

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 September 13, 2018.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

HECTOR SOLIS

CITY MANAGER:

MARIO GISBERT

CITY CLERK:

JO SMITH

CITY ATTORNEY:

AMY MYERS

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

Pastor Ramon Duvall of the Beachside Fellowship Church gave the invocation and Councilman Chester led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Special Meeting/Budget Workshop of August 23 and the Regular Meeting of August 23, 2018 were read. **Councilman McConnell made the motion to approve the Minutes as written. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

Mayor Thomas asked if there were any additions or deletions to the Agenda. Mr. Gisbert asked to remove the Civil Service Board member appointment, part of Regular Item # 3, from the Agenda. The Planning Board appointments would remain. There were no objections. **Councilman Chester made the motion to approve the Agenda as amended. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

PRESENTATIONS

1 BOYS AND GIRLS CLUB CIVIC ACHIEVEMENT AWARD. Councilman Chester introduced Ms. Lorelei Aultman and presented her with the Civic Achievement Award for exemplary service to the Beach Boys and Girls Club. He then congratulated Lorelei and Ms. Latina Reed, Director, said a few words on why the Club picked her this month.

2 "BEACH CARE SERVICES MONTH" PROCLAMATION & PRESENTATION. Councilman Chester welcomed the Beach Care Services Board members to the podium as he read the Proclamation declaring September 2018 as "Beach Care Services Month". He presented the Proclamation to the Board members honoring the organization for their efforts in "helping locals help locals".

3 "DIAPER NEED AWARENESS MONTH" PROCLAMATION & PRESENTATION. Councilman Chester invited Ms. Christy Rogers and other members of the Junior League of Panama City to the podium as he read the Proclamation declaring September 24 through September 30, 2018 as "Diaper Need Awareness Week". The members thanked the Council for the Proclamation.

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

Mayor Thomas opened the Public Comments section of the meeting at 6:10 P.M. and invited comments. There were none. He closed the Public Comments.

CONSENT AGENDA

Ms. Smith read the Consent Agenda Items by title.

1 RESOLUTION 18-131, "MALL O WEEEN" ROAD CLOSURES. "A Resolution of the City of Panama City Beach, Florida, related to "Mall O Ween"; authorizing road closures on portions of Sea Monkey Way, Longboard Way, and Pier Park Drive between L.C.Hilton Drive and Front Beach Road on Wednesday, October 31, 2018 for the Event."

2 RESOLUTION 18-134, SHADDAI SHRINE TEMPLE FALL CEREMONIAL PARADE ROAD USAGE. "A Resolution of the City of Panama City Beach, Florida, authorizing careful traffic control and extraordinary usage of a portion of Front Beach Road (US 98) to permit the Shaddai Shrine Temple Fall Ceremonial Parade on the morning of Saturday, October 13, 2018; and providing an immediately effective date."

3 RESOLUTION 18-136, J.R. ARNOLD HIGH SCHOOL HOMECOMING PARADE. "A Resolution of the City of Panama City Beach authorizing the temporary closure of certain sections of North Alf Coleman Road, Market Street and North Richard Jackson Boulevard to permit the J. R. Arnold High School Homecoming Parade on October 5,2018."

Councilman Chester made the motion to approve the Consent Agenda. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

AMENDED REGULAR AGENDA

ITEM 1 RESOLUTION 18-125, NUISANCE ABATEMENT ASSESSMENT FINAL ASSESSMENT RESOLUTION, PUBLIC HEARING. Ms. Myers read Resolution 18-125 by title and explained there were eight properties being lie01ned totaling \$8,854.45. The Mayor asked the Council members if there were any questions or comments and there were none. He opened the Public Hearing at 6:13 P.M. and invited comments from the audience; there were none. Councilman McConnell made the motion to approve Resolution 18-125. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

ITEM 2 RESOLUTIUON 18-126, STORMWATER SERVICE ASSESSMENT INITIAL ASSESSMENT RESOLUTION, PUBLIC HEARING. Ms. Myers read Resolution 18-126 by title and explained the rates were not increased this year and only the fee for the uniform method of collection costs was added and noticed in the TRIM notices. At the request of Councilman McConnell, Ms. Myers gave a brief history of the Stormwater Assessment which began in 2006 with the same fees for the first ten years. She stated that these funds could only be used for specific projects and the Assessment totaled approximately \$1.6 Million Dollars per year. Ms. Jenkins added more details about specific Stormwater projects such as Sea Oats, Gulf Highlands, North Glades Channel, Hombre' and others. With no further questions, Mayor Thomas opened the Public Hearing at 6:16 P.M. and invited comments from the audience.

