



City of
Panama City Beach

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

MINUTES of the **February 10, 2022** 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 February 10, 2022 regular 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**

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

Commander Bob Hoffman from the American Legion Post 402 led the invocation and Mayor Mark Sheldon led the Pledge of Allegiance.

Mayor Sheldon provided community announcements. Mayor Sheldon called for approval of the January 27, 2022 regular meeting minutes. **Vice Mayor McConnell so moved. Councilman Jarman 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

APPROVAL OF AGENDA

Mayor Sheldon called for approval, additions and/or deletions of the agenda. Hearing and seeing none, **Vice Mayor McConnell moved to approve the agenda. Councilman Chester 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

PRESENTATIONS

Mayor Sheldon called for presentations.

On behalf of City Council, Mayor Sheldon presented Oliver Frobish with a proclamation recognizing his service with the Girls and Boys Club.

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

Mayor Sheldon announced that with this being campaign season, he wished to remind everyone that this was a campaign-free zone. Mayor Sheldon opened the floor for consent agenda and/or non-agenda business public comments.

Mark Meade – Mr. Meade provided his thoughts on the Tourist Development Council. Mr. Meade advocated for a “Resident Rebate Program.” Mr. Meade described his ideas for a \$200 rebate program. Mr. Meade stated he would talk about a PCB solar savings program at the next council meeting.

Burnie Thompson – Mr. Thompson inquired as to why the city continues to award stormwater contracts to Dewberry. Mr. Thompson stated he filed an official complaint with the State dealing with the pole barn built at Popeye Park, because it was unpermitted. Mr. Thompson spoke about Vice Mayor McConnell’s personal businesses. Mr. Thompson discussed an audit of the County and its building services fund.

Molly Allen, 16211 Lullwater Drive – Ms. Allen reported that she volunteers with various agencies who take samples of Lullwater Lake, including Lakewater International Fisheries, and Bay County Lake Reports. Ms. Allen recommended everyone look up those agencies and review their reports. Ms. Allen reported that the city does not pay for the testing, the County pays for it. Ms. Allen asked the city to put a link on its website to the data to educate people.

Michelle Carter, 22212 Inlet Beach Drive – Ms. Carter discussed tornado season and noted that she now supports tornado sirens. Ms. Carter discussed FEMA Funds for Hurricane Michael relief and inquired if the city was awarded the same.

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

CONSENT AGENDA

RESOLUTION NO. 22-91, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AGREEMENTS WITH AAG ELECTRIC MOTORS & PUMPS, INC. AND JIM HOUSE & ASSOCIATES, INC. RELATED TO ANNUAL CONTRACTS FOR SUBMERSIBLE PUMP REPAIR AND REHABILITATION FOR THE UTILITY DEPARTMENT ON A PER UNIT BASIS.

RESOLUTION NO. 22-92, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN ANNUAL AGREEMENT WITH WILDLAND SERVICES, INC. FOR PRESCRIBED BURNING SERVICES FOR CONSERVATION PARK AT THE UNIT PRICE OF \$55.00 PER ACRE.

RESOLUTION NO. 22-93, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AMOUNT OF \$3,478.00 TO BE LIENED ON PROPERTY LOCATED AT 120 NORTH VESTAVIA STREET, FOR COSTS INCURRED BY THE CITY TO ABATE NUISANCES LOCATED UPON SUCH PROPERTY; AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO RECORD THE LIEN AND NOTIFY INTERESTED PARTIES OF SUCH LIEN; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

RESOLUTION NO. 22-94, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH A&W OF PCB, LLC FOR THE FRANK BROWN PARK CONCESSIONS IN THE AMOUNT OF \$61,500.00.

Mayor Sheldon asked Ms. Fasone to read the consent agenda. Mayor Sheldon announced that the consent agenda was available to Council. **Councilman Casto moved to approve the consent agenda. Councilman Jarman 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 1577, NEWBY'S REQUEST TO DE-ANNEX A PORTION OF THEIR PARKING LOT FROM THE CITY LIMITS, FIRST READING.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Ordinance 1577 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon invited comment from Director Mel Leonard. Director Leonard reported that the Planning Board considered this request and recommended approval at its December 8, 2021 meeting. Director Leonard reviewed the property location in relation to the city limits. Director Leonard reported that removal of the property would not cause any enclaves to occur. Director Leonard reported on use and zoning. Mayor Sheldon noted this item was available to Council. Vice Mayor McConnell reported this request would be helpful to law enforcement. Mayor Sheldon concurred. **Vice Mayor McConnell moved to approve Ordinance 1577. 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 NO. 1579, ADOPTING COMPREHENSIVE PARK RULES, FIRST READING.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Ordinance 1579 by title only. Mr. Davis reported that these were housekeeping amendments and would bring all of the rules into one location that had been scattered across various resolutions for many years. Mayor Sheldon called for public comments.

