion. Mayor Sheldon asked Ms. Fasone to call the roll.**

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

ITEM 13. DISCUSSION ITEM – COUNCILMAN CHESTER’S AND COUNCILMAN CASTO’S APPOINTMENTS TO THE CITIZENS CHARTER REVIEW COMMITTEE.

Mayor Sheldon called for comments from the public. Hearing and seeing no comments, Mayor Sheldon closed the public comments. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to appoint Zach Coleman to the Committee. Councilman Casto moved to appoint Matt Bush to the Committee. Mayor Sheldon called for approval of the full slate. Councilman Jarman moved to approve the slate. Councilman Casto seconded the motion.** Discussion regarding Matt stepping down from the CRA and adding a CRA appointment to the next agenda took place. Mayor Sheldon asked Ms. Fasone to call the roll.

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

ADDED ITEM 14. ORDINANCE 1556, AMENDING THE CITY’S NOISE ORDINANCE, SECOND READING, PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1556 by title only. Mrs. Myers explained this ordinance would increase the City’s current fine structure. Discussion regarding the fine structure took place. Mayor Sheldon called for comments from the public. Hearing and seeing none, Mayor Sheldon closed the public comments. Mayor Sheldon noted this item was

available to Council. Councilman Casto moved for approval. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

ADDED ITEM 15. ORDINANCE 1557, AMENDING FINES FOR ALCOHOLIC BEVERAGES IN COMMERCIAL PARKING LOTS, SECOND READING, PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1557 by title only. Mrs. Myers explained this ordinance applies to public and private parking lots and would set the fine to \$500.00. Mayor Sheldon called for comments from the public. Hearing and seeing none, Mayor Sheldon closed the public comments. Mayor Sheldon noted this item was available to Council. Vice Mayor McConnell moved for approval. Councilman Jarman seconded the motion. All were in favor by a roll call vote (5-0).

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

ADDED ITEM 16. ORDINANCE 1558, CONTROL AND SUPERVISION OF COMMERCIAL PARKING LOTS, SECOND READING, PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1558 by title only. Mrs. Myers explained this ordinance would set the penalty to \$500.00. Mayor Sheldon called for comments from the public. Hearing and seeing none, Mayor Sheldon closed the public comments. Mayor Sheldon noted this item was available to Council. Councilman Jarman moved for approval. Councilman Casto seconded the motion. All were in favor by a roll call vote (5-0).

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

ADDED ITEM 17. ORDINANCE 1559, AMENDING THE DEFINITION OF PUBLIC NUISANCE, SECOND READING, PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Ordinance 1559 by title only. Mr. Davis explained this ordinance would focus on the properties where repeat violations occur. Discussion regarding types of incidents, definition of public nuisance, City Manager Order, and penalties took place. Mayor Sheldon called for comments from the public.

Colleen Swab – Ms. Swab inquire what would happen if there were still issues at a rented property, even though she was trying to be part of the solution. Discussion regarding how a rented property would be handled took place.

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

Mayor Sheldon asked Chief Lindsey to the podium. Chief Lindsey thanked the Council for putting the ordinances in place.

Vice Mayor McConnell inquired about leaseholder of a business versus a property owner, to follow-up on Ms. Swab's comments. Mr. Davis discussed that it being a matter to be dealt with between the property owner and the tenant. Mr. Davis generally discussed nuisance case, Chapter 25 of the City Code, and Short term rentals.

Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved for approval. Councilman Casto seconded the motion. All were in favor by a roll call vote (5-0).**

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

CITY MANAGER REPORT

Manager Whitman provided a 3-week update. Manager Whitman reported that Mr. Campbell had put forth a revised CRA Design Book and it would be brought before the Council soon.

CITY ATTORNEY REPORT


Mrs. Myers, no report.

COUNCIL COMMENTS

Councilman Casto thanked Kelly Jenkins and her staff for their hard work on getting Philip Griffiths Parkway opened today. Councilman Chester concurred and thanked the TDC for additional safety funds that would be coming in. Councilman Jarman thanked Kelly as well and asked staff to clean up the Popeye Park parcels. Vice Mayor McConnell thanked Kelly and her staff, State and County for their work on the road opening. Mayor Sheldon reported on job openings and opportunities at the City and referred those interested to the City's website. Mayor Sheldon thanked all who were involved with the opening of Philip Griffiths Parkway.

With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 8:09 p.m.

READ AND APPROVED this 26th day of August, 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.