



City of
Panama City Beach

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

MINUTES of the **February 23, 2023** 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.

Prior to calling the meeting to order, Mayor Sheldon announced the cancelation of the special meeting that was to immediately proceed this meeting. Mayor Sheldon reported the Kelly Street Re-Hearing had been canceled by the developer.

Mayor Mark Sheldon called the February 23, 2023 regular meeting to order at 9:00 a.m.

ROLL CALL

MAYOR MARK SHELDON

VICE MAYOR PAUL CASTO

COUNCILMAN PHIL CHESTER

COUNCILMEMBER MARY COBURN

COUNCILMAN MICHAEL JARMAN

A quorum was present with all five members of City Council. 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 Duvall led the invocation. Councilman Michael Jarman led the Pledge of Allegiance.

Mayor Sheldon provided community announcements. Mayor Sheldon called for approval of the February 9, 2023 regular meeting minutes. **Vice Mayor Casto so moved. Councilman Jarman seconded the motion. The meeting minutes were unanimously approved by a roll call vote (5-0).**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

APPROVAL OF AGENDA

Mayor Sheldon called for approval and/or changes to the agenda. Hearing and seeing none, **Councilman Jarman moved to approve the agenda. Vice Mayor Casto seconded the motion. All were unanimously in favor of approval of the agenda by a roll call vote (5-0).**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

PRESENTATION

On behalf of the entire City Council, Councilman Michael Jarman presented Deputy Fire Chief Justin Bush with a 20 Years of Service Award.

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

Mayor Sheldon opened the floor to non-agenda business public comments, limited to three minutes each.

- 1. Ms. Nancian Hall – Ms. Hall thanked Council and discussed her list of suggestions for improving PCB (copy **attached**).

Mayor Sheldon called for additional public comments. Hearing and seeing none, Mayor Sheldon closed the public comment portion of the agenda.

CONSENT AGENDA

RESOLUTION NO. 23-121, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN OFFER TO CALYPSO TOWERS RESORT COMMUNITY ASSOCIATION, INC., FOR PURCHASE OF A LICENSE FOR THE FRONT BEACH ROAD SEGMENT 4.1 PROJECT.

RESOLUTION NO. 23-122, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A PROFESSIONAL SERVICES AGREEMENT AND TASK ORDER WITH CLEMONS, RUTHERFORD & ASSOCIATES, INC., RELATING TO ENGINEERING AND SURVEYING SERVICES FOR THE PUBLIC WORKS SAFE ROOM PROJECT, IN THE AMOUNT OF \$110,080.

Mayor Sheldon asked the Clerk to read the Consent Agenda. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve the Consent Agenda. Councilmember Coburn seconded the motion. All were unanimously in favor of approval of the Consent Agenda by a roll call vote (5-0).**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

REGULAR AGENDA- DISCUSSION/ACTION ITEMS

ITEM 1. ORDINANCE NO. 1613, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO NOISE VARIANCES, FIRST READING.

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Ordinance No. 1613 by title only. Mayor Sheldon called for public comment on Ordinance 1613. Hearing and seeing no comment. Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Ordinance 1613. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Councilmember Coburn confirmed that the City Manager would act as the Noise Control Officer. Manager Whitman concurred and noted he would notify the Council as a variance came up. Hearing and seeing no further comments, Mayor Sheldon asked the Clerk to call the roll. **Ordinance No. 1613 was adopted by a (5-0) roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 2. ORDINANCE NO. 1615, TEMPORARILY CLOSING A PORTION OF THE SANDY GULF BEACH, FIRST READING.

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Ordinance No. 1615 by title only. Mayor Sheldon called for public comment on Ordinance 1615. Hearing and seeing none, Mayor Sheldon invited Chief Talamantez to the podium.

Chief Talamantez reported this Ordinance was consistent with how the City had handled Spring Break in the past. Discussion regarding adding one additional resort at the closure, at the request of resort took place. Discussion regarding the limits of the closure took place. Vice Mayor Casto asked the City Manager and Chief to please get the word out that the entire beach was not closed. Manager Whitman further discussed PD signage and the limits of the closure. Vice Mayor Casto inquired if the new K-9s would be available for Spring Break. Chief Talamantez reported that they should be. Councilmember Coburn inquired how the PD would handle a family wondering onto a closed portion of the Beach. Chief Talamantez discussed officer discretion and education awareness.