Michelle Carter – Ms. Carter commented on smoking at Conservation Park and inquired if smoking would remain prohibited in the Park. Ms. Carter inquired about the “user fees” and inquired if there would be a fee to use the Park.

Larry Messenger, 129 Moonlight Drive – Mr. Messenger suggested that the language regarding littering be more specific. Mr. Messenger commented that he did not see littering mentioned in Sections 4-52 nor 4-53. Mr. Messenger added that littering was a problem now and would probably become even more of a problem in the future. Mr. Messenger recommended that now would be an excellent time to take another look at the rules before they were finalized.

Burnie Thompson – Mr. Thompson echoed everything the last gentleman said. Mr. Thompson inquired about the “user fee.”

Molly Allen, Lullwater – Ms. Allen inquired as to which Park(s) in the Lullwater subdivision would these rules apply to.

Discussion regarding the definition of “Parks” as outlined in the ordinance took place.

Michelle Carter – Ms. Carter inquired as to how strict the city would be with respect to enforcement of the opening and closing times.

Manager Whitman reported the opening/closing times were to keep people from partying in the middle of the night.

Mayor Sheldon invited Deputy Director Cheryl Joyner to comment on the user fees. Ms. Joyner reported that no changes were being proposed to the fee structure, the fee schedule was based on rentals of the pavilion, building, or a site, etc.

Mayor Sheldon inquired if he was permitted to vote on this, if he had a conflict. Mr. Davis reported that the Mayor was permitted to vote, he had no conflict.

Mayor Sheldon called for additional public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to approve Ordinance 1579.**

Councilman Jarman suggested Council talk about adding provisions for littering. Mayor Sheldon concurred. Mayor Sheldon reported that the purpose of this ordinance was to make things consistent and put all the rules in one spot. Manager Whitman reported that the city already had an ordinance on littering as well as a state statute for littering. Councilman Jarman asked if the littering provisions could be folded into this ordinance. Mr. Davis reported it could be added, that would not be a problem. Mr. Davis also clarified for Ms. Carter that cigarette smoking was regulated by the State of Florida. Further discussion regarding cigarette smoking took place.

Vice Mayor McConnell moved to approve Ordinance 1579, as amended. Councilman Jarman seconded the motion. Hearing and seeing no further comments, all were in favor of approval by a roll call vote, as amended (5-0).

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

ITEM 3. ORDINANCE NO. 1585, TEMPORARY CLOSURE OF SANDY GULF BEACH, FIRST READING.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Ordinance 1585 by title only. Mr. Davis reported that Council had closed the beach in the past and this year the closure would run from March 1 to April 30 with Council having the ability to extend the closure, should you so choose. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon invited comment from Chief Talamantez. Chief Talamantez reported that the ordinance was consistent with what Council been adopted in the past and the Department found it very effective. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Ordinance 1585. 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 4. RESOLUTION NO. 22-95, PHILIP GRIFFITTS SR. PARKWAY AND NAUTILUS ST. ROADWAY TRANSFER AGREEMENT.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-95 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to approve Resolution 22-95. 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 5. RESOLUTION NO. 22-87, A GRANT FOR CRA SEGMENT 4.3 UTILITY MITIGATION PROJECT.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-87 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon noted this item was available to Council. **Councilman Casto moved to approve Resolution 22-87. 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 6. RESOLUTION NO. 22-96, A GRANT FOR FRONT BEACH ROAD SEGMENTS 4.1 & 4.2 UTILITIES PROJECT.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-96 by title only. Mayor Sheldon called for public comments. Hearing and seeing no comments, Mayor Sheldon closed public comments. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 22-96. 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 7. RESOLUTION NO. 22-97, APPROVING A GRANT AGREEMENT FOR THE ALF COLEMAN ROAD DRAINAGE PROJECT.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-97 by title only. Mayor Sheldon called for public comments. Hearing and seeing no comments, Mayor Sheldon closed public comments. Mayor Sheldon noted this item was available to Council. Councilmembers thanked staff for diligently working to obtain the grant. **Councilman Casto moved to approve Resolution 22-97. 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 8. RESOLUTION NO. 22-99, GILMORE GIRLS OF PCB, LLC REAL ESTATE SALES AGREEMENT.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-99 by title only. Mayor Sheldon called for public comments. Hearing and seeing no comments, Mayor Sheldon closed public comments. Mayor Sheldon invited comment from City Manager Drew Whitman. Manager Whitman reported that staff had been seeking settlement with the Gilmore Girls on five properties at the intersection of Front Beach and Powell Adams for Segment 4. Manager Whitman reported further that this resolution would settle three of the properties, and staff was still working on the other two. City Manager noted this was a good move for the city and recommended Council move forward. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 22-99. 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 NO. 22-100, RATIFYING AND CONFIRMING A GRANT AGREEMENT FOR THE POLICE DEPARTMENT AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-100 by title only. Mayor Sheldon called for public comments.

