



City of  
**Panama City Beach**

City Hall  
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PCB, FL 32413  
[www.pcbfl.gov](http://www.pcbfl.gov)

**MINUTES of the March 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.**

**Mayor Mark Sheldon called the March 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** (*Excused*)

**A quorum was present with four 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 Steve Irwin from Woodlawn Church led the invocation. Councilmember Coburn lead the Pledge of Allegiance. Mayor Sheldon provided community announcements.

**MINUTES**

Mayor Sheldon called for approval of the **March 9, 2023, regular meeting minutes.** Vice Mayor Casto so moved. Councilman Chester seconded the motion. The March 9<sup>th</sup> meeting minutes were unanimously approved by a roll call vote (4-0).

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

**APPROVAL OF AGENDA**

Mayor Sheldon called for approval and/or changes to the agenda. Hearing and seeing none, Councilman Chester 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 (4-0).

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

**PRESENTATIONS**

On behalf of the entire City Council, Councilmember Coburn presented four employees with **years of service awards.**

Mayor Sheldon introduced **Half Cent Sales Tax Oversight Committee** Chairman Doug Gilmore. Chairman Gilmore presented the Committee's findings from their March 22, 2023 meeting:

"The Committee has reviewed the schedule of surtax proceeds collected by the City from inception through September, 2022 and ascertained that the monies paid out to date through September, 2022 in the amount of \$6,711,760.68 are for the Bay Parkway Segment 2 project as authorized by Resolution No. 17-39."

Mayor Sheldon called for comments from Council. Hearing and seeing none, Mayor Sheldon thanked Chairman Gilmore.

#### **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. Captain Gary Wayne Beck – Captain Beck commented that his constitutional rights were being challenged, discussed the BP Oil spill and that he was not allowed to pay his property taxes, that his mother paid his taxes.
2. Mike with Blind Justice – Mr. Mike called the Council's attention to City Ordinance Sec. 16-8 - restrictions on sleeping or camping on beaches or in public areas. Mr. Mike commented that he thought that Ordinances like this one was unconstitutional and cited case precedence. Mr. Mike commented that there were no shelters for men, and limited shelters for woman and children, in the Bay County area. Mr. Mike urged the Council to order the Police Chief to stand down. Mr. Mike discussed ADA compliance and access to the City's agenda packet. Mr. Mike commented that the packet needed to be sent to him in a way that he could read it. Mr. Mike discussed asking for a visual interpreter and added that the City provided him with an unqualified person, which was not right and a discrimination.
3. Molly Allen, Lullwater Lake Resident – Ms. Allen discussed sampling Lullwater Lake for her monthly Lake Watch reporting. Ms. Allen discussed changes in the Lake, including a new bloom or a new birth of something. Ms. Allen read her text message describing the bloom to her contact at Lake Watch. Ms. Allen also discussed a filter being clogged.

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. 23-140, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF 680 REPLACEMENT SCREEN FILTER PANELS, 200 FILTER PANEL SEALS, AND 200 FILTER PANEL GASKETS FROM EVOQUA WATER TECHNOLOGIES FOR THE UTILITES DEPARTMENT IN THE TOTAL AMOUNT OF \$80,748.**

**\*RESOLUTION NO. 23-145, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH CHANDLER AND ASSOCIATES OF PANAMA CITY, INC. RELATING TO PROPERTY APPRAISALS FOR THE FRONT BEACH ROAD RIGHT OF WAY PROJECT SEGMENT 4.2, IN THE TOTAL AMOUNT OF \$47,250.**

**ACTION ITEM, REVISION OF THE MASTER AUDIT LIST TO REMOVE OBSOLETE ITEMS.** These items are to be removed from the Master Audit List. Staff recommends approval. By approval of this matter in the Consent Agenda, the City Council makes a finding of surplus for these items and approves their removal from the Master Audit List.

Mayor Sheldon noted this item was available to the Council. **Vice Mayor Casto moved to approve the Consent Agenda. Councilman Chester seconded the motion.** Mayor Sheldon asked the Clerk to call the roll.

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

#### **REGULAR AGENDA- DISCUSSION/ACTION ITEMS**

##### **ITEM 1. ORDINANCE NO. 1614, AMENDING CHAPTER 6 OF THE CITY'S CODE OF ORDINANCES RELATED TO AVIATION, FIRST READING.**

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Ordinance No. 1614 by title only. Mayor Sheldon invited Attorney Davis to comment. Mr. Davis reported the ordinance was primarily to limit any kind of surveillance or spying on people's private property.

