



City of
Panama City Beach

City Hall
17007 PCB Parkway
PCB, FL 32413
www.pcbfl.gov

**MINUTES of the August 9, 2021, Special Meeting/Solid Waste Advisability
Hearing of the City Council of the City of Panama City Beach, Florida.**

Mayor Mark Sheldon called the meeting to order at 4:00 p.m.

ROLL CALL

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

A quorum was present with all five council members. Others present were City Manager Drew Whitman, Assistant City Manager Holly White, City Attorneys Amy Myers and Cole Davis, City Clerk Lynne Fasone, Directors, staff, and members of the public and press.

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

Mayor Sheldon announced the purpose of today's meeting was to discuss, and hold a public hearing, regarding residential solid waste collection within the city limits. Mayor Sheldon called for comments from the Administration. City Attorney Myers provided historical knowledge, including that in December of 2018 the City approved non-exclusive franchises with all then-current haulers in the city to provide residential solid waste collection. Mrs. Myers added that the agreement was set to terminate after 3-years, at the end of this calendar year. Mrs. Myers reported that the contract provided for an advisability hearing for the Council to consider whether to take those services in-house, to maintain the status quo, to change the way solid waste was collected on the beach, etc. Mrs. Myers added that staff was looking for direction from Council.

Mayor Sheldon reported there were basically four options for Council to consider:

- (a) provide solid waste collection services with their own staff;
- (b) use one or more private contractors to provide solid waste collection services;
- (c) restrict or deny the issuance of permits, license, franchises, or other approvals required for the collection of solid waste; or
- (d) take other actions to implement their decision to provide solid waste collection services in the service area.

Mayor Sheldon recommended that Council take public comments at this point before making any decision. Council members concurred. **Mayor Sheldon opened the public hearing.**

Tom Klumps, 614 Poinsettia Court - Mr. Klumps provided his thoughts on why he felt the city passed the ordinance establishing trash pick-up. Mr. Klumps stated he felt the city looked like trash and the city had trashy visitors. Mr. Klumps stated he felt that council forced him to pay for trash pickup so the city could get its 2% franchise fees. Mr. Klumps stated he felt that council should revoke the ordinance and go after the people who were messing up the city.

Loyd Childree, Governmental Affairs with WastePro– Mr. Childree asked Council to extend the current contract with the haulers. Mr. Childree discussed the haulers making substantial investments in the city. Mr. Childree discussed the employees of the haulers living in the community and on the beach. Mr. Childree added that he did not agree with the City taking the contract out to RFP. Mr. Childree reported that, for the most part, all of the haulers were happy keeping with the status quo. Mr. Childree discussed the haulers' contracts with many of the HOAs. Mr. Childree discussed the 6-franchise system in place and noted that it was anticipated that haulers would be reduced from 6, over time, by attrition or acquisition. Mr. Childree further discussed services being provided to residents.

Larry Hardy, 9704 Beach Blvd. - Mr. Hardy reported he was a local banker and resident. Mr. Hardy reported there were some problems on the beach, however, garbage was not one of them. Mr. Hardy discussed Nates providing a Saturday service. Mr. Hardy noted his support for the status quo.

Dave, owner of Coqui Disposal - Dave agreed with Mr. Childree from WastePro. The gentleman added that he did not feel that government should pick and choose and additionally thought that the constituents were happy with the service. The gentleman stated he was in favor of the status quo.

Karen Matson, resident of 166 Christopher Drive –Mrs. Matson talked about having this conversation 10 years ago. Mrs. Matson discussed people putting garbage in other peoples' cans. Mrs. Matson recommended the haulers place tarps on their trucks to keep the garbage from fly-out onto Route 79. Mrs. Matson noted that she did not think it would be a good idea for the city, and City employees, to take trash pick-up in house.

5551 North Lagoon Drive – The gentleman stated that he favored the status quo. The gentleman agreed with Mrs. Matson that Route 79 needed cleaned up.

Jason, 128 Seabreeze Circle, area manager for Coastal Waste Recycling. Jason noted that they acquired Nate's Sanitation. The gentleman agreed with Mr. Childree from WastePro with respect to the HOA contracts. The gentleman recommended that Council consult with the experts in the room as they were here to help and to keep the city safe and clean.

Mayor Sheldon called for additional public comments. Hearing and seeing none, **Mayor Sheldon closed the public comment portion at 4:17 p.m.**

Mayor Sheldon called for comments from Council. Councilman Casto reported that he was here at the time when the mandatory waste collection was put in place. Councilman Casto recommended that Council maintain the status quo and reported that most of his constituents were happy as is.