Mayor Sheldon noted this item was available. **Councilman Jarman moved to approve Ordinance 1615. Councilmember Coburn seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Ordinance No. 1615 was adopted by a unanimous (5-0) roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 3. ORDINANCE NO. 1616, REVISING CHAPTER 7 RELATED TO BEACH, BOATS, AND WATER SAFETY, FIRST READING.

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Ordinance 1616 by title only. Mayor Sheldon called for public comment on Item #3.

Brian McConnell, RC Hospitality Solutions - Mr. McConnell stated the company operated food and beverage and beach services at both Edgewater and Majestic Beach Resort. Mr. McConnell asked for clarification that all food and beverage must be available to all members of the public on equal terms and conditions as any guest of the service provider. Mr. McConnell inquired if that meant that they must provide service to beachgoers in their own beach chair and/or tent.

Mayor Sheldon concurred, the service must be provided. Mayor Sheldon called for further public comment. Hearing and seeing none. Mayor Sheldon invited comment from Attorney Davis.

Attorney Davis reported staff was directed to revisit Chapter 7 and this was a culmination of a host of requests and meetings. Attorney Davis talked about the change to how storage boxes would be stored, etc. Mayor Sheldon reported this was the first clean-up since 1997. Mayor Sheldon reported he was excited to see wood burning fires being changed to propane. Mayor Sheldon inquired if there was a way to gradually decrease the number of storage boxes on the beach. Attorney Davis stated staff could do that, possibly bring back an amortization schedule, if Council wanted to direct staff to do that. Definition of "service area" was discussed.

Manager Whitman asked for clarification on if Council wanted him to tighten up the number of storage boxes in the future.

Vice Mayor Casto inquired if the public was within the 30-foot area did that entitle them to food service, etc. Manager Whitman concurred that if the public was within the diagramed area, yes they would be entitled to service.

Mayor Sheldon asked Council for direction on **storage boxes**. Further discussion regarding number, size, use and definition of a storage box took place. **Councilmembers requested additional information to be able to make an informed decision and recommendation at second reading.**

Mayor Sheldon noted this item was available to Council. **Vice Mayo Casto moved to approve Ordinance No. 1616. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Ordinance No. 1616 was adopted by a unanimous (5-0) roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 4. RESOLUTION NO. 23-123 APPROVING A LEASE WITH RHR VENTURES, LLC.

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution No. 23-123 by title only. Mayor Sheldon called for public comment on Item #4.

Russ Ramey, President of RHR and Owner of D-Bats – Mr. Ramey stated he was excited to be here tonight and to get the project up and running. Mr. Ramey discussed the timeline of the project. Mr. Ramey added he was excited to get the lease approved so he could get this project started.

Mayor Sheldon called for additional public comment. Hearing and seeing none, Mayor Sheldon closed the public comment period. Mayor Sheldon reported this was for approval of a ground lease only.

Councilmembers further discussed when rent payments would be due.

Vice Mayor Casto reported he liked this project, thought it was compatible with the Park, and asked Mr. Ramey to speak on how many acres was actually needed for the project. Mr. Ramey stated it was his understanding that the building, parking, and stormwater would take less than 4 acres. Mr. Ramey added, with respect to the rent, they were perfectly happy paying rent when the certificate of occupancy was issued. Mayor Sheldon thanked Mr. Ramey and asked staff to look at moving this area into a CL designation.

Attorney Davis reported the way the lease was basically written, RHR would have the entire 8 acres to construct the premises and then it would be re-surveyed and the City would retain the remainder.

Attorney Davis asked Council for a motion with respect to the rent; that RHR would pay rent from the time RHR receives it Certificate of Occupancy. Councilman Chester moved to approve the rent amendment. Discussion regarding how long construction might take and how long it might take for RHR

to receive its certificate of occupancy, approximately 90-days, took place. Mr. Ramey assured Council that his goal was to get the project up and running as soon as possible, 20-months, being reasonable.

Mayor Sheldon restated there was a motion on the floor by Councilman Chester with respect to the rent payment amendment, the timeline and the actual lease. Councilman Jarman seconded the motion.

Mayor Sheldon called for further discussion. Vice Mayor Casto asked Council if they would consider dedicating these lease payments to the Parks & Rec Department, to help support the Park. Manager Whitman stated staff could look into that, yes, Council could do that. Discussion regarding how Council would go about dedicating lease payments to the Parks Dept. in the future took place.

Mayor Sheldon called for further discussion from Council. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Resolution No. 23-123 was approved by a (4-1) roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | No |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 5. RESOLUTION NO. 23-124, APPROVING THE PURCHASE OF A MOBILE GENERATOR FOR THE UTILITIES DEPARTMENT; AND AUTHORIZING A BUDGET AMENDMENT.