Mayor Sheldon called for public comment on Item #1.

1. Mike with Blind Justice – Mr. Mike asked if this was an ordinance to limit people from flying drones.

Attorney Davis explained the Ordinance proposes to limit the flying of any aircraft between zero and 500 feet in elevation over any private property without their permission and it limits the flying over public property used to surveil on private property. Attorney Davis added exceptions were built into the Ordinance for law enforcement, mapping, etc.

Mr. Mike with Blind Justice recommended the Council not adopt this Ordinance as it was a limitation on people's freedom, and it opened the City up to lawsuits so the City should error on the side of freedom.

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

Mayor Sheldon noted this item was available to Council. Mayor Sheldon noted this was a good Ordinance pertaining to unmanned drones over people's houses which came from concerned folks in the community. Mayor Sheldon added it was a good option for the Police and so people can have privacy in their own homes. Councilman Chester concurred.

**Councilman Chester moved to approve Ordinance 1614. 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. 1614 was adopted by a unanimous (4-0) roll call vote.**

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

**\*ITEM 2. RESOLUTION NO. 23-141, AUTHORIZING A TRANSFER AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF PANAMA CITY BEACH, FOR A PORTION OF STATE ROAD (SR) 30 (FRONT BEACH ROAD SEGMENT 4.1).**

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution 23-141 by title only. Mayor Sheldon called for public comment on Item #2. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to the Council. **Councilman Chester moved to approve Resolution 23-141. Councilmember Coburn seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Resolution No. 23-141 was adopted by a unanimous (4-0) roll call vote.**

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

**ITEM 3. RESOLUTION NO. 23-142, APPROVING AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE ADDITIONAL FUNDING FOR GAYLE'S TRAILS THROUGH A GRANT; AND AUTHORIZING A BUDGET AMENDMENT.**

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution 23-142 by title only. Attorney Myers reported since the agenda was first published, we have added a provision to the resolution to specifically repeal Section 3 of Resolution 23-125, the ARPA designation of funds. Mayor Sheldon called for public comment on Item #3. Hearing and seeing none, Mayor Sheldon closed the public comment period. Mayor Sheldon invited Acting Director Younce to the podium.

On behalf of the Council, Mayor Sheldon publicly thanked Director Younce and her team for fighting for this for years. Councilman Chester concurred. Director Younce thanked Council and noted she was glad it was moving forward. Councilmember Coburn inquired if there had been any discussion about opening these trails up to golf carts. Director Younce explained that since the City secured State funds motorized vehicles were strictly prohibited. Director Younce added there is money out there for motorized vehicles, but those trails would need to be separate. Vice Mayor Casto thanked Director Younce.

Mayor Sheldon noted this item was available to the Council. **Vice Mayor Casto moved to approve Resolution 23-142. 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 23-142 was adopted by a unanimous roll call vote (4-0).**

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

**ITEM 4. RESOLUTION NO. 23-143, APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY PROJECTS TO BE SUBMITTED FOR FUNDING TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY REBUILD FLORIDA HURRICANE SALLY PROGRAM.**

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution 23-143 by title only. Attorney Myers noted this resolution authorizes submittal of an application for the Outfall Project and authorizes the City the “leverage” of \$100,000 of City funds for the project, if awarded.

Mayor Sheldon called for public comment on Item #4.

1. Molly Allen, Lullwater Lake Resident – Ms. Allen commented that she looked through the proposal and there were some photographs included that did not seem relevant. Ms. Allen asked if those photographs, the location of each, could be identified. Ms. Allen commented that she felt like the language had changed a bit from “two continuous Outfalls” to “two continuous Outfalls and three intermittent Outfalls.” Ms. Allen added she would like to see the projects be more relevant to the location. Ms. Allen requested, as a public records request, the locations of each photograph.

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

Mayor Sheldon noted this item was available to the Council. **Vice Mayor Casto moved to approve Resolution 23-143. Councilman Chester seconded the motion. All were unanimously in favor of approval of Resolution 23-143 by a roll call vote (4-0).**

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

**ITEM 5. RESOLUTION NO. 23-144, AUTHORIZING A BUDGET AMENDMENT FOR SALARY ADJUSTMENTS FOR THE CITY CLERK, CITY MANAGER AND ASSISTANT CITY MANAGER.**

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution 23-144 by title only. Mayor Sheldon called for public comment on Item #5. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to the Council. Mayor Sheldon reported he asked for this to be looked at during the last meeting. Mayor Sheldon reported Council had finished the reviews of the City Manager and the City Clerk, which came back very good. Mayor Sheldon reported that both make less money than their counterparts in the surrounding areas. Mayor Sheldon noted their jobs were not part of the pay study. Mayor Sheldon added that it was the Council’s responsibility, and it was appropriate, to reward its employees.