1 Mr. Bruce Biage, Palmetto Trace. Mr. Biage stated he opposed any increase to the Stormwater Assessment because Palmetto Trace treated their own stormwater. Ms. Myers said the Resolution included a mitigation process for those communities who took care of their own stormwater. There were no further comments. The Public Hearing was closed at 6:18 P.M.

Councilman Casto made the motion to approve Resolution 18-126. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

ITEM 3 PLANNING BOARD APPOINTMENTS. (Civil Service Board appointment removed from Agenda). The Council members made their selections on the paper ballots for the four seats and passed the votes to Ms. Smith to tabulate. **Copies of the paper ballots for Vote #1 are attached to and become an official part of these Minutes.**

ITEM 4 ORDINANCE 1467, WATER AND WASTEWATER IMPACT FEES, 1ST READING. Ms. Myers read Ordinance 1467 by title and explained that this Ordinance memorialized the recommendations made by the consultant a few meetings ago. This Ordinance reduced the Water Impact Fees and increased the Sewer Impact Fees. Mr. Gisbert reminded it would not take affect until ninety days after adoption. Mayor Thomas said this would only impact new construction and the existing rates had not been increased since 2000. He asked the Council members if there were any questions and there were none. **Councilman McConnell made the motion to approve Ordinance 1467. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

ITEM 3 PLANNING BOARD APPOINTMENTS (Continued). Ms. Smith announced that three (3) applicants received more than two (2) votes each, Mr. Patrick Hodges, Mr. Jason Morehouse, and Mr. David Scruggs. Four (4) other applicants received two (2) votes each. The City Clerk asked the Councilors to make their choices from the four applicants Mr. Ed Benjamin, Mr. Matthew Bush, Mr. Mark Caron and Mr. Steve Pozil. The Council members voted again for one applicant from among those four on their paper ballots and passed their votes to Ms. Smith to tabulate. **Copies of the paper ballots for Vote #2 are attached to and become an official part of these Minutes.**

ITEM 5 ORDINANCE 1468, SEWER AND RECLAIMED WATER RATE INCREASE, 1ST READING. Ms. Myers read Ordinance 1468 by title and explained that the Water rates were not increased, only the Sewer and Reclaimed Water rates were increased by two percent. The Mayor asked if there were any questions of Staff and there were none. **Councilman McConnell made the motion to approve Ordinance 1468. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

Councilman Solis stated that these rate increases were originally approved through progression in 2016 and the City still had the lowest rates in the County.

ITEM 3 PLANNING BOARD APPOINTMENTS (Continued). Ms. Smith announced that from the second set of votes, two (2) applicants received two (2) votes each, Mr. Matthew Bush and Mr. Mark Caron. She asked the Council members to vote for a third time with the choices Mr. Bush or Mr. Caron. The Councilors voted on their paper ballots and passed them to Ms. Smith to tabulate. **Copies of the paper ballots for Vote #3 are attached to and become an official part of these Minutes.**

ITEM 6 ORDINANCE 1469, BUILDING MAINTENANCE STANDARDS, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1469 by title and said this draft included the changes directed by Council to change the penalty schedule to weekly rather than daily. The Mayor asked if the Council members had any questions and there were none. He opened the Public Hearing at 6:25 P.M.

1 Mr. Burnie Thompson, 17292 Front Beach Road. Mr. Thompson read portions of the proposed Ordinance concerning debris and dirt and questioned if the regulations could be abused.

