

MINUTES of the June 10, 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 Mark 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, Assistant City Manager Holly White, City Attorneys Amy Myers and Cole Davis, City Clerk Lynne Fasone, Directors, and members of the public and press.

Police Chaplin Woodrow led the invocation. Councilman Paul Casto led the Pledge of Allegiance.

Mayor Sheldon provided community announcements. Mayor Sheldon called for approval of the March 11, 2021, regular meeting minutes. Councilman Chester so moved. 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

Mayor Sheldon called for approval, additions and/or deletions to the agenda. Councilman Casto recommended adding a new agenda item regarding traffic congestion on Powell Adams Road. Mayor Sheldon recommended adding the new item as Item #14. Mayor Sheldon called for further additions. Hearing and seeing none, Councilman Jarman moved to approve the agenda, with the addition noted by Councilman Casto. Councilman Chester seconded the motion. All were in favor of approval of the agenda 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 consent agenda and/or non-agenda business public comments.

Tom Klumps, resident of PCB – Mr. Klumps discussed this past weekend's events. Mr. Klumps recommended that City Council reduce the size of events in the PCB by at least 50%.

Frank Sewell – Mr. Sewell recommended that City Council change ordinances allowing bars to remain open until 4:00 a.m. instead of 2:00 a.m. Mr. Sewell discussed a recent Miami Beach ordinance closing bars at 2:00 a.m. being overturned today by a Judge.

Tommy Priestly, resident of PCB – Mr. Priestly thanked Council for getting the Bay Parkway extension opened and the rehabilitation of Front Beach Road. Mr. Priestly spoke against the new ordinances imposing fines. Mr. Priestly noted that he was not in favor of the new fines and restrictions.

Burnie Thompson – Mr. Thompson expressed concern with a document/plat given to the FBI regarding Popeye Park. Mr. Thompson noted that he emailed the document to City Council members today.

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

PRESENTATIONS

Mayor Sheldon called for presentations.

City Manager Whitman asked the men and women in blue to please come forward. Manager Whitman recognized and thanked Police Chaplin Woodrow for his service to the PCB Police Department. Manager Whitman turned the podium over to Chief Talamantez. Chief Talamantez recognized Chaplin Woodrow's service and presented him with a plaque, agency flag and retirement badge. Chaplin Woodrow thanked everyone and talked about how wonderful it was to work with the team at the PCB Police Department. Chaplin Woodrow thanked City Council members for providing the PBC Police Department with the resources they need to do their jobs. Police Officers and City Council members thanked and wished Chaplin Woodrow well.

CONSENT AGENDA

RESOLUTION 21-172, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH TURF TANK FOR ONE FIELD MARKING ROBOT WITH AN ADDITIONAL SUPPORT AND PAINT PLAN FOR THE PARKS AND RECREATION DEPARTMENT FOR THE TOTAL AMOUNT OF \$50,499.

RESOLUTION 21-173, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE CITY AND AAG ELECTRIC MOTORS & PUMPS, INC. RELATED TO A LIFT STATION 96 EMERGENCY PUMP REPAIR IN THE TOTAL AMOUNT OF \$13,215.94.

Mayor Sheldon asked Ms. Fasone to read the consent agenda. Mayor Sheldon announced that the consent agenda was available. **Councilman Jarman moved to approve the consent agenda. Councilman Casto seconded the motion. All were in favor of approval 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 1544, AMENDING THE CITY'S FUTURE LAND USE MAP REGARDING 285 POINSETTIA DRIVE, SECOND READING, PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1544 by title only. Mayor Sheldon opened up Item 1 for public hearing/comments.

Mike Burke, 16215 Panama City Beach Parkway, representing Alvin's Stores – Mr. Burke reported that the purpose of the ordinance was to correct an error that occurred in 2012 when the property was classified improperly from its original use. Mr. Burke asked Council to pass the ordinance so it could advance to the zoning hearing.

Craig Anderson, 217 Poinsettia Drive, Open Sands resident – Mr. Anderson asked if the Council had a subsequent meeting with Mr. Burke after the first reading. Mr. Anderson asked that the rezoning for lot 285 remain at CL and not change it to CH. Mayor Sheldon reported that there was no subsequent meeting with Mr. Burke.

Paul Turner, 470 Oleander Circle – Mr. Turner asked Council to change to a CL zoning not a CH zoning.

Hearing and seeing no further public comments, Mayor Sheldon closed public comments. Mayor Sheldon invited Director Leonard to the podium. Director Leonard reported that the hearing was properly noticed that the Planning Board considered the request on December 9, 2020, and voted unanimously 6-0 to recommend to tourist on the future land use map.

Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to approve Ordinance 1544. Councilman Jarman seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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. ORDINANCE 1545, REZONING LAND LOCATED AT 285 POINSETTIA FROM R1c TO CL, SECOND READING, PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1545 by title only.

