



City of  
**Panama City Beach**

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**MINUTES of the October 26, 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 October 26, 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 Cole Davis and Julia Maddalena, City Clerk Lynne Fasone, Directors, staff, and members of the public and press.**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**Councilman Michael Jarman led the invocation. Councilmember Mary Coburn the Pledge of Allegiance.**

**APPROVAL OF MEETING MINUTES**

**Mayor Sheldon called for approval of the October 12, 2023, regular meeting minutes. Councilman Jarman so moved. Councilman Chester seconded the motion. The October 12<sup>th</sup> meeting minutes were unanimously approved by a (5-0) roll call vote.**

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

**APPROVAL OF AGENDA**

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

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

**PRESENTATION**

**On behalf of Council, Councilmember Coburn presented employees with years of service awards.**

**COMMUNITY ANNOUCEMENTS**

Mayor Sheldon provided community announcements.

### **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, 2601 Beach Street –Mr. Beck commented on the Constitution and Bill of Rights and stated his rights had been violated for a variety of reasons.
2. Cindy Ilgenfritz, 16817 Junipero Avenue – Ms. Ilgenfritz expressed concern with the land behind her home being used as a junk yard for the Front Beach Road improvement project. Ms. Ilgenfritz noted the property has contained mountains of dirt and other junk for years now. Ms. Ilgenfritz noted that junk yards were prohibited according to the City Code, and she felt that this property was being used as a junk yard. Ms. Ilgenfritz further noted that she submitted a report to code enforcement and also emailed Mr. Lanie Smith asking why the problem was not being addressed. Ms. Ilgenfritz explained that Mr. Smith and Ms. Debra came out to her house yesterday and reported that code enforcement could not make CWR remove the junk. Ms. Ilgenfritz further added that she had been in contact with Mr. Jim Haney at CWR, and he continued to give false statements. Ms. Ilgenfritz noted this was not a private matter, it was a City matter. Ms. Ilgenfritz asked for Council's help.
3. Chuck Todaro, 16817 Junipero Avenue – Mr. Todaro expressed concern that CW Roberts was bulldozing land behind by home. Mr. Todaro noted that he expressed his concerns with Mr. Jim Haney and the results have been ridiculous. Mr. Todaro noted the dirt and trash behind his home continues to grow. Mr. Todaro referred to the City Code and noted he filed a zoning violation that his parcel was being used as a junk yard. Mr. Todaro noted that CWR should not be permitted to use this residential site and asked for Council's help.
4. Doug Kinzer, Boy Scouts District Executive/Boy Scout Master – Mr. Kinzer reported this year the Boy Scouts partnered with Publix and Lowes, on the Beach, with respect to fundraising and sold over \$30,000 worth of popcorn. Mr. Kinzer further reported that 70% of that money stays with the Scouts. Mr. Kinzer added that some of the donations during the popcorn sale were earmarked for our local first responders, and with that, the Scouts were pleased to donate 27 cases of popcorn to our first responders.
5. Molly Allen, Lullwater Lake Resident – Reminded everyone of the Bird Walk taking place at Aarron Bessant Park and further reminded everyone of the importance of freshwater lakes and the unique species that visit freshwater lakes.
6. Mark Allen, Bid-A-Wee Resident - Mr. Allen stated he was a resident of over 30 years. Mr. Allen noted he opposed the CRA improvements around the Bid-A-Wee area. Mr. Allen spoke against removal of private parking and the street parking along Front Beach Road at Bid-A-Wee. Mr. Allen commented that the current plans do not plan for handicap parking and access.
7. Peter Fischetti, 308 Tarpon Street – Mr. Fischetti spoke against the CRA improvement project, including the installation of medians and the removal of Front Beach Road parking along Bid-A-Wee Beach. Mr. Fischetti asked Council to do another survey asking residents if were in favor of the CRA plan.
8. Bill Tettemer, Bid-A-Wee Resident – Mr. Tettemer spoke against the CRA improvement project. Mr. Tettemer spoke against the trolley lane. Mr. Tettemer stated he thought the transportation survey questions were skewed. Mr. Tettemer commented that parking was not complete, and the pedestrian improvements did not make sense to him. Mr. Tettemer showed a photograph of a retaining wall and noted that he did not feel that it was an aesthetic improvement.

