

The 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, held on July 12, 2018.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:  
PAUL CASTO  
PHIL CHESTER  
GEOFF MCCONNELL  
HECTOR SOLIS

CITY MANAGER:  
MARIO GISBERT  
CITY CLERK:  
JO SMITH  
CITY ATTORNEY:  
DOUG SALE

Mayor Thomas called the Regular Meeting to order at 6 P.M. with Council Members, City Manager, City Clerk and City Attorney present.

Councilman Chester gave the invocation and led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Regular Meeting of June 28, 2018 were read. **Councilman McConnell made the motion to approve the Minutes as prepared. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

Mayor Thomas asked if there were any additions or deletions to the Agenda. There were none. **Councilman Chester made the motion to approve the Agenda as prepared. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**PRESENTATIONS**

1 **BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD.** Councilman Chester introduced Mr. Lucas Smith and presented him with the Civic Achievement Award for exemplary service to the Beach Boys and Girls Club. The audience responded with applause.

**PUBLIC COMMENTS (REGULAR NON-PUBLIC HEARINGS AND CONSENT ITEMS)**

Mayor Thomas opened the Public Comments section of the meeting at 6:05 P.M. and invited comments. There were none. He closed the Public Comments section at 6:05 P.M.

**CONSENT AGENDA**

None

**REGULAR AGENDA**

**ITEM 1 RESOLUTION 18-115, MOONRAKER PLAT HORIZONTAL INFRASTRUCTURE COMPLETION AGREEMENT (HICA).** Mr. Sale read Resolution 18-115 by title and said the City received the \$50,000 letter of credit from the developer. The Mayor asked if there were any questions or comments; there were none. **Councilman Solis made the motion to approve Resolution 18-115. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 2 MOONRAKER PLAT APPROVAL, PUBLIC HEARING, CONTINUED.**

Mayor Thomas opened the Public Hearing at 6:08 P.M. Mr. Sale explained this Hearing concerned the request filed by the owners of the property to subdivide approximately 25 acres of land into 85 family residential parcels named "Moonraker." He asked the Council members for their Jennings Disclosures. Councilman Casto said he knew of the property and had spoken to no one. Councilman Chester said he knew the property's location and had spoken to Ms. Jenkins about the stormwater issues. Mayor Thomas said he had spoken to no one. Councilman Solis said he knew the property's location and had spoken to no one. Councilman McConnell knew the property's location and had spoken with no one. No one representing the developer was in attendance. Ms. Jenkins, Mr. Leonard, and Mr. Sale were sworn. Ms. Jenkins explained this was a proposed 85 residential lot subdivision on Middle Beach Road and Alf Coleman Road. This Public Hearing was properly noticed, and the subdivision complied with the City regulations. Moonraker plans to dedicate the roadways, infrastructure, sidewalks, and utilities to the City of Panama City Beach for maintenance and the City does have the resources to accept and maintain the improvements. Mr. Leonard explained the subject property was located within the City limits, was consistent with the Comprehensive Plan, and complied with the Land Development Code. Mr. Sale explained that the Plat contained a title certificate, surveyors certificate, and satisfied all requirements of the relevant Florida Statute. Mayor Thomas closed the Public Hearing at 6:13 P.M. **Councilman Solis made the motion to approve the Moonraker Plat. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 3 EXAMINING BOARD MEMBER APPOINTMENTS.** Mr. Leonard explained that the terms of four members of the Examining Board were expiring. All current members indicated they would serve again. He said Mr. Joe Free did not have a valid certificate in the City which was a requirement for Board membership. The City received one additional application from Mr. Keith Walker of Quincy's who wished to be considered for the Heating and Air Master position currently held by Mr. Free. Applications were submitted by Mr. Keith Walker, Mr. Robert Stumpf, Mr. Frank Woodford and Mr. James Ryerson. **Councilman McConnell made the motion to approve the Examining Board Member Appointments. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 4 BUILDING AND PLANNING DEPARTMENT JOB DESCRIPTION APPROVAL.** Mr. Leonard explained this was a request to approve a new Code Enforcement Manager position. This employee would help manage the workload and routes along with special enforcement projects. **Councilman Solis made the motion to approve the Code Enforcement Manager job description. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

## **DELEGATIONS**

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 6:16 P.M.

