



City of
Panama City Beach

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

MINUTES of the **April 14, 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 April 14, 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 Attorneys Amy Myers and Cole Davis, City Clerk Lynne Fasone, Directors, staff, and members of the public and press.

Pastor Ramon Duvull from the Beachside Fellowship Church led the invocation and Mayor Mark Sheldon led the Pledge of Allegiance.

Mayor Sheldon provided community announcements. Mayor Sheldon called for approval of the March 24, 2022 regular meeting minutes and the April 1, 2022 special meeting minutes. **Councilman Casto 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. Vice Mayor McConnell recommended adding "Employee Pay" to the agenda. Mayor Sheldon recommended adding the addition as regular agenda Item #7. Mayor Sheldon called for further discussion, hearing and seeing none. **Councilman Jarman moved to approve the agenda, as amended. Vice Mayor McConnell 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

On behalf of City Council, Mayor Sheldon presented the following Proclamations:

- National Public Safety Telecommunicators' Week
- Parkinson's Awareness Month
- Child Abuse Prevention Month

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.

Molly Allen, Resident of Lullwater Lake – Ms. Allen expressed concern that children may be playing in the Lullwater drainage ditch/swale and that the swale was quite deep, with an overgrowth of grass and weeds on the. Ms. Allen stated that Lullwater Lake was a big safety item. Ms. Allen asked Council to clear the sediment from the Lake.

Michelle Carter, 12202 Hutchinson Blvd., PCB – Ms. Carter expressed concern that the restrooms at the Conservation Park were being locked before sundown, that the restrooms at Aaron Bessant Park were closing early and should be open until 7pm, and that the restrooms at the Library were unclean. Ms. Carter encouraged members of Council to open a new nightclub on the Beach called "Category 5."

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

CONSENT AGENDA

RESOLUTION NO. 22-123, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH TAYLOR METER TECHNOLOGIES, INC. FOR LARGE METER TESTING AND REPAIR FOR THE UTILITIES DEPARTMENT ON A PER UNIT BASIS.

RESOLUTION NO. 22-124, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH FERROVIAL SERVICES INFRASTRUCTURE, INC. REGARDING THE MAINTENANCE OF CERTAIN STATE RIGHT OF WAY BY THE CITY, FOR THE BASIC AMOUNT OF \$63,488.18.

RESOLUTION NO. 22-125, RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AMOUNT OF \$1,056.87 TO BE LIENED ON PROPERTY LOCATED AT 200 OLEANDER COURT 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. 22-126, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING ASSIGNMENT OF CONTRACTS FOR THE FRONT BEACH ROAD SEGMENT THREE PROJECT AND NORTH RICHARD JACKSON BOULEVARD IMPROVEMENT PROJECT TO C. W. ROBERTS CONTRACTING, INC.

RESOLUTION NO. 22-127 A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH MORGENSTERN, PHIFER & MESSINA, P.A., FOR EVALUATION OF EMINENT DOMAIN BUSINESS DAMAGE CLAIMS ARISING FROM LAND ACQUISITIONS FOR THE FRONT BEACH ROAD IMPROVEMENT PROJECTS.

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 NO. 1586, EMERGENCY MANAGEMENT AND CIVIL EMERGENCY AUTHORITY, SECOND READING AND PUBLIC HEARING.

Mayor Sheldon introduced Mr. Cole Davis, City Attorney. Mr. Davis read Ordinance 1586 by title only. Mr. Davis noted that the only difference between this version and the first reading version was that a few typos were corrected. Mayor Sheldon opened the public hearing.

John Latham – Mr. Latham expressed concern and noted that he felt that the ordinance was offensive. Mr. Latham stated that he thought the event was allowed to flourish as a PR stunt to push through this legislation. Mr. Latham further cited case law and discussed lawsuits with the Florida League of Cities.

Molly Allen, Resident of Lullwater Lake – Ms. Allen commented that there was language in the ordinance that referenced community parks. Ms. Allen inquired if there was an emergency, of any kind, how would the city parks be affected if rented and/or if there was a specific event at a city park.

Michelle Carter – Ms. Carter expressed concern that the people from the event would be coming back on April 25 and in May. Ms. Carter inquired if there was case law to support this ordinance. Ms. Carter discussed the fines associated with the ordinance and what was constitutionally permitted. Ms. Carter concurred with Ms. Allen, the previous speaker.

Tom Trossen, Glades Resident – Mr. Trossen commented that he had had significant discussions with Mr. Davis who had answered most of his questions with respect to the ordinance. Mr. Trossen offered his support for the ordinance. Mr. Trossen discussed noticing and messaging emergencies in advance. Mr. Trossen offered his support of the great work done by the City Charter Committee members.

Mayor Sheldon called for additional public comments. Hearing and seeing none, Mayor Sheldon closed the public hearing.