2 Mr. Gary Beck, 17009 Front Beach Road. Mr. Beck made comments about Code Enforcement coming onto private property, taking cars, climbing over fences, and taking intellectual property. He mentioned corrupt judges and corrupt lawyers.

3 Mr. Jimmy McGuire, Palmetto Trace. Mr. McGuire said it seemed these regulations could easily be abused and questioned the need for this Ordinance.

With no further questions, the Mayor closed the Public Hearing at 6:33 P.M. Councilman Solis explained that Staff brought this to the Council as they felt these new regulations would address some properties. He said one point omitted from the comments was that the area in question must be 25% or more of the wall or façade, and that Staff was expected to act judicially. Councilman Chester said he still had concerns about the 25% measurement and gave the example of not being able to measure grass. He understood the need for this Ordinance but questioned the measurements. Mayor Thomas said this proposed Ordinance covered the areas of concern very well, and all definitions were well described. He explained some subdivisions were clean and neat except one house that was not maintained, and Staff brought this recommendation to Council to help with the cleanup efforts. He said he agreed with the Ordinance and that it was overdue. **Councilman Solis made the motion to approve Ordinance 1469.** Mayor Thomas passed the gavel to Vice-Mayor Chester. **Second was by Mayor Thomas and the motion passed by majority roll call vote recorded as follows:**

Councilman Chester	Nay
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

Vice-Mayor Chester passed the gavel back to Mayor Thomas.

ITEM 7 ORDINANCE 1472, SUNDIAL STREET SMALL SCALE COMP PLAN AMENDMENT, 1ST READING. Ms. Myers read Ordinance 1472 by title and explained that the Planning Board recommended approval at their August meeting. The Mayor asked if there were any questions of Staff and there were none. **Councilman McConnell made the motion to approve Ordinance 1472. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

ITEM 8 ORDINANCE 1473, SUNDIAL STREET REZONING, 1ST READING. Ms. Myers read Ordinance 1473 by title and explained this was the rezoning for the same parcels as the prior Ordinance and was recommended for approval by the Planning Board at their August meeting. The Mayor asked if there were any questions of Staff and there were none. **Councilman Chester made the motion to approve Ordinance 1473. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Chester	Aye
Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Mayor Thomas	Aye

ITEM 3 PLANNING BOARD APPOINTMENTS (Continued). Ms. Smith announced that Mr. Mark Caron was appointed to the Planning Board by three (3) votes as Mr. Matthew Bush received two (2) votes.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 6:40 P.M.

1 Mr. Burnie Thompson, 17292 Front Beach Road. Mr. Thompson spoke of eminent domain and CRA assessments, hurting seniors and the middle class. He spoke of Ms. Hatcher's comments at the recent Town Hall meeting, Councilman McConnell's responses and Facebook postings from non-residents.

2 Mr. Jimmy McGuire, Palmetto Trace. Mr. McGuire spoke of the screening at the Chamber doorway and the Councilors not answering the questions from the audience members. He commented that people had complained to the Council about the Bid-A-Wee gate situation. He also questioned why a woman addressing the Council would have to give her name and address.

3 Mr. Gary Beck, 17009 Front Beach Road. Mr. Beck spoke of death threats and accusations of selling drugs. He again spoke of the stealing of his intellectual property, his money and his property.

4 Mr. Frank Sewell, Treasure Palms. Mr. Sewell thanked Councilman McConnell for his Town Hall meeting. He questioned when the repaving of Thomas Drive would start. Mayor Thomas said the issue for the City utilities would be discussed later in the meeting and the County would decide when to start the repaving.

There were no further comments and the Mayor closed the Delegations period at 6:50 P.M.

ATTORNEY REPORT

Ms. Myers had no report.

CITY MANAGER REPORT

Mr. Gisbert said a number of positions were being advertised and that recently there were thirty-eight (38) applicants for the nineteen (19) positions. He added that there were more applicants from postings on Facebook and social media. He announced the vacancies and the number of hits on the Facebook postings. He also asked Chief Couch to talk about their actions at the recent Gulf Coast Jam concert.