Councilman Chester concurred with Mayor Sheldon and noted that both do an excellent job, as well as Assistant Director White who works side-by-side. **Councilman Chester moved to approve Resolution No. 23-144.** Vice Mayor Casto offered his support and noted the City needed to keep up with the competition. Vice Mayor Casto added that the Council had an excellent leadership team with Drew, Holly and Lynne. **Vice Mayor Cato seconded the motion.** Councilman Chester noted Council needed to be mindful since the City does not have an ad valorem tax like other cities.

Councilmember Coburn expressed concern since Council was not able to give other employees raises, other than the recent cost-of-living increases. Councilmember Coburn noted she had a hard time justifying giving them an 8% merit raise, when they received the cost-of-living increases. Councilmember Coburn recommended the Council do something more equitable and that it be discussed when Council was discussing the budget. Councilmember Coburn noted if she was an employee, she would feel demoralized seeing they were receiving an 8% raise when I'm not.

Mayor Sheldon reminded Council that they would not be included in the pay study, and it was the appropriate time to consider merit raises for the City Manager, Assistant City Manager and City Clerk during their reviews.

Councilmember Coburn recommended looking at a more boarder pay study, one that included these employees.

Vice Mayor Casto asked the City Manager to review the raises that were given to employees last year. Vice Mayor Casto reported the City was in the middle of doing a pay study right now for the employees. Manager Whitman reported last summer the Council approved a 2% COLA for employees, because the City was falling behind, and with the last pay study there were adjustments made 1%, 2% and 3%, as well as a 4% COLA in October. Further discussion regarding COLA increases took place.

Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Resolution No. 23-144 was approved by a (3-1) roll call vote.**

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

**\*ITEM 6. RESOLUTION 23-146, APPROVING A TASK ORDER WITH MCKIM & CREED, INC. RELATING TO ENGINEERING DESIGN AND BIDDING PHASE SERVICES FOR THE CRA SEGMENT 4.3 UTILITIES RELOCATION.**

Mayor Sheldon introduced City Attorney Myers. Mrs. Myers read Resolution 23-146 by title only. Mayor Sheldon called for public comment on Item #6. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to the Council. **Councilman Chester moved to approve Resolution No. 23-146. Vice Mayor Casto seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Mayor Sheldon asked the Clerk to call the roll. **Resolution No. 23-146 was approved by a unanimous (4-0) roll call vote.**

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

**CITY MANAGER REPORT** – Manager Whitman reported on the Special Event Zones being put into place this weekend. Manager Whitman described the boundaries and the purpose of a Special Event Zone. Manager Whitman thanked the Police and Fire Departments for their efforts and for working this weekend. Manager Whitman reported on the new Compressed Work Week Policy being offered to employees beginning the week of April 16. Manager Whitman also reported on realigning pay periods to a Sunday through Saturday, a more traditional pay period, also kicking off April 16<sup>th</sup>. Hearing and seeing no comments and/or objections.

**CITY ATTORNEY REPORT** - No report.


**COUNCIL COMMENTS** - Mayor Sheldon invited comments from Council.

Vice Mayor Casto asked Leadership to confirm that the Council voted, a few meetings ago, to go forward with the pay study and he was in favor of looking at the employees’ pay. Vice Mayor Casto explained the Council was required to discuss, in a public meeting, the pay of the City Manager, Vice Mayor and City Clerk. Manager Whitman reported the pay study was kicking off today with a second meeting tomorrow. Manager Whitman added the Council and Staff pushed hard to get the pay study moving forward. Manger Whitman explained the meetings will explain the pay study and employees would have input. Manager Whitman added that he hoped to have recommendations to Council the first of May/June. Vice Mayor Casto thanked Chief Talamantez and his staff for putting together the Spring Break Plan.

Mayor Sheldon concurred with Vice Mayor Casto with respect that Council does not have the pleasure of working things out behind closed doors, they work things out in the open at meetings. Mayor Sheldon added he was excited about the pay study and hopefully the study comes back sooner rather than later.

**With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 9:43 a.m.**

**READ AND APPROVED** this 13<sup>th</sup> day of April, 2023.

  
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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.