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution 23-124 by title only. Mayor Sheldon called for public comment on Item #5. Hearing and seeing none, Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Resolution No. 23-124. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Resolution No. 23-124 was approved by a unanimous (5-0) roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 6. RESOLUTION NO. 23-125, APPROVING A CONSTRUCTION AGREEMENT WITH C.W. ROBERTS CONTRACTING, INC. RELATING TO THE MULTIUSE TRAIL EAST - GAYLE'S TRAIL PROJECT; AND AUTHORIZING A BUDGET AMENDMENT.

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution 23-125 by title only. Mayor Sheldon called for public comment on Item #6. Hearing and seeing none, Mayor Sheldon invited Interim Public Works Director Kathy Younce to the podium. Ms. Younce talked about how Gayle's Trails was funded and extended segment by segment. Ms. Younce announced, as of today, there may be additional grant money available to complete another segment of the trail. Council members thanked Ms. Younce and further discussed the cost to construct a deck walkway, asphalt pricing and the importance of completing the trail.

Mayor Sheldon noted this item was available to Council. **Councilmember Coburn moved to approve Resolution No. 23-125. Councilman Jarman seconded the motion.** Mayor Sheldon called for further

discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Resolution No. 23-125 was approved by a unanimous (5-0) roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 7. RESOLUTION NO. 23-126, APPROVING A GRANT AGREEMENT WITH THE FLORIDA DEP FOR THE LAGUNA BEACH SEPTIC TO SEWER AREA "C" PROJECT IN THE AMOUNT OF \$3,000,000.00.

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution No. 23-126 by title only. Mayor Sheldon called for public comment on Item #7. Hearing and seeing none, Mayor Sheldon invited Director Shaeffer to the podium.

Director Shaeffer discussed Governor DeSantis' interest in switching septic to sewer and providing grants to do so. Director Shaeffer reported on the limits of the project and upgrades to the water system and possible upgrades to the reclaimed water system in the area. Mayor Sheldon thanked staff and reported on the Council's additional asks to the Legislature for additional septic to sewer projects.

Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Resolution No. 23-126. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Resolution No. 23-126 was approved by a unanimous (5-0) roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 8. RESOLUTION NO. 23-127, APPROVING AN AGREEMENT WITH DAIKIN APPLIED AMERICAS, INC., FOR ONE 20 TON SPLIT SYSTEM REPLACEMENT AND CONTROLS UPGRADE AT THE PANAMA CITY BEACH PUBLIC LIBRARY.

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution 23-127 by title only. Mayor Sheldon called for public comment on Item #8. Hearing and seeing none, **Councilman Jarman moved to approve Resolution No. 23-127. Councilmember Coburn seconded the motion.** Councilmember Coburn inquired if the City would be taking over the Library in the future. Manager Whitman reported that staff was looking into putting out an RFP in the future. Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Resolution No. 23-127 was approved by a unanimous (5-0) roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 9. DISCUSSION / ACTION ITEM, COUNCIL APPOINTMENT TO THE GENERAL EMPLOYEES' PENSION BOARD.

Mayor Sheldon called for public comment on Item #9. Hearing and seeing none. Manager Whitman reported with the retirement of Ms. Kelly Jenkins from Public Works, there was an opening on the General Employees' Pension Board. Manager Whitman recommended Ms. Joey St. Germain, the City's Budget Analyst, and a graduate of actuarial sciences.

Councilman Jarman moved to approve Ms. St. Germain to the General Employees' Pension Board. Councilman Chester seconded the motion. Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **All were unanimously in favor of the appointment (5-0) by a roll call vote.**

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| Councilman Jarman | Aye |
| Councilmember Coburn | Aye |
| Councilman Chester | Aye |
| Vice Mayor Casto | Aye |
| Mayor Sheldon | Aye |

ITEM 10. DISCUSSION ITEM, FIREWORKS.

Mayor Sheldon called for public comment on Item #10.

Molly Allen, Lullwater Resident – Ms. Allen asked Council to refer to her emails/complaints previously sent to Council regarding fireworks at Aaron Bessant Park/Veteran's Memorial Park. Ms. Allen discussed how fireworks pollute and were toxic. Ms. Allen requested that fireworks be restricted to only being set-off at the Pier, not near resident's homes, not at Aaron Bessant Park/Veterans' Memorial Park. Ms. Allen recommended using a lightshow instead of fireworks.