Chief Couch explain their response to a seizure during the recent Gulf Coast Jam and how his officers had done a great job not only handing the emergency but also getting the patient stabilized and to the ambulance. Councilman McConnell applauded the officers for their great work in saving the man's life.

Mr. Gisbert continued with information about the Gulf Coast Jam, commended the promoters for coordinating the evacuations of twenty-five thousand people in and out of the event, and the many conversations behind the scene to make it a great event.

COUNCIL COMMENTS

At the Mayor's request, Mr. Shortt explained the utility work to be done on Thomas Drive before Bay County can start the repaving. Mr. Shortt said the first part was design work and replacing manholes. He said in some sections provisions for future utility services was also being added. He continued that the contract had been let and advised that the new manhole covers would be delivered next week. The second part was moving the utilities out of the way from Joan to the curve. Staff expanded the scope of work to include Beach Drive and it took longer to receive the proper surveys. He said he hoped to have the project out to bid in six weeks and said the project would be \$3.5 Million Dollars. The construction would be in two pieces, the first part Thomas Drive to finish and be out of the County's way and the second to work on the Beach Drive section.

Councilman Casto asked about the gravity sewer in that section. Mr. Shortt explained the pipes would remain under the roadway and the manholes replaced with coated new structures.

Mayor Thomas said there was no point in the County repaving Thomas Drive without the City first fixing the utilities in the ground. Mr. Shortt said City Staff had not yet seen the drawings from the consultant in order to put the project out to bid and then determine a schedule for the City's work. In response to Councilman Chester's question concerning stormwater improvements, Mr. Shortt said he understood that now the County was mostly doing the roadwork. The Mayor stated that the County initially had not had the money for the work but now with the Half-Cent Sales Tax, they could move forward.

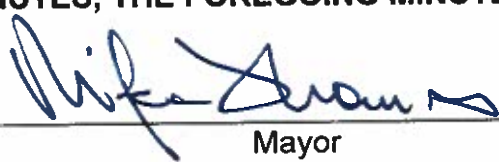
Councilman Solis made comments about the red tide and red blooms. He spoke of the runoff from fertilizer in the yards and phosphates getting into the water. He also encouraged those on septic tanks to connect to the sewer system. He mentioned being good stewards of the area to protect the beaches.

Mayor Thomas said it was easier to answer questions from the podium at the end of the comments. He said at every meeting, the Council listened to the same comments and were called the same names such as liars, thieves, and forbidders. He said he would not argue with the speakers as sometimes it was a case of just not agreeing. Regarding Bid-A-Wee, when the homeowners installed the gate, people came to the City to complain. People came to the County to sue the City and at the time he did not feel it was a County issue. Mayor Thomas recollected that the City and County attorneys agreed that there should be a prescriptive easements and if people would have complained via a lawsuit, some of those gates would have been removed. The Mayor said a complaint in legal matters was a lawsuit. He continued that no one filed. Related to Mr. Thompson's comments, the Mayor said he would not argue with him.

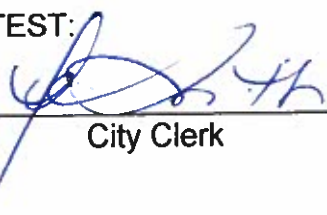
With nothing further, the meeting was adjourned at 7:08 P.M.

READ AND APPROVED this 27th of September, 2018.

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



Mayor

ATTEST:


City Clerk

1st vote
BALLOT

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

ED BENJAMIN (current member)
MATTHEW BUSH
MARK CARON
PATRICK HODGES
JASON MOREHOUSE
STEVE POZIL
DAVID SCRUGGS (current member)

4 Choices:

Ed Benjamin
P. Hodges
S. Pozil
D. Scruggs

[Signature]
Signature 9/13/18

1st vote
BALLOT

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

ED BENJAMIN (current member)
MATTHEW BUSH
MARK CARON
PATRICK HODGES
JASON MOREHOUSE
STEVE POZIL
DAVID SCRUGGS (current member)