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

### **CONSENT AGENDA**

Mayor Sheldon asked Ms. Fasone to read the Consent Agenda.

**RESOLUTION NO. 24-13, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS EQUIPMENT FOR THE FIRE DEPARTMENT FROM FISHER SCIENTIFIC COMPANY, LLC IN THE TOTAL AMOUNT OF \$57,126.83; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE ORANGE COUNTY, FLORIDA, FIRE RESCUE CONTRACT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-14, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF A CHEVROLET SILVERADO 3500 TRUCK FROM ALAN JAY FLEET SALES FOR THE UTILITIES DEPARTMENT IN THE TOTAL AMOUNT OF \$65,641.00; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OBTAINED IN THE CITY OF TALLAHASSEE'S AGREEMENT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-15, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH TAYLOR ENGINEERING, INC. FOR ENVIROMENTAL ENGINEERING SERVICES AT THE CONSERVATION PARK ASSOCIATED WITH THE MITIGATION MONITORING OBLIGATIONS UNDER FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT NO. 03-231981-003-DF, IN THE AMOUNT OF \$42,531.30.**

**RESOLUTION NO. 24-16, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF TWO 300 HP YAMAHA OUTBOARD MOTORS FOR THE POLICE DEPARTMENT FROM CENTRAL FLORIDA YAMAHA, INC. IN THE TOTAL AMOUNT OF \$46,692.15; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE CONTRACT WITH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-17, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF AN E50 R2-SERIES BOBCAT COMPACT EXCAVATOR FOR THE STREET DEPARTMENT FROM CLARK EQUIPMENT COMPANY D/B/A BOBCAT COMPANY AND DOOSAN INFRACORE CONSTRUCTION EQUIPMENT IN THE TOTAL AMOUNT OF \$73,277.06; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE SOURCEWELL CONTRACT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-20, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RELATING TO THE CONDEMNATION OF CERTAIN PROPERTY LOCATED ALONG FRONT BEACH ROAD WITHIN THE CITY FOR RIGHT OF WAY AND UTILITY PURPOSES TO SUPPORT THE IMPROVEMENT OF FRONT BEACH ROAD SEGMENT 4.2; MAKING FINDINGS OF FACT, PUBLIC PURPOSE, AND NECESSITY; AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO TAKE THE APPROPRIATE ACTIONS TO SECURE THE ACQUISITION OF THE PROPERTY BY EMINENT DOMAIN PROCEEDINGS.**

**REVISION OF THE MASTER AUDIT LIST TO REMOVE SURPLUS 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 the Consent Agenda 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 (5-0) roll call vote.**

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

**REGULAR AGENDA- DISCUSSION/ACTION ITEMS**

**ITEM 1. ORDINANCE NO. 1628, FATS, OILS, AND GREASE MANAGEMENT, SECOND READING / PUBLIC HEARING.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Ordinance 1628 by title only. Mayor Sheldon opened the public hearing. Hearing and seeing no comments, Mayor Sheldon closed the public hearing.

Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Ordinance 1628. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Ordinance 1628 was unanimously adopted by a (5-0) roll call vote.**

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

**ITEM 2. ORDINANCE NO. 1636, RESTRICTIONS ON EVENTS AT AARON BESSANT PARK, FIRST READING / PUBLIC HEARING.**

Mayor Sheldon introduced Attorney Davis. Mr. Davis read Ordinance 1636 by title only. Mayor Sheldon opened the public hearing.

1. Molly Allen, Lullwater Lake Resident – Ms. Allen inquired if a special event could occur after 12:00 p.m. however the ordinance did not address the “until” time. Ms. Allen expressed concern with thumping base music and inquired if baseball and softball games were the only special events allowed to take place at Aaron Bessant Park.