Mayor Sheldon called for additional public comment. Hearing and seeing none, Mayor Sheldon turned the floor over to Councilmember Coburn. Councilmember Coburn discussed the City's Code, when fireworks were permitted, cleaning up Aaron Bessant Park and asked that no fireworks be set-off at Aaron Bessant Park.

Discussion regarding the one firework show during the Home for the Holiday's event took place. Chief Morgan discussed how staff was at the ready and that there had been no incidents during these professionally ran shows.

Mayor Sheldon noted this item was available to Council. **Councilwoman Coburn moved to prohibit fireworks at Aaron Bessant Park and Lullwater Lake.** Councilman Jarman inquired if fireworks had been shot-off at Lullwater Lake. City Manager Whitman stated no. **Hearing and seeing no second, the motion failed for lack of a second.**


CITY MANAGER REPORT – No report.

CITY ATTORNEY REPORT - No report.

COUNCIL COMMENTS - Mayor Sheldon invited comments from Council. Hearing and seeing none.

With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 9:57 a.m.

READ AND APPROVED this 9th day of March, 2023.



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.

02/23/23
Council
Meeting

Last PCB City Hall Council Comments: Part 3

My name is Nancian Davis Hall, 226 A San Vincente St., PCB, FL.

I do not think it matters if you are at Panama City Beach for a week, a month, years, or if your family has been here for generations. We should all have the same goal. To make this city a better place to live and take care of it. Imagine what a beautiful future the unborn of Panama City Beach would have if everyone did this.

Today I will wrap up the list of ideas I submitted.

M.(13) Suggest each City Council Member or their family members explore 2 P.C.B. places a month and feature on the City Website or on a digital screen at the Visitor's Center.

N. (14) Snowbirds generate revenue for your city and state. Perhaps schools could have "pen-pal" programs with other states and learn about them. Also, Mayors or entire City Councils could take trips annually to northern states to see what their cities have to offer and vice versa. They could become "sister cities" and share ideas.

O. (15) I have met some wonderful immigrants or people of other nationalities here on Green Cards. They are kind, good, helpful, and as nice as any other friends I have. They seem to be good carpenters, or work at the hotels as maids, construction workers, or handymen. I would like to see them become citizens and for those who do not know English, to have programs that help them learn it without embarrassing them.

When my husband and I got married, I walked down the aisle to a song with these words, "I believe the children are our future. Teach them well and let them lead the way. Show them all the beauty they possess..." I believe Panama City Beach is teaching the children well.

P. (16) I joined a class once a month that sends thank you notes to teachers. I hope that people will consider doing this for our policemen, first responders, 911 operators, medical staff, and others. Whenever possible, I say, "Thank you for serving." Thank you for letting me speak.

If time:

(4*) **A City or State Park** about one mile away on Front Beach Road with beach parking across the street from **Beachcomber By the Sea Condos (17101) and Holiday Inn Club Vacation Condos**. Located between **PCB Public Access' #64 and #65**. This empty beach lot could include a band shelter featuring local weekly events filling the condos regardless of the time of year. A "starfish" pattern of sidewalks could feature a **Chalk Fest** semi-annually; as well as a **kite festival on the beach**. Other locations could be chosen if this is not suitable. **It seems an ideal location for generating valuable revenue for the city even in the "off season" or winter months.**

On the opposite side of the street, **Panama City Beach Parkway**, beside Arby's Restaurant are some empty or seemingly deserted or bankrupt businesses. This could be a parking lot, (with either free or paid parking meters), and be an asset to the empty, proposed beach lot across the street.

Business signs on the empty lots include: Ramon's Pizza, and Beachcomber Retreat. They seem deserted. There is a state park in Wisconsin that is only 10 acres. I am not sure how many acres the empty lots on both sides of the street include.

Q. I saw a truck at the new round-a-bout a mile from us on Front Beach Road. It could not get around the "circle" with the long trailer it was pulling. Since it is still under construction why not make it two lanes. I think the lead in lane from the right will help as well.

R. Consider buying the land for sale near City Hall so the fire department and the police station can expand.

Private comments to Mayor and City Council:

Q. (17) Concern for babies and young children whose hearing may be damaged because of loud concerts, Praise Bands at churches, and live music at restaurants. We have begun wearing ear plugs because the noise level at church is so horrific that we are concerned the hearing of adults is also being affected. We don't want the youth we see wearing hearing aids at a young age, nor do we want to have to wear them.

Please fix any mistakes:

P.S. Lynn, Mayor, and City Councilmen and women: It has been an honor to speak at City Hall. Thank you for the kindness you have shown me.