Mayor Sheldon called the public hearing to order. Mayor Sheldon noted that this was a hearing concerning the request filed by Alvin's Stores to rezone property located at 285 Poinsettia Drive from R1c to Commercial High Intensity and at the first reading of this Ordinance, the Council approved a rezoning of this land from R1C to Commercial Low Intensity. Mayor Sheldon reported that the purpose of this hearing was to provide a proceeding whereby the person requesting approval of the rezoning and other interested parties may present their case in support or in opposition to the application at issue. Mayor Sheldon added that Council may make a decision based upon what it sees and hears in this hearing. Mayor Sheldon added that this would be a somewhat informal hearing and that Council members may ask questions of anybody during or after each presentation. Mayor Sheldon reported that each party would have an opportunity to ask questions of the testifying party at the conclusion of that person's testimony.

Mayor Sheldon reported that if Council made a decision on the matter today, the decision would be reduced to writing and interested or adversely affected parties would have 30 days from the issuance of the charges to appeal that Order to the Circuit Court.

Mayor Sheldon called for Jennings Disclosures from City Council members.

Councilman Jarman reported that he knew the location of the property but had not communicated with anyone about it.

Vice Mayor McConnell reported that he knew where the property was located, and he had talked to no one about it.

Councilman Chester reported that he knew the location of the property and had talked with the Planning Board about it.

Councilman Casto reported that he knew where the property was located, and he had talked to no one about it.

Mayor Sheldon reported that he knew the location of the property but had not spoken with anyone about it.

Mayor Sheldon asked everyone, including staff, who intended to give testimony to please stand and be sworn in. Mrs. Myers swore in those intending to testify.

Mayor Sheldon invited Director Leonard to the podium. Director Leonard provided a brief overview of Staff's analysis and recommendation. Director Leonard further reported that the Planning Board unanimously recommended (6-0) to rezone to CL. Director Leonard explained the differences between CH and CL zoning.

Mayor Sheldon invited the representative from Alvin's Stores to the podium.

Mike Burke, 16215 Panama City Beach Parkway, representing Alvin's Stores – Mr. Burke discussed presenting the application to the Planning Board. Mr. Burke reported that this was a scribbler's error. Mr. Burke discussed previous zoning classification. Mr. Burke suggested that the scribbler's error happened in 2012. Mr. Burke requested that Council put his clients back into the same situation that they were in from day one, for CH. Mr. Burke acknowledged that he had not contacted any Council members about this request and noted that he was available for questions.

Mayor Sheldon called for any adversely affected parties who oppose the approval of the rezoning and wish to present evidence or testimony. Hearing and seeing none.

Mayor Sheldon noted this was a public hearing. Mayor Sheldon called for public comment, limited to three minutes. Hearing and seeing none. Mayor Sheldon called for comments/questions from Council members. Hearing and seeing none.

Mayor Sheldon asked if Ms. Myers had anything else to add. Ms. Myers entered into the record the public comments received by the Council at the First Reading of this Ordinance on May 13, 2021.

Mayor Sheldon asked Council to begin deliberations based on the testimony and evidence presented.

Councilman Casto moved to approve Ordinance 1545 to CL. Vice Mayor McConnell seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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. ORDINANCE 1555, AMENDING THE GENERAL EMPLOYEE PENSION PLAN, SECOND READING, PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1555 by title only. Mayor Sheldon opened up Item 3 for public hearing/comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Assistant City Manager White. Ms. White reported that the Pension Board supported and recommended approval of Ordinance 1555. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Ordinance 1555. Councilman Jarman seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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. 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. Mayor Sheldon opened up Item 4 for public hearing/comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Mrs. Myers and Council. Mrs. Myers reported that the ordinance was unchanged since its first reading. Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to approve Ordinance 1556. Councilman Casto seconded the motion. Hearing and seeing no further comments, all were in favor of approval by a roll call vote (5-0).**

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

ITEM 5. 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. Mayor Sheldon opened up Item 5 for public hearing/comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Mrs. Myers and Council. Mrs. Myers reported that the ordinance was unchanged since its first reading. Mayor Sheldon noted this item was available to Council. **Councilman Casto moved to approve Ordinance 1557.**