Manager Whitman explained restrictions already exists on special events Sunday night through Thursday night as well as certain restrictions on Friday and Saturday, unless approved by City Council. Manager Whitman explained further that this ordinance proposes to allow baseball and softball tournament organizers to have a closing ceremony and celebration at Aaron Bessant Park on Sunday afternoons during the summer.

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

Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Ordinance 1636. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Ordinance 1636 was unanimously adopted at first reading by a (5-0) roll call vote.**

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

**ITEM 3. RESOLUTION NO. 24-19, AUTHORIZING A BUDGET AMENDMENT TO APPROPRIATE FUNDING FOR UP TO 175 HOURS OF BANKED SICK LEAVE TO ELIGIBLE EMPLOYEES.**

Mayor Sheldon introduced City Attorney Davis. Mr. Davis read Resolution 24-19 by title only. Mayor Sheldon called for public comment on Item #3. Hearing and seeing none, Mayor Sheldon closed the public comment period. Mayor Sheldon invited comments from Assistant City Manager White. Manager White noted she was happy to answer any questions and this ordinance proposes to clean up the City's books with respect to sick leave dating prior to June of 2015. Mayor Sheldon noted it cleans up 55 employees. Manager White concurred.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approved Resolution 24-19. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-19 was unanimously adopted by a (5-0) roll call vote.**

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

**\*ITEM 4. RESOLUTION NO. 24-21, APPROVING CHANGE ORDER #8 WITH CWR CONTRACTING, INC. FOR FRONT BEACH ROAD SEGMENT 3 PROJECT, TO ADD \$213,320.10 AND THIRTY (30) DAYS FOR PERFORMANCE OF THE WORK.**

Mayor Sheldon introduced City Attorney Davis. Mr. Davis read Resolution 24-21 by title only. Mayor Sheldon called for public comment on Item #4.

1. Molly Allen, Lullwater Lake Resident – Ms. Allen noted with this request she noted there was a resident who did not get a curb where they expected too, so how many residents will get to add their needs or wants to the CRA. Ms. Allen commented that stormwater was being pushed into Lullwater Lake and the lake does not have a flooding problem.

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

Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Resolution 24-21. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution No. 24-21 was unanimously adopted by a (5-0) roll call vote.**

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

**ITEM 5. RESOLUTION NO. 24-22, APPROVING A COMMERCIAL LEASE AND PURCHASE OPTION WITH BEYOND THE SEA REALTY, LLC AND ODEH'S REALTY, LLC FOR PROPERTY LOCATED AT 17171 FIRENZA AVENUE, 200 ARNOLD ROAD, AND 204 ARNOLD ROAD.**

Mayor Sheldon introduced City Attorney Davis. Mr. Davis read Resolution 24-22 by title only. Mayor Sheldon opened public comments on Item #5. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon invited comments from Assistant City Manager White. Manager White explained this is a unique opportunity for the City to get space and expand this complex. Ms. White further noted that staff had been negotiating with this owner for a number of months and now has the opportunity to enter into a 20-year lease with right of first refusal for the purchase of the property. Mayor Sheldon thanked Ms. White for working so hard to secure this lease/purchase for the City.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 24-22. Vice Mayor Casto seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution No. 24-22 was unanimously adopted by a (5-0) roll call vote.**

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

#### **ITEM 6. DISCUSSION / ACTION ITEM, APPOINTMENT TO VACANT SEAT ON THE AUDIT COMMITTEE.**

Mayor Sheldon opened public comment on Item #6. Hearing and seeing no public comment, Mayor Sheldon closed the public comment period. Mayor Sheldon invited comments from City Manager Drew Whitman. Manager Whitman explained that one individual had applied to fill the seat, Mr. Mark Neitzel. Mayor Sheldon thanked Mr. Neitzel for volunteering to serve on the Committee.