Burnie Thompson – Mr. Thompson inquired as to what constituted “covert equipment.”

Mayor Sheldon called for further public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon invited Chief Talamantez to the podium. Chief Talamantez reported that covert equipment included equipment to be used by the City’s intelligence unit. Chief Talamantez explained that the responsibility of the Unit was primarily to investigate human trafficking, organized crime, and major casework, outside of that description, he was unable to elaborate.

Mayor Sheldon noted this item was available to Council. Mayor Sheldon congratulated the department on being awarded another grant. **Vice Mayor McConnell moved to approve Resolution 22-100. 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 10. RESOLUTION NO. 22-101, GRANT AGREEMENT FOR UNDERGROUND UTILITIES.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-101 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon noted this item was available to Council. Mayor Sheldon congratulated the staff on being awarded another grant. **Councilman Casto moved to approve Resolution 22-101. 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 11. RESOLUTION NO. 22-102, AUTHORIZING SERIES 2022 BONDS.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-102 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon invited comment from Assistant City Manager Holly White. Ms. White reported approval would allow the city to call the bonds, refinance from a taxable issue into a non-taxable issue, realizing a net savings. Mayor Sheldon concurred and summarized that the city was refinancing and saving about \$300,000. Mayor Sheldon noted this item was available to Council. **Councilman Casto moved to approve**

Resolution 22-102. 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 12. RESOLUTION NO. 22-103, BEACHFRONT EXCLUSIVE RIGHTS AGREEMENT.

Mayor Sheldon introduced Mr. Davis, City Attorney. Mr. Davis read Resolution 22-103 by title only. Mayor Sheldon called for public comments.

Burnie Thompson – Mr. Thompson inquired if this was the deal to the build on the beach side with Mr. Pender and Mr. Harrison. Mr. Thompson commented that this would allow the city to build a giant restaurant that would attract a lot of people. Mr. Thompson inquired about parking.

Mayor Sheldon called for additional public comment. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon invite City Manager Whitman to comment. Manager Whitman reported that this comes in a couple parts to Council; the first part allows the company to continue to operate the buildings until the end of the season; further it puts a timeframe on the negotiates and questions will be answered such as parking; and finally, it allows the city to walk away, and the company to walk away, at any time. Manager Whitman added that passage permits one year to negotiate.

Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to approve Resolution 22-103. 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

CITY MANAGER REPORT

City Manager Whitman wished his son a happy birthday.

CITY ATTORNEY REPORT

No report.

COUNCIL COMMENTS

Councilman Casto thanked Director Kelly Jenkins for stepping up while Council continues to look for a CRA Manager.

Councilman Chester commented on the litter on Route 79 and discussed the trash and litter coming off of dump trucks. Councilman Chester recommended that Council and Chief Talamantez do something come up with a plan. Manager Whitman reported that the Chief had reached out to the Florida Highway Patrol, so they were working on that.

Councilman Jarman answered questions presented during the public comment period: 1) that Mr. Meade should reach out to the TDC, go to a TDC meeting with his ideas; 2) building services funds were restricted; 3) septic tanks at Lullwater Lake were a major contributor to the condition of the Lake; 4) Tornados and sirens had been discussed; 5) stormwater was not next to the city pier; and 6) thank you to all city staff for the grants they were finding.

Vice Mayor McConnell asked staff to add Ms. Allen's link to the city website. Vice Mayor McConnell added that the TDC was regulated by the county and not under the city's preview.

Mayor Sheldon reported that he had asked for tornado sirens a year ago and he would continue to ask. Mayor Sheldon thanked all first responders for responding to a 911 call last week. Mayor Sheldon reported that five out of the 12 items on tonight's agenda grants - \$4 million worth tonight. Mayor Sheldon discussed the process and staff time involved seeking grants, collecting the data, and staff compliance after being awarded grants. Mayor Sheldon asked the City Manager to explore the idea of hiring a grant manager. Mayor Sheldon wished Councilman Jarman a happy birthday and WhooDey Go Bengals!

With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 6:54 p.m.

READ AND APPROVED this 24th day of February, 2022.



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.