4 Choices:

ED BENJAMIN
MARK CARON
PATRICK HODGES
JASON MOREHOUSE

[Signature]
Signature 9/13/18

1st vote
BALLOT

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

ED BENJAMIN (current member)
MATTHEW BUSH
MARK CARON
PATRICK HODGES
JASON MOREHOUSE
STEVE POZIL
DAVID SCRUGGS (current member)

4 Choices:

Math Bush
Patrick Hodges
Jason Morehouse
David Scruggs

[Signature]
Signature 9/13/18

1st vote
BALLOT

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

ED BENJAMIN (current member)
MATTHEW BUSH
MARK CARON
PATRICK HODGES
JASON MOREHOUSE
STEVE POZIL
DAVID SCRUGGS (current member)

4 Choices:

Matthew Bush
Patrick Hodges
Jason Morehouse
David Scruggs

[Signature]
Signature 9/13/18

1st vote
BALLOT

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

ED BENJAMIN (current member)
MATTHEW BUSH
MARK CARON
PATRICK HODGES
JASON MOREHOUSE
STEVE POZIL
DAVID SCRUGGS (current member)

4 Choices:

[Signature]
Signature 9/13/18

2nd vote for 1
BALLOT

2018

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

- ED BENJAMIN (current member)
- MATTHEW BUSH
- MARK CARON
- ~~PATRICK HODGES~~
- ~~JASON MOREHOUSE~~
- STEVE POZIL
- DAVID SCRUGGS (current member)

4 Choices:

Solis

Signature 9/13/18

2nd vote for 1
BALLOT

2018

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

- ED BENJAMIN (current member)
- MATTHEW BUSH
- MARK CARON
- ~~PATRICK HODGES~~
- ~~JASON MOREHOUSE~~
- STEVE POZIL
- DAVID SCRUGGS (current member)

4 Choices:

Mark Caron

Caron

Signature 9/13/18

2nd vote for 1
BALLOT

1st Council

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

- ED BENJAMIN (current member)
- MATTHEW BUSH
- MARK CARON
- ~~PATRICK HODGES~~
- ~~JASON MOREHOUSE~~
- STEVE POZIL
- DAVID SCRUGGS (current member)

4 Choices:

Mark Caron

1st Council

Signature 9/13/18

2nd vote for 1
BALLOT

1st Council

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

- ED BENJAMIN (current member)
- MATTHEW BUSH
- MARK CARON
- ~~PATRICK HODGES~~
- ~~JASON MOREHOUSE~~
- STEVE POZIL
- DAVID SCRUGGS (current member)

4 Choices:

Mark Caron

Mayor

Signature 9/13/18

2nd vote for 1
BALLOT

1st Council

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

- ED BENJAMIN (current member)
- MATTHEW BUSH
- MARK CARON
- ~~PATRICK HODGES~~
- JASON MOREHOUSE
- STEVE POZIL
- DAVID SCRUGGS (current member)

4 Choices:

Matthew Bush

Chester

Signature 9/13/18

3rd vote
BALLOT

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

- ED BENJAMIN (current member)
- MATTHEW BUSH
- MARK CARON
- PATRICK HODGES
- JASON MOREHOUSE
- STEVE POZIL
- DAVID SCRUGGS (current member)

4 Choices:

Matthew Bush

Ph
Signature 9/13/18

3rd vote
Mark Caron
Miguel
Hoye

3rd vote
BALLOT

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

- ED BENJAMIN (current member)
- MATTHEW BUSH
- MARK CARON
- ✓ PATRICK HODGES
- ✓ JASON MOREHOUSE
- ✓ STEVE POZIL
- ✓ DAVID SCRUGGS (current member)

4 Choices:

Matthew Bush

Paul R. Cobb
Signature 9/13/18

3rd vote
Scott McConell
MARK CARON
McConell

3rd vote
BALLOT

Council selections for four Planning Board members. 4 year terms will run through September, 2022.

- ED BENJAMIN (current member)
- MATTHEW BUSH
- MARK CARON
- PATRICK HODGES
- JASON MOREHOUSE
- STEVE POZIL
- DAVID SCRUGGS (current member)

4 Choices:

Solis

Signature 9/13/18