Mayor Sheldon inquired if the ordinance supported our city parks, as Ms. Allen asked. Mr. Davis reported, yes, he thought that it did cover it thoroughly. Mayor Sheldon discussed signing up for “Alter Bay” notifications. Mayor Sheldon called for comments from Council.

Vice Mayor McConnell reported that the powers outline in the ordinance were vested by state law and the Council was giving the City Manager a little more time to react. Councilman Jarman concurred. Councilman Chester agreed and added that the intent was to speed up the process for safety. Councilman Casto concurred and added that this probably should have been put in place a while ago and offered his support in the City Manager’s judgement.

Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to approve Ordinance 1586. 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 2. RESOLUTION NO. 22-128, PURCHASE OF K-9s FOR THE POLICE DEPARTMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 22-128 by title only. Mayor Sheldon called for public comments.

Claire Pease- Ms. Pease encouraged Council to find a way to fund/purchase more dogs. Ms. Pease added that the breed of dogs being proposed was a great breed. Ms. Pease encouraged the city to build a home for the dogs and let them stay in school a little longer.

Mayor Sheldon called for further public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon invited Chief Talamantez to comment.

The Chief reported that these dogs would replace the two dogs getting ready to retire from the PD. The Chief added that he hoped to bring the dogs in to give them a solid farewell.

Mayor Sheldon thanked Chief Talamantez. Mayor Sheldon reiterated that these two dogs were replacements and the city would try to find permanent housing as Ms. Pease discussed.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 22-128. 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 3. RESOLUTION NO. 22-129, PURCHASE OF CONDUCTED ELECTRICAL WEAPONS WITH SUPPLEMENTAL EQUIPMENT; AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 22-129 by title only. Mayor Sheldon called for public comments. Hearing and seeing no comments, Mayor Sheldon closed public comments.

Mayor Sheldon invited Chief Talamantez to comment. The Chief reported that this purchase was for the replacement of PD tasers, and the product was vetted. City Manager Whitman reported that this purchase was in the City's five-year plan and included batteries and holsters.

Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to approve Resolution 22-129. 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 4. RESOLUTION NO. 22-130, PURCHASE OF TWO JET SKIS FOR BEACH SAFETY; AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 22-130 by title only. Mayor Sheldon called for public comments.

Michelle Carter - Ms. Carter encouraged the city to purchase more than two jet skis.

Mayor Sheldon called for additional public comments. Hearing and seeing no comments, Mayor Sheldon closed public comments.

Mayor Sheldon invited Chief Morgan to speak. Chief Morgan reported that this purchase would give the Department an extra tool to patrol the beach and keep residents and visitors safe. Chief Morgan thanked Council and the TDC for support. Manager Whitman concurred with Chief Morgan and reported that the second jet ski was being purchased by the TDC.

Mayor Sheldon noted this item was available to Council. **Councilman Casto moved to approve Resolution 22-130. 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. 22-131, APPROVING AN AGREEMENT FOR THE PURCHASE OF THE KIDS SPLASH POOL; AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 22-131 by title only. Mayor Sheldon called for public comments. Hearing and seeing none, Mayor Sheldon closed public comments. Mayor Sheldon invited Director Ponek to speak.

Director Ponek reported that the Kid's Splash Pool equipment had outlived its useful life. Director Ponek added that with the help of the Woman's Civic Association, the City would be able to fund this new equipment. Director Ponek added that he was available to answer questions. Discussion regarding the scope of the project and the companies that bid on the project took place.

Manager Whitman thanked the Woman's Civic Club for their donation and Councilman Casto for helping push this project.

Councilman Casto inquired as to when the new equipment would be installed. Director Poniek reported, with Council's approval tonight, it should be installed during the month of August.

Vice Mayor McConnell offered his support. Mayor Sheldon called for additional questions for Director Poniek. Hearing and seeing none, Mayor Sheldon noted this item was available to Council. **Vice Mayor McConnell moved to approve Resolution 22-131. 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 6. DISCUSSION / ACTION ITEM - DEVELOPMENT OF 8-ACRE SITE LYING ADJACENT TO FRANK BROWN PARK AND FRONTING PANAMA CITY BEACH PARKWAY.

Mayor Sheldon called for public comment on Item 6.

Ted Schoppe, Member of the City's Parks & Rec Board - Mr. Schoppe reported that the Board had a meeting last week and, while they did not have all the facts on this project, they did take the temperature of the room. Mr. Schoppe reported that the Board was not in favor of anything that would take any property out of Frank Brown Park. Mr. Schoppe reported that the Board recommended acquiring land, not selling land. Mr. Schoppe added that the Board was searching for its purpose as they thought that issues like these would likely come before the Board.