Councilman Jarman commented that he did not feel like the City had the funds to take on garage collection in-house. Councilman Jarman added that the only reason he would look at a bid would be to save the residents money. Councilman Jarman commented that Council may want to look at not issuing any additional permits to help with the reduction of trucks on city streets. Councilman Jarman added that he favored not having as many trucks on the roads. Councilman Jarman commented that if a change did not benefit the residents, cost-wise, he recommended maintaining the status quo.

Vice Mayor McConnell agreed that the city could not afford to bring the service in-house. Vice Mayor McConnell asked the City Attorney to talk about, provide for the public and Mr. Klumps, how the city arrived at the fee structure. City Attorney Myers discussed there needing to be a rationale relationship between the fee charged and the revenue collected.

Vice Mayor McConnell recommended the 2-year extension, after hearing from the public and the haulers. Councilman Chester concurred with Vice Mayor McConnell. Councilman Chester added that he loved competition and if a resident was not happy with a hauler, he/she could try another hauler. Councilman Casto concurred.

Mayor Sheldon discussed the number of haulers being a burden on the city streets. Mayor Sheldon discussed creating zones and haulers bidding per zone. Mayor Sheldon agreed that he did not want the city to take trash pick-up in-house. Mayor Sheldon recommended that the HOA contracts finish out. Mayor Sheldon discussed the large number of trucks in city neighborhoods and the wear and tear on city streets. Mayor Sheldon noted that he would like to see lower rates for our citizens.

Council members discussed resurfacing city streets on a regular basis, how the city had increased the number of roads being resurfaced, and the funds being spent. Council members discussed different options such as twice a week service, having a second trash container and/or a larger container. Discussion regarding currently having 6 haulers and attrition with the haulers took place.

Councilman Casto recommended extending the current contract for 2-years.

Council members further discussed options such as grandfathering the HOAs in, exempting the tourist corridor, residential versus short term rental collection, and if limiting haulers to one or two companies would reduce the costs to residents. Discussion regarding the term of an extension to the current contract being for 2 more years took place.

Councilman Casto recommended maintaining the status quo. **Councilman Jarman moved to bid out in sections the beach**, to see where Council was. Councilman Casto inquired as to how many sections. **Councilman Jarman moved to amend his motion to a motion to bid out single hauler service and develop a plan to do such action.** Mrs. Myers called for a point of clarification as to an exclusive franchise in certain areas of the beach or an exclusive franchise over the entire beach. Discussion regarding zones took place. **Councilman Jarman amended his motion to include zones. Councilman Jarman restated his motion as to do an RFP, to divide the beach into three equal zones to see if the cost would go down.** Councilman Casto inquired in the beach meant city limits. **Councilman Jarman stated yes, the city limits.** Mayor Sheldon stated there was a motion on the table. Discussion regarding if the City could scrap the RFP if it was not cost savings to the residents and go back to the current contract took place. Mrs. Myers discussed the process of exercising the City's rights to terminate its contract, and procedural hoops to go through. Timelines discussed. Mayor Sheldon noted there was a motion on the table. **Mayor Sheldon passed the gavel to Vice Mayor McConnell and seconded Councilman Jarman's motion.** Vice Mayor McConnell called for further discussion. Hearing and seeing none, Vice Mayor McConnell asked Ms. Fasone to call the roll.

Councilman Casto	No
Councilman Chester	No
Vice Mayor McConnell	No
Councilman Jarman	No
Mayor Sheldon	Aye

Vice Mayor McConnell announced that the motion failed (1-4 by a roll call vote).

Vice Mayor McConnell moved for a two-year extension, with a once-a-week haul, with a two can option, and a short-term rental resolution. Discussion regarding a once-a-week haul/with two cans took place. **Vice Mayor McConnell amended his motion to simply go with a two-year contract extension. Councilman Casto seconded the motion.** Mayor Sheldon called for further discussion. Councilman Jarman asked if this could be revisited at any time without notice. Mrs. Myers stated yes and explained the process and giving


direction to staff. Mayor Sheldon called for further comments. Discussion regarding working with haulers to achieve a common goal took place. **Mayor Sheldon restated that the current motion was to enter into a standard two-year extension.** Discussion regarding haulers being purchased, going out of business, and extending, or not extending, any new haulers the contract took place. Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked Ms. Fasone to call the roll.

Councilman Casto	Yes
Councilman Chester	Yes
Vice Mayor McConnell	Yes
Councilman Jarman	Yes
Mayor Sheldon	No

Mayor Sheldon announced that the motion carried, 4-1 by a roll call vote.

With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 4:56 p.m.

READ AND APPROVED this 28th day of October, 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.