



City of
Panama City Beach

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MINUTES of the **January 11, 2024** 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 January 11, 2024 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, City Clerk Lynne Fasone, Directors, staff, and members of the public and press.

INVOCATION, PLEDGE OF ALLEGIANCE AND COMMUNITY ANNOUNCEMENTS

Pastor Ramon Duvall with Beachside Fellowship Church led the invocation. Councilman Michael Jarman led the Pledge of Allegiance. Mayor Sheldon presented community announcements.

APPROVAL OF MEETING MINUTES

Mayor Sheldon called for approval of the December 14, 2023, regular meeting minutes. **Vice Mayor Casto so moved. Councilmember Coburn seconded the motion. The December 14 meeting minutes were unanimously approved by a (5-0) roll call vote.**

Councilman Jarman	Aye
Councilmember Coburn	Aye
Councilman Chester	Aye
Vice Mayor Casto	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. Vice Mayor Casto seconded the motion. All were unanimously in favor of approval of the agenda by a (5-0) roll call vote.**

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

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. Molly Allen – Ms. Allen commented that Gulf Beach Presbyterian Church was celebrating 75 years this year. Ms. Allen added the Church would be celebrating all year long with a big to do at the end of the year. Ms. Allen invited everyone to attend the celebrations. Ms. Allen noted she had some questions with respect to the permits issued for the Dollywood Pirates Voyage Dinner Theater. Ms. Allen expressed concern that the construction site was polluting Lullwater Lake, and noted she sent samples to the State to have tested.

Hearing and seeing no further public comments, Mayor Sheldon closed the public comment portion of the agenda.

CONSENT AGENDA

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

RESOLUTION NO. 24-58, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF FIVE GMC SIERRA 1500 PICKUP TRUCKS FOR THE UTILITIES DEPARTMENT FROM ALAN JAY AUTOMOTIVE MANAGEMENT, INC., d/b/a ALAN JAY FLEET SALES IN THE TOTAL AMOUNT OF \$238,355.00; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE CITY OF TALLAHASSEE'S AGREEMENT GOVERNING THAT PURCHASE.

RESOLUTION NO. 24-59, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A SETTLEMENT AGREEMENT WITH VIHAR, INC. D/B/A SUN MART, RELATED TO ALL CLAIMS ARISING FROM LAND ACQUIRED FOR THE FRONT BEACH ROAD SEGMENT 4.1 PROJECT, IN THE TOTAL AMOUNT OF \$52,663.35.

RESOLUTION NO. 24-60, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A STAGING AREA AGREEMENT BETWEEN THE CITY OF PANAMA CITY BEACH AND FLORIDA POWER & LIGHT COMPANY GRANTING TEMPORARY USE AND CONTROL OF A PORTION OF FRANK BROWN PARK FOR STAGING UTILITY EQUIPMENT AND PERSONNEL AFTER DISASTERS.

RESOLUTION NO. 24-61, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH DAG ARCHITECTS, INC., FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE FRANK BROWN PARK MIRACLE LEAGUE PAVILION, RESTROOM FACILITY AND SKATE PARK PAD DESIGN IN THE AMOUNT OF \$51,000.00, AND DESIGNATING THE USE OF AMERICAN RESCUE PLAN ACT FUNDS FOR THE PROJECT.

RESOLUTION NO. 24-62, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A TASK ORDER WITH MCKIM & CREED, INC., FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR UTILITIES RELOCATION ON PANAMA CITY BEACH PARKWAY FROM MANDY LANE TO EAST OF NAUTILUS STREET, IN AN AMOUNT NOT TO EXCEED \$57,214.50.

RESOLUTION NO. 24-63, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AGREEMENTS WITH FERGUSON WATERWORKS, CORE & MAIN, LP, AND FORTILINE, INC., FOR THE PURCHASE OF MISCELLANEOUS BRASS FITTINGS, METER BOXES, AND APPURTENANCES FOR THE UTILITIES DEPARTMENT.

RESOLUTION 24-64, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A PURCHASE AND SALE AGREEMENT WITH FONTAINEBLEAU TERRACE OWNERS ASSOCIATION, INC. FOR LAND NEEDED FOR THE FRONT BEACH ROAD SEGMENT 4.2 PROJECT, IN THE TOTAL AMOUNT OF \$55,163.30.

RESOLUTION NO. 24-71, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH FORWARD THINKING SYSTEMS, LLC FOR GPS FLEET MANAGEMENT SOFTWARE AND RELATED SERVICES IN THE ESTIMATED ANNUAL AMOUNT OF \$41,989.00.

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.**

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. 1637, CREATING SECTION 1-16 OF THE CITY'S CODE OF ORDINANCES REGARDING PUBLICATION OF NOTICES; AMENDING SECTION 10.03.04 OF THE CITY'S LAND DEVELOPMENT CODE REGARDING PUBLICATION OF NOTICES, SECOND READING /PUBLIC HEARING.