Mayor Sheldon invited comment from City Manager Drew Whitman. Manager Whitman reported that the city put out an RFP on January 21st and received two submissions. Manager Whitman discussed St. Joe's deed restriction on property. Manager Whitman reported that he and Assistant City Manager White reviewed the submissions and recommend bringing back D-Bats for a presentation. Manager Whitman reported that they felt that D-Bats seemed like a great fit and briefly discussed the proposal. Manager Whitman noted that the Parks & Rec Board's opinion was important, and they would have the opportunity to weigh in on the parks master plan.

Mayor Sheldon announced this item was available to Council. Councilman Casto inquired if the city would be selling the property. Manager Whitman reported no that it would be a long-term lease. Councilman Casto inquired about using D-Bats parking. Manager Whitman reported that would be part of the negotiations and the owner realized he would benefit from letting others park there.

Councilman Jarman noted that he was not against the idea and would like to see the presentation and would love to see a parks master plan. Vice Mayor McConnell concurred with Councilman Jarman. Councilman Chester agreed and added that he felt the Board should be involved with the parks master plan. Councilman Chester recommended holding a workshop.

Mayor Sheldon concurred with Councilman Chester and noted he also liked the idea of a workshop. Mayor Sheldon reported that the 8-acre parcel had been sitting out there for a while and RFPs had gone out several times. Mayor Sheldon noted that he would love to see the presentation. Mayor Sheldon expressed his appreciation of the Park Board's service. Manager Whitman thanked the Council and added that he would invite D-Bats in to present.

NEW #7 – EMPLOYEE PAY

Mayor Sheldon turned the dais over to Vice Mayor McConnell. Vice Mayor McConnell reported on Walton County's recent pay raises yesterday. Vice Mayor McConnell commented on being very fiscally conservative and expressed concerned with inflation and being able to retain city employees. Vice Mayor McConnell reported that he had asked the City Manager to find relief for the employees as well as address the deficiencies in the recent employee pay plan study.

City Manager Whitman thanked Joey, Holly, Lori and the city staff for all their help with this proposal. Director Whitman discussed the previous pay plan, compression, and the previous city manager's recommendations. Manager Whitman recommended moving forward with a 2% raise, effective today. Manager Whitman discussed the city's budget, business tax receipts being up, how this raise might help city employees, and staying competitive in the county. Further discussion regarding COLA, fixing compression and giving all employees a 2% raise today took place. Manager Whitman reported that there were 25 open positions: 7% of the city's workforce.

Mayor Sheldon called for comments from Council. Councilman Casto thanked Manager Whitman and Assistant City Manager White for looking out for city employees. Councilman Casto expressed his support and noted that the employees deserved this raise. Councilman Chester concurred and thanked city staff. Mayor Sheldon thanked Vice Mayor McConnell for bringing this forward and noted his support. Vice Mayor McConnell reported that it was important to invest in the city's employees. Councilman Jarman noted that compression was tough to deal with and offered his support.

Mrs. Myers read the title of **Resolution 22-132**

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AMENDED EMPLOYEE PAY PLAN; AUTHORIZING A TWO PERCENT COST OF LIVING ADJUSTMENT FOR FULL-TIME AND PERMANENT PART-TIME CITY EMPLOYEES; AUTHORIZING A BUDGET AMENDMENT TO FUND THE PAY INCREASE; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

Mayor Sheldon called for public comment.

Mary Coburn, 224 Oxford, PCB Resident – Ms. Coburn reported that she had talked with some employees who had been working for the city for 12 years at the same rate while another employee was hired at a higher rate. Ms. Coburn asked Council to address.

City Manager Whitman reported that he would like to investigate this and asked Ms. Coburn for more information after the meeting. Vice Mayor concurred and added that the compression issue was what everyone was hoping to address with this resolution.

Mayor Sheldon announced this item was available to Council. **Vice Mayor McConnell moved to approve Resolution 22-132. 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

CITY MANAGER REPORT

City Manager Whitman thanked all employees for doing an amazing job. Manager Whitman reported on Ms. Gail Wright's recent passing and asked everyone to keep her family in their thoughts and prayers.

CITY ATTORNEY REPORT

No report.

COUNCIL COMMENTS

Mayor Sheldon invited Council comments. Councilman Casto concurred with Manager Whitman and added that Ms. Gail would be missed and to please keep Gail's family in thoughts and prayers. Councilman Jarman concurred and thanked Council for taking care of public safety issues and amenities to help the residents today. Vice Mayor McConnell reported that this was his last meeting of his term. Vice Mayor McConnell reviewed legislation Council had passed, thanked staff for all they had done and will continue to do and added that it had been an honor to serve. Mayor Sheldon asked everyone to get out and vote and wished everyone a Happy Easter.

With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 7:07 p.m.

READ AND APPROVED this 20th day of April, 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.