



City of  
**Panama City Beach**

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**MINUTES** of the **March 28, 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 March 28, 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 Attorney 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 March 14, 2024 regular meeting minutes. **Councilman Chester so moved. Councilman Jarman seconded the motion. The March 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. Councilmember Coburn recommended adding a discussion item to the agenda regarding public safety at the Circle K. Mayor Sheldon recommended adding the discussion as new item "Item 5." Mayor Sheldon called for further changes. Hearing and seeing none, **Councilman Jarman moved to approve the agenda, as amended. Vice Mayor Casto seconded the motion. All were unanimously in favor of approval of the agenda as amended by a (5-0) roll call vote.**

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

## **PRESENTATIONS**

Mayor Sheldon invited the Arnold High School Boys Soccer Team to the dais to be recognized for winning a second state title.

On behalf of City Council, Councilman Jarman presented proclamations to representatives of the American Red Cross and to Director Debra Gibson for Procurement Month.

## **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. Renee Velasco, 121 Hombre Circle,– Ms. Velasco referred to an email she sent to Councilmembers regarding beach safety at Shores of Panama, Laketown Warf and Pineapple Willys. Ms. Velasco applauded the Police Chief for continuously monitoring the Circle K corner. Ms. Velasco further commented that she felt the walkway to the beach at that corner was left unlocked, however it needed to be locked and monitored by a security guard. Ms. Velasco commented that the Shores of Panama residents were committed to find, and help be, a solution to clean-up that end of the beach.
2. Captain Gary Wayne Beck, 2601 Beech Street – Mr. Beck commented on his name being forged on documents, someone trying to take his home, his inventions, child abuse, and his civil rights being violated.
3. Matthew Gunner, 106 Grand Falls Lane, Mr. Gunner reported that he had emailed Councilman Chester about this issue and thanked him for his quick reply. Mr. Gunner commented on the large scale burning taking place at a lot on Back Beach Road, the Waterfall development. Mr. Gunner further commented that the heavy smoke was drifting into his neighborhood. Mr. Gunner requested Council to please ban this type of burning and/or pass something to reduce the heavy smoke. Mr. Gunner commented that the smoke was so bad, a public nuisance, so much so that he could not sit on his porch, and the smoke was coming into his home. Mr. Gunner thanked Council for their consideration on banning this type of burning.

Mayor Sheldon asked Chief Morgan to please address this after the public comment period.

4. Robbin Evans, Chairwoman of PCB Chamber Commerce, 123 Serenade Lane, Ms. Evans noted she and other Chamber members were in attendance to show the Chamber supports City Council. Ms. Evans commented further that the Chamber was excited about development taking place on the Beach. Ms. Evans reported that Chamber members made a commitment to attend meetings to show support as the community grows.
5. Stuart Tetterer, 300 Tarpon Street, Mr. Tetterer commented on the Gulf Coast Jam event being moved to a Spring date and further commented that he felt that the Mayor had asked the City to move the event. Mr. Tetterer further commented on traffic.
6. Burnie Thompson – Mr. Thompson commented that he was wrong the last time he was here and commented that Mr. Passmore made more money than a police officer. Mr. Thompson further commented that some past council meeting videos from 2020 and 2021 were not loaded on the website. Mr. Thompson commented that the Gulf Coast Jam event should move back to the shoulder season.

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

Mayor Sheldon invited Chief Morgan to talk about the fire pile. Chief Morgan reported the land clearing adjacent to Arnold off Back Beach was a Forestry issue, a Forestry permit. Chief Morgan explained that that type of permit does have some restrictions. Chief Morgan added the Fire Department was aware of

some issues that were brought to the Department's attention, and he appreciated that. Chief Morgan reported that his Inspectors and the Forestry had made several trips to the site. Chief Morgan reported Forestry was going to visit the site again today and there would be consequences if the problem persisted. Chief Morgan talked about the contractor having difficulty setting up the "burn box," and the rain compounding the problem. Chief Morgan noted he was actively monitoring the site.

#### **CONSENT AGENDA**

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

**RESOLUTION NO. 24-104, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN OFFER TO FONTAINEBLEAU TERRACE OWNERS ASSOCIATION, INC., FOR LAND NEEDED FOR THE FRONT BEACH ROAD SEGMENT 4.2 PROJECT, IN THE TOTAL AMOUNT OF \$32,400.00.**

**RESOLUTION NO. 24-105, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH THE HILLER COMPANIES, LLC FOR FIRE SUPPRESSION SYSTEM INSPECTION SERVICES IN THE ESTIMATED ANNUAL AMOUNT OF \$17,643.00.**