1 Mr. Paul Dalton, 107 Manistee. Mr. Dalton said at the last meeting the naming of the new City Hall was mentioned and he recommended it be named in honor of Sergeant Kevin Kight.

2 Mr. Burnie Thompson, 17292 Front Beach Road. Mr. Thompson explained that he had received an official response from Code Enforcement regarding the side parking at Mike's Diner. The response stated there was no City Ordinance that prohibited parking in the street as long as it did not block the entire street. According to City Ordinances, beach property owners were responsible for cleaning up after tourists and it was unlawful to litter and to allow litter to be deposited. He questioned if the beach between the waters of the Gulf of Mexico and the erosion control line belonged to the individual property owners or the government.

3 Mr. Jim McGuire, 249 Oxford Ave. Mr. McGuire asked how Bid-A-Wee had the authority to install locked gates since taxpayers paid to renourish the beach. He also suggested City parking should be free to residents.

4 Ms. Molly Allen, 16211 E Lullwater Drive. Ms. Allen requested the timing of the fireworks at the Veterans Memorial should match the 4<sup>th</sup> of July fireworks and not set fireworks off above people's homes.

The Delegations portion of the meeting was closed at 6:24 P.M.

Mayor Thomas addressed the gates at Bid-A-Wee. He explained the owners decided to gate the property, it was a private beach and they owned it. The beach renourishment was deemed by the TDC that the overall benefit to the beach was to not skip any places on the beach. The City's paid parking was provided at the Holiday Inn and Churchwell and both locations had meters. The public accesses on the beach were traditionally left as an easement for walking from the north side of the road to the south side. Those are all public parking areas.

## **ATTORNEY REPORT**

Mr. Sale explained there was discussion at the special meeting that preceded this meeting about height incentives and the potential of imposing a pending ordinance on limitation on height incentives. During the break, the City Manager mentioned to him that he would like the opportunity to examine what was in the works before moving forward with that. The second motion made by the Council during that meeting was a nullity.

## **CITY MANAGER REPORT**

Mr. Gisbert explained the trash on the beach, the day after the 4<sup>th</sup> of July, was problematic and a notice to all the properties was the fairest way to not single out any one property. The Ordinance stated that property owners were responsible on the beach side from the right-of-way which meant from the roadway all the way to the water's edge. Whether they owned it or not, it was their responsibility to keep it clean. The Ordinance was created in 2003 and intended to keep our beaches clean. At our last meeting, it was suggested to create a Board to help establish better guidelines for Frank Brown Park. In 2006, the Council approved a Resolution to form a Board. An item that was mentioned at a prior meeting was for Harley Davidson to follow the same rules as scooter businesses. Mr. Gisbert stated he went to Harley Davidson and received the information that the maximum deposit was \$100 if the customer paid for a \$37 insurance policy. The maximum deposit was \$500 if the customer chose not to purchase the insurance policy. Mr. Gisbert reported the job vacancies and notices to bid posted on the website.

## **CITY COUNCIL COMMENTS**

Councilman Chester thanked Mr. Ponek and his crew for a great job well done on the trash pickup after the July 4<sup>th</sup> holiday.

Councilman Solis stated the suggestion from Mr. Dalton in naming the new City Hall in honor of Sgt. Kight was a great idea. For clarification, the discussion on Bid-A-Wee, the gates did not stop people from going on the beach horizontally.

Councilman McConnell had no comments. Councilman Casto had no comments.


The meeting was adjourned at 6:37 P.M.

READ AND APPROVED this 26<sup>th</sup> of July, 2018.

**IN THE EVENT OF A CONFLICT BETWEEN THE FOREGOING MINUTES AND A VERBATIM TRANSCRIPT OF THESE MINUTES, THE FOREGOING MINUTES SHALL CONTROL.**

  
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Mayor

ATTEST:

  
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City Clerk