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Ordinance 1637 by title only. Mayor Sheldon opened the public hearing. Hearing and seeing no comments, Mayor Sheldon closed the public hearing.

Mayor Sheldon invited comments from Attorney Davis. Mr. Davis explained the proposed ordinance amends the City's Code and LDC to permit publication through the procedures set forth in Chapter 50 in a newspaper and now online. Mr. Davis further explained this was clean up language proposed to fix code provisions in the LDC. Mr. Davis added publication online was optional and publication in a newspaper was still permitted, if desired.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Ordinance 1637. Vice Mayor Casto seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Ordinance 1637 was unanimously adopted by a (5-0) roll call vote.**

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

ITEM 2. ORDINANCE NO. 1638, AMENDING SECTION 1.04.02 OF THE CITY'S LAND DEVELOPMENT CODE REGARDING DIVISION OF LAND, SECOND READING / PUBLIC HEARING.

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Ordinance 1638 by title only. Mayor Sheldon opened the public hearing. Hearing and seeing no comments, Mayor Sheldon closed the public hearing.

Mayor Sheldon invited comments from Attorney Davis. Mr. Davis reported the City's Land Development Code requires that a parcel which is divided resulting in three divisions must be recorded on an approved plat. Mr. Davis explained Staff recently became aware of situations in which the divisions caused by the use of eminent domain resulted in platting being required for otherwise compliant parcels. Mr. Davis added Staff desires to alleviate this burden by exempting divisions of land caused by involuntary purchases of property by public entities. Mr. Davis reported the Planning Board considered this ordinance, as well as the previous ordinance, at its December 13th meeting and unanimously forwarded both to Council for consideration.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Ordinance 1638. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Ordinance 1638 was unanimously adopted by a (5-0) roll call vote.**

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

ITEM 3. APPROVAL OF PLAT FOR THE RESIDENTIAL SUBDIVISION "CABALLEROS ESTATES AT HOMBRE," PUBLIC HEARING / QUASI JUDICIAL HEARING.

Mayor Sheldon noted the public hearing on this Plat was opened, and continued, at the January 11 Council meeting. Mayor Sheldon provided hearing instructions.

Mayor Sheldon asked Councilmembers to provide Jennings Disclosures. Vice Mayor Casto, Councilman Jarman, Councilman Chester, Councilmember Coburn, and Mayor Sheldon all reported that they had not spoken with anyone, except for Staff, so they had nothing to disclose.

Mayor Sheldon asked Director Leonard if the Plat was properly noticed. Director Leonard stated yes.

Mayor Sheldon called for comments from the public. Hearing and seeing no public comments, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve the Plat. Councilmember Coburn seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **the Caballeros Estates at Hombre Subdivision Plat was unanimously adopted by a (5-0) roll call vote.**

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

ITEM 4. RESOLUTION NO. 24-65, AUTHORIZING A BUDGET AMENDMENT TO RE-APPROPRIATE EXPENDITURES IN FISCAL YEAR 2024 FOR ITEMS ORIGINALLY INCLUDED IN THE FISCAL YEAR 2023 BUDGET.

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-65 by title only. Mayor Sheldon invited comments from Finance Director Gibson. Hearing and seeing none, Mayor Sheldon called for public comments on Item #4. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to approve Resolution 24-65. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-65 was unanimously adopted by a (5-0) roll call vote.**

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

ITEM 5. RESOLUTION NO 24-66, APPROVING REVISED TASK ORDERS WITH JRA ARCHITECTS, INC. FOR THE FIRE STATION 31 REPLACEMENT AND FOR THE EAST END POLICE SUBSTATION SAFE ROOM; AND AUTHORIZING A BUDGET AMENDMENT.

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-66 by title only. Mayor Sheldon called for 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. Ms. White explained the budget amendment was reasonable due to the increase in scope of services by the City.

Mayor Sheldon noted this item was available to Council. **Vice Mayor Casto moved to approve Resolution 24-66. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-66 was unanimously adopted by a (5-0) roll call vote.**

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

ITEM 6. RESOLUTION NO. 24-67, APPROVING AN AGREEMENT WITH HAWKINS, INC. FOR THE SUPPLY AND DELIVERY OF LIQUID SODIUM HYPOCHLORITE FOR THE PARKS AND UTILITIES DEPARTMENTS.

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-67 by title only. Mayor Sheldon called for public comments on Item 6. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to approve Resolution 24-67. Vice Mayor Casto seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-67 was unanimously adopted by a (5-0) roll call vote.**

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

ITEM 7. RESOLUTION NO. 24-68, APPROVING THE PURCHASE OF ELEVEN FORD F-150 POLICE RESPONDER TRUCKS FOR THE POLICE DEPARTMENT; AUTHORIZING A BUDGET AMENDMENT; AND REPEALING RESOLUTION NO. 24-31.