**RESOLUTION NO. 24-106, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF A JOHN DEERE PRO GATOR 2020A FOR THE PARKS AND RECREATION DEPARTMENT FROM DEERE & COMPANY IN THE TOTAL AMOUNT OF \$37,958.47; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE SOURCEWELL CONTRACT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-107, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF A HARPER TURBO VACUUM MODEL TV60RE FOR THE PARKS AND RECREATION DEPARTMENT FROM JERRY PATE TURF & IRRIGATION, INC., AS AUTHORIZED DISTRIBUTOR FOR HARPER INDUSTRIES, INC. DBA HARPER TURF EQUIPMENT, IN THE TOTAL AMOUNT OF \$49,243.08; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE NCPA OMNIA CONTRACT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-108, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF A TORO SAND PRO 3040 INFIELD DRAG FOR THE PARKS AND RECREATION DEPARTMENT FROM JERRY PATE TURF & IRRIGATION, INC. IN THE TOTAL AMOUNT OF \$26,412.00; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE CITY OF MESA, ARIZONA'S CONTRACT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-109, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF TWO WALL PACK AIR CONDITIONING REPLACEMENT UNITS FOR THE WETLANDS TRANSMISSION PUMPING STATION FROM A&H HEATING AND AIR, LLC IN THE TOTAL AMOUNT OF \$32,000.00.**

**RESOLUTION NO. 24-110, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING THE PURCHASE OF TWO GENERAC TRAILER-MOUNTED DIESEL GENERATORS FOR THE UTILITIES DEPARTMENT FROM ACF STANDBY SYSTEMS, LLC IN THE TOTAL AMOUNT OF \$146,064.44; AND AGREEING TO BE BOUND BY THE TERMS AND CONDITIONS OF THE FLORIDA SHERIFFS ASSOCIATION CONTRACT GOVERNING THAT PURCHASE.**

**RESOLUTION NO. 24-111, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AUTHORIZING CAREFUL TRAFFIC CONTROL AND EXTRAORDINARY USAGE OF A PORTION OF FRONT BEACH ROAD (SR 30) TO PERMIT THE DIXIE SHRINE ASSOCIATION PARADE ON SATURDAY, APRIL 20, 2024, AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

Mayor Sheldon noted the Consent Agenda was available to Council. **Vice Mayor Casto moved to approve the Consent Agenda. Councilman Chester 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. 1639, AMENDING CHAPTER 8 OF THE CITY CODE, THIRD READING / PUBLIC HEARING.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Ordinance 1639 by title only. Attorney Davis reported this was the third reading of the Ordinance. Mr. Davis explained the last comprehensive amendment to Chapter 8 occurred in 2016. Mr. Davis added this comprehensive amendment brings Chapter 8 into conformity with state laws and the best practices of the Building Department.

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. **Councilman Chester moved to approve Ordinance 1639. Councilmember Coburn seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, **Ordinance 1639 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. RESOLUTION NO. 24-112, REVISING THE BUILDING DIVISION FEE SCHEDULE RELATED TO CHAPTER 8 OF THE CITY'S CODE OF ORDINANCES.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-1112 by title only. Attorney Davis recommended approval of the revisions to the Fee Schedule associated with the Chapter 8 amendments just adopted by Council in the previous item.

Mayor Sheldon called for public comments on Item #2. Hearing and seeing no comments, Mayor Sheldon closed the public comment period.

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 24-112. Councilmember Coburn seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Resolution No. 24-112 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. RESOLUTION NO. 24-113, APPROVING A TASK ORDER WITH INFRASTRUCTURE SOLUTION SERVICES, LLC RELATED TO THE FRANK BROWN PARK SITEWIDE STORMWATER DESIGN; AND DESIGNATING THE USE OF ARPA FUNDS FOR THE PROJECT.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-113 by title only. Mayor Sheldon called for public comments on Item #3.

1. Nancy Viejo, 117 Seaclusion Drive, Ms. Viejo inquired if this was part of Outfall Project.

Mayor Sheldon and Councilman Jarman reported no.

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

Mayor Sheldon invited Public Works Director Canning-Gobel to the podium. Director Canning-Gobel reported essentially this authorizes a master plan for Frank Brown Park’s stormwater infrastructure. Director Canning-Gobel added the Task Order authorizes an evaluation and prioritization of the entire Park’s stormwater management system, collection of data, evaluation of costs which will eventually lead to design and construction

Mayor Sheldon noted this item was available to Council. **Councilman Chester moved to approve Resolution 24-113. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Resolution No. 24-113 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. 24-114, APPROVING A LEASE AGREEMENT WITH THE BOYS AND GIRLS CLUB OF BAY COUNTY RELATED TO THE USE OF THE FRANK BROWN PARK COMMUNITY CENTER.**

Mayor Sheldon introduced City Attorney Cole Davis. Mr. Davis read Resolution 24-114 by title only. 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. Councilmembers noted their full support. **Councilman Chester moved to approve Resolution 24-114. Councilman Jarman seconded the motion.** Mayor Sheldon called for further discussion. Hearing and seeing none, Resolution No. 24-114 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

**NEW ITEM # 5 – SECURITY AT CIRCLE K**

Mayor Sheldon turned the floor over to Councilmember Coburn. Councilmember Coburn talked about her ride along with a PD K9 Officer, last weekend. Councilmember Coburn expressed concern that City and

Sherriff resources were being used to secure the area at and around Circle K. Councilmember Coburn talked about the one and only employee at Circle K who was overwhelmed with the kids causing problems at the store. Councilmember Coburn stated it was time for Circle K to become a more responsible business partner, that it was unfair to our residents and guests to have that amount of City resources being consumed by that one business. Councilmember Coburn recommended Legal send a strongly worded letter to Circle K to maintain its property in a safe manner.