Mayor Sheldon noted this item was available to Council. Hearing and seeing no comments, **Councilman Jarman moved to appoint Mr. Mark Neitzel to the vacant seat on the Audit Committee. Vice Mayor Casto seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Mr. Mark Neitzel's appointment to the vacant seat on the Audit Committee was unanimously adopted by a (5-0) roll call vote.**

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

#### **ITEM 7. DISCUSSION / ACTION ITEM, PLANNING BOARD SELECTION OF CHAIRMAN AND APPOINTMENT TO VACANT SEAT.**

Mayor Sheldon opened public comment on Item #7. Hearing and seeing no public comment, Mayor Sheldon closed the public comment period.

Mayor Sheldon suggested Councilmembers vote for an applicant to the vacant seat on the Planning Board Commission so Ms. Lynne can collect and tally the voting sheets while Council discusses the selection of Chairman to the Planning Board Commission.

Mayor Sheldon added that Mr. Wakstein had done a phenomenal job as Chairing this Board for a while now. Mayor Sheldon offered his support of Mr. Wakstein and noted Josh indicated a willingness to continue to serve as Chair.

Mayor Sheldon noted this item was available to Council. Hearing and seeing no comments, **Councilman Jarman moved to reappoint Mr. Josh Wakstein as Chair of the Planning Board. Councilmember Coburn seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Mr. Josh Wakstein’s appointment as Chair of the Planning Board was unanimously adopted by a (5-0) roll call vote.**

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

**ITEM 8. DISCUSSION / ACTION ITEM, APPOINTMENT TO THE TECHNICAL COORDINATING COMMITTEE OF THE BAY COUNTY TRANSPORTATION PLANNING ORGANIZATION (TPO).**

Mayor Sheldon opened public comment on Item #8. Hearing and seeing no public comment, Mayor Sheldon closed the public comment period.

Mayor Sheldon invited comments from Manager Whitman. Manager Whitman explained Council unanimously appointed Ms. Younce, Interim Public Works Director, to fill Ms. Kelly Jenkins’ vacant seat on the Technical Coordinating Committee (TCC) back in April. Manager Whitman added, now that the City has a permanent full-time Public Works Director, he recommended appointing Ms. Director Susan Goebel-Canning to the Committee.

Mayor Sheldon noted this item was available to Council. Hearing and seeing no comments, **Councilman Jarman moved to appoint Director Goebel-Canning to the TPO Technical Coordinating Committee. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Director Goebel-Canning’s appointment to the TPO Technical Coordinating Committee was unanimously adopted by a (5-0) roll call vote.**

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

**Appointment to the Planning Board**

Mayor Sheldon announced that Mr. Tucker Painter was selected by Council to fill the vacant seat on the Planning Board. Mayor Sheldon thanked Mr. Painter for his willingness to serve and also thanked everyone who applied for the position.

**CITY MANAGER REPORT** – Manager Whitman thanked Assistant City Manager White for negotiating with the property owner to the south of us, the property will be an asset to the City for a long time to come.

**CITY ATTORNEY REPORT** – No report.

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

Councilmember Coburn thanked the residents for coming out and staff for organizing the Paws in the Parks event. Councilmember Coburn clarified that Item 1 on the consent agenda, the purchase of breathing apparatuses, would be paid for with a grant so the purchase would not come out of city funds.

Councilmember Coburn thanked Chief Ray and his staff. Councilmember Coburn suggested staff work with the contractor to clean up the mess, the laydown yard, discussed earlier tonight. All Councilmembers concurred.

Councilman Jarman reminded residents to contact councilmembers directly at any time. Councilman Jarman noted this was the first time he had heard about this problem. Councilmember Coburn noted that she had received an email about the problem and reminded residents that Councilmembers were not permitted to communicate with each other outside of this public meeting.


A brief discussion regarding there being set hours for events at Aaron Bessant Park took place.

Councilman Jarman clarified for the Bid-A-Wee residents that the City was definitely looking at parking for the CRA, but the parking being considered needed to be near a public beach access.

Mayor Sheldon reported he, the City Manager and City Attorney met with County and State officials this morning to continue conversations on the CRA. Mayor Sheldon added he felt good about the direction the conversations were headed.

**With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 9:47 a.m.**

READ AND APPROVED this 9<sup>th</sup> day of November, 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.