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-68 by title only. Mayor Sheldon called for public comments on Item #7. Hearing and seeing none, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Jarman moved to approve Resolution 24-68. Councilman Chester seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-68 was unanimously adopted by a (5-0) roll call vote.**

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

ITEM 8. RESOLUTION NO. 24-69, APPROVING AN AGREEMENT WITH HELLAS CONSTRUCTION FOR THE REHABILITATION OF THE FRANK BROWN PARK TENNIS COURTS.

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-69 by title only. Mayor Sheldon called for public comments on Item #8. 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 nice to see. Discussion regarding the last time the courts were resurfaced took place.

Councilman Jarman moved to approve Resolution 24-69. Councilman Chester seconded the motion. Mayor Sheldon called for further discussion. Hearing and seeing none, **Resolution 24-69 was unanimously adopted by a (5-0) roll call vote.**

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

ITEM 9. RESOLUTION NO. 24-70, APPROVING A GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RELATED TO RESTORATION OF LULLWATER LAKE BASIN.

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-70 by title only. Mayor Sheldon called for public comments on Item #9.

1. Ms. Mary [inaudible], Ms. Mary noted she was here to support the clean-up of Lake Lullwater.
2. Mr. Fran Moseby, 235 Lullwater Drive - Mr. Moseby noted he had a few questions about the scope of work, Mr. Moseby stated he was confused about the attachments, would the work take place throughout the basin, including the fingers of the basin.
3. Molly Allen, Lullwater Drive – Ms. Allen echoed Mr. Moseby’s comments. Ms. Allen stated she thought the City would be hard pressed to get a grant for something that was continuously being polluted. Ms. Allen stated she thought the project was being used to buffer other projects. Ms.

Allen stated she was concerned with the language as it needed to be cleaned up and inquired as to when Council was going to Tallahassee to promote this.

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

Mayor Sheldon invited Public Works Director Susan Goebel-Canning to the podium to discuss the scope of the project. Director Goebel-Canning briefly discussed the scope and noted the project would promote the long-term health of the lake.

Mayor Sheldon noted this item was available to Council. Mayor Sheldon added this was the project Council hoped to get started a couple years ago, however, the City lost that money, Tallahassee directed it elsewhere, but Council went back and pushed for it. Mayor Sheldon noted keeping the Lake clean was a priority for Council and Council would go back and ask for another \$3 million.

Councilman Jarman recommended that residents look at the attachment, specifically the task title and the five things being done on the attachment. Councilman Jarman noted Council had been very clear that this money was going to clean up the lake.

Vice Mayor Casto moved to approve Resolution 24-70. Councilman Jarman seconded the motion. Mayor Sheldon called for further discussion. Hearing and seeing none, Resolution 24-70 was unanimously adopted by a (5-0) roll call vote.

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

CITY MANAGER REPORT – Manager Whitman reported he was able to reach Rev Dr. Woods and he apologies for not be able to attend this evening and received the MLK Day Proclamation. Manager Whitman reported unlike TopGolf needing to go the Planning Board first, the development order permits Dollywood to develop here, it’s already zoned for that use. Lastly, Manager Whitman thanked all of the City’s first responders for helping Bay County during the recent weather emergency in the County.

CITY ATTORNEY REPORT – Mr. Davis clarified the agreement Council just approved pertaining to Lullwater Lale was an award, not an application. Mr. Davis added the City will seek another \$3million this year.

COUNCIL COMMENTS – Mayor Sheldon invited comments from Council.

Councilmember Coburn noted the City ended the year on a high note with two great new projects coming to the City, however, she first heard about the Dollywood Pirates Voyage Dinner Theater project on the news. Manager Whitman reported he was working on a new development list for the Council.

Councilman Jarman congratulated the Gulf Beach Presbyterian Church on its 75th anniversary

Vice Mayor Casto thanked the City’s first responders for assisting during the recent weather emergency.

Mayor Sheldon concurred with Vice Mayor Casto and thanked the City’s entire team for responding to the weather emergency, Mayor Sheldon noted he couldn’t be prouder of them for helping as the emergency

wasn't within the city limits. Mayor Sheldon acknowledged the Fire Inspectors who were pulling a little extra duty with the short-term rental registration project. Mayor Sheldon asked Staff to do some research on what it might cost to put a roll off container in each neighborhood, perhaps once a quarter, to help residents get rid of unwanted materials.

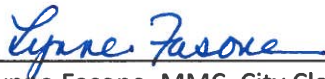
With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 6:30 p.m.

READ AND APPROVED this 25th day of January, 2024.



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.