Councilman Jarman seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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. 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. Mayor Sheldon opened up Item 6 for public hearing/comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Mrs. Myers and Council. Mrs. Myers reported that the ordinance was unchanged since its first reading. Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to approve Ordinance 1558. Councilman Casto seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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. ORDINANCE 1559, AMENDING THE DEFINITION OF PUBLIC NUISANCE, SECOND READING, PUBLIC HEARING AND ADOPTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1559 by title only. Mayor Sheldon opened up Item 7 for public hearing/comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Mrs. Myers and Council. Mrs. Myers reported that one change was made to the ordinance since its first reading; with the input of the Police Chief, the definition of a public nuisance was tightened up. Mayor Sheldon noted this item was available to Council. Mayor Sheldon reported that he has heard from the public and they want Council to do something; that he received many phone calls to make the City safer. Vice Mayor McConnell concurred. Councilman Jarman reported that it was his hope to be able to move all of the City's resources out of this area and be able to move police officers to the neighborhoods. Councilman Casto concurred with Councilman Jarman. Vice Mayor McConnell concurred and reported further that this was the top item he heard about from the community in the last six months. **Councilman Chester moved to approve Ordinance 1559. Councilman Casto seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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 21-174, RESIDENTIAL AND COMMERCIAL PLANS REVIEW AND BUILDING INSPECTION SERVICES.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-174 by title only. Mayor Sheldon opened up Item 8 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Director Mel Leonard. Mr. Leonard reported the City received one qualified bid on May 28th as detailed in the Council packet and Staff recommended approval. Discussion regarding the qualifications of C.A.P. Government, Inc., took place. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 21-174. Councilman Jarman seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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 21-175, FRED SPRINGER - BRYANT, MILLER & OLIVE ENGAGEMENT LETTER, AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-175 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 Attorney Myers. Mrs. Myers noted she was available for questions, and she was looking forward to bringing the company on board. Vice Mayor McConnell concurred and noted his support. Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to approve Resolution 21-175. Councilman Chester seconded the motion. Hearing and seeing no further comments, all were in favor of approval by a roll call vote (5-0).**

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

ITEM 10. RESOLUTION 21-176, APPROVING AN AGREEMENT FOR CONCRETE PROJECTS AND APPROVING A BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-176 by title only. Mayor Sheldon opened up Item 10 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon noted this item was available to Council. **Councilman Casto moved to approve Resolution 21-176. Councilman Chester seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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. DISCUSSION ITEM - COUNCILMAN CHESTER'S APPOINTMENT TO THE CRA.

Mayor Sheldon opened up Item 11 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for Councilman Chester's appointment to the CRA Board. Councilman Chester recommended Larry Messenger for appointment. **Vice Mayor McConnell moved to approve the full slate. Councilman Jarman seconded the motion. Hearing and seeing no further comments, all were in favor of the appointment 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. DISCUSSION ITEM - APPOINTMENT TO THE AIRPORT BOARD.

Mayor Sheldon called for nominations to the open seat on the NW Florida Airport Authority Board who must be a resident of the island. Vice Mayor McConnell recommended Les McFatter with Perry & Young law firm for appointment. Councilman Casto reported that he personally knows Mr. McFatter and sits on a non-profit board with him. Councilman Casto offered his endorsement of Mr. McFatter. Mayor Sheldon noted his endorsement of Mr. McFatter. Mayor Sheldon opened up Item 12 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. **Vice Mayor McConnell moved to approve the appointment of Les McFatter to the Airport Board. Councilman Casto seconded the motion. Hearing and seeing no further comments, all were in favor of the appointment by a roll call vote (5-0).**

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

ITEM 13. DISCUSSION ITEM - APPOINTMENT TO THE POLICE PENSION BOARD.

Mayor Sheldon called for nominations to the open seat Council seat on the Police Officers' Pension Board. Councilman Jarman recommended appointment of Captain Jason Jones. Vice Mayor McConnell noted his endorsement of Captain Jones. Mayor Sheldon opened up Item 13 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. **Councilman Jarman moved to approve the appointment of Capitan Jason Jones to the Police Pension Board. Vice Mayor McConnell seconded the motion. Hearing and seeing no further comments, all were in favor of the appointment by a roll call vote (5-0).**

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

ADDED ITEM 14. DISCUSSION ITEM – TRAFFIC CONGESTION ON POWELL ADAMS ROAD.

Mayor Sheldon called for comments from Councilman Casto. Councilman Casto reported on receiving complaints about the traffic being backed up on Powell Adams Road yesterday. Councilman Casto reported on the construction company's crane taking up two lanes and using a flagman. Councilman Casto inquired about the noise variance and asked Manager Whitman if Council approved the pours at night. Manager Whitman concurred and reported that Council approved the variance was approved back in February. Manager Whitman reported that Chief Talamantez visited the construction site, and they were now aware of the hours. Manager Whitman added that CRA Manager David Campbell also talked with the construction company as well.

CITY MANAGER REPORT

City Manager Whitman thanked Chaplin Woodrow for his service to the City and noted that he would be deeply missed.

CITY ATTORNEY REPORT

Mrs. Myers, no report.

COUNCIL COMMENTS

All Council members thanked Chaplin Woodrow for his service to the City and wished him the best. Councilman Jarman reported that he was pleased with the progress of the sidewalk on the north Back Beach. Vice Mayor McConnell concurred. Councilman Jarman asked anyone interested in serving on a Board to please let Council members or let the City Clerk know. Vice Mayor McConnell concurred with Councilman Jarman that the sidewalk was amazing and thanked Staff. Mayor Sheldon asked that the City do a better job with picking up the trash on the roadways and beaches. Mayor Sheldon asked the City Manager to bring back any suggestions. Mayor Sheldon reported that the revenue numbers for May looked amazing and recommended that Council revisit its projects lists.

With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 6:57 p.m.

READ AND APPROVED this 23rd day of September, 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.