Councilman Jarman asked Legal if the City had passed an Ordinance so the City could go back on a company for services. Councilman Chester reported the City had addressed this issue with Circle K many times in the past.

Mr. Davis reported yes, Council passed Ordinance 1579 related to parking lot nuisances and it provides Council and the Chief a great amount of authority to control parking lots, at the expense of the business, if the City can document crimes within 30 days. Mr. Davis added the Ordinance could certainly be revisited if Council so desired. Mr. Davis further reported that the City has written letters to Circle K in the past, however, he was unsure if Council had collectively written a letter to Circle K.

Councilman Chester reported in the past when the City reached out to the owner of the Circle K about these issues, the owner basically did not care.

Councilman Jarman inquired if under the current Ordinance had Circle K met all the requirements for the City to go after the business to pay for the services of the City.

Mayor Sheldon concurred with Councilmember Coburn and noted he too did a Police ride along that evening and talked about the store needing to be shut down that evening. Mayor Sheldon invited Chief Talamantez to the podium.

Chief Talamantez concurred with Council that Circle K had been a problem for the past 20 years. Chief Talamantez noted there are three triggers in the Ordinance that must take place. Chief Talamantez talked about his department's strategy that focusses on prevention. Chief Talamantez explained he does not allow the parking lot to get completely out of control. Chief Talamantez explained further that there is no way around putting Officers in that area. Chief Talamantez further discussed the Ordinance in place. Chief Talamantez thanked Councilmembers for coming out. Chief Talamantez reported the City has had a successful Spring Break so far. Chief Talamantez reported his department is keeping data on Circle K to send to the City Manager for a recommendation. Chief Talamantez concurred that Circle K had not been responsive to the City's recommendations in the past.

Councilman Jarman inquired if the Ordinance could be tied to the amount of resources expended. Mayor Sheldon further described some of the resources used last Saturday night, PCB Police Officers, the Bay County Sheriff and his Officers and FL Fish and Wildlife Officers. Chief Talamantez explained just by the nature of the location, with the two large resorts, and with Circle K being the only store within walking distance, you're going to have large amounts of visitors. Chief Talamantez stated he was open to suggestions from the Council, and he felt his Officers were doing a great job. Councilmember concurred. Mayor Sheldon recommended Circle K hire security officers. Chief Talamantez reported he was keeping data on the resources and time being used in the "elbow."

Councilman Jarman noted perhaps the Ordinance could be changed from three crimes in the area to the amount of resources to deter crime in the area. Mr. Davis recommended that he, the City Manager, and Chief Talamantez sit down and talk about this to give law enforcement more tools to take faster action. Mr. Davis inquired, in the meantime, does all of Council agree to sending a letter to Circle K. All

Councilmembers were in agreement. Councilmember Coburn asked Mr. Davis to send the letter by certified mail.

Councilman Chester inquired if Laketown Warf and the Shores of Panama had off-duty officers and/or security. Chief Talamantez reported this year Laketown Warf cancelled their security program. Chief Talamantez further discussed the private beach access essentially being used as a public access, because the gate at Laketown Warf remains open because of the volume of foot traffic. Chief Talamantez reported the department has been working with Walmart regarding their parking issues. Chief Talamantez further reported Walmart has been towing more cars from its lot on a daily basis. Discussion regarding where the volume of people are staying/coming from took place.

Councilman Chester recommended Laketown Warf, and the Shores of Panama step up their security.

Mayor Sheldon thanked Chief Talamantez.

**CITY MANAGER REPORT** –Manager Whitman thanked the City’s public safety forces for their continued support and hard work.

**CITY ATTORNEY REPORT** – No report.

**COUNCIL COMMENTS** – Mayor Sheldon called for comments from Council.


Councilmember Coburn thanked Director Joyner for organizing the Spring Market. Councilmember Coburn thanked the City’s first responders for working so hard during Spring Break. Councilman Chester concurred with Councilmember Coburn.

Vice Mayor Casto also thanked the City’s first responders and all city employees for working so hard during this Spring Break.

Mayor Sheldon reported, with respect to the comment about the city asking him to move his private event, that the TDC had asked him to move the event from Labor Day weekend to the first weekend in June. Mayor Sheldon reported they asked, and he was proud to do it. Mayor Sheldon further reported he abstains from voting on anything to do with his private event and multi-year contract events. Mayor Sheldon commented, with respect to Mr. Thompson’s comments that he gets \$10 million, that is a lie and has been a lie for four years. Mayor Sheldon added the City does the things necessary to support small business owners. Mayor Sheldon congratulated the Arnold High School Boys Soccer Team.

**With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 10:01 a.m.**

**READ AND APPROVED** this 11<sup>th</sup> day of April, 2024.

  
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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.