

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 27, 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 9 A.M. with all Council members, City Manager, City Clerk and City Attorney present.

Mayor Thomas gave the invocation and Councilman McConnell led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Special Meeting/Utility Fund Budget Workshop of September 13 and the Regular Meeting of September 13, 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 McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

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

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

PRESENTATIONS

1 MOONEY SUMMIT VI, BETTER THE BREED PRESENTATION- DR. RON DUBIN. Councilman McConnell invited Dr. Dubin to the podium to talk about the Mooney Summit VI. Dr. Dubin said the event was in its sixth year with 170 people and over 100 planes coming for the weekend. He gave details about the event and invited the public to the Friday free events at the airport.

2 "NATIONAL FALLEN FIREFIGHTERS MEMORIAL SERVICE WEEKEND" PROCLAMATION & PRESENTATION. Councilman McConnell invited Chief Larry Couch to the podium as the Councilor read the Proclamation designating October 6-7, 2018 as "National Fallen Firefighters Memorial Service Weekend" and advising that the flags would be half-staff on Sunday, October 7th. Chief Couch thanked the Council for the recognition of the event.

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

Mayor Thomas opened the Public Comments section of the meeting at 9:12 A.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 18-140, "PIER PARK SEAFOOD FESTIVAL" ROAD CLOSURES. "A Resolution of the City of Panama City Beach, Florida, related to the "Pier Park Seafood Festival"; authorizing road closures on portions of Pier Park Drive between Sea Monkey Way and Longboard Way on Saturday, November 10, 2018 for the Event."

2 RESOLUTION 18-135, "IRONMAN FLORIDA TRIATHLON" ROAD USAGE. "A Resolution of the City of Panama City Beach, Florida, related to the "Ironman Florida Triathlon"; authorizing extraordinary traffic control on portions of South Thomas Drive, Thomas Drive, Surf Drive, Front Beach Road, West Pier Park Drive, Pier Park Drive, Bay Parkway and SR 79 on Friday, November 2, 2018 and Saturday, November 3, 2018 for the Event as more particularly set forth in the body of the Resolution."

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

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

REGULAR AGENDA

ITEM 1 ORDINANCE 1467, WATER AND WASTEWATER UPDATED IMPACT FEES, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1467 by title and said this Ordinance memorialized the consultant's recommendations and that the Impact Fees had not been updated since 2000. Mayor Thomas opened the Public Hearing at 9:15 A.M. and invited comments from the audience. There were none. He closed the Public Hearing at 9:15 A.M. **Councilman McConnell made the motion to approve Ordinance 1467. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 2 ORDINANCE 1468, SEWER AND RECLAIMED WATER FY19 RATE INCREASE, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1468 by title and explained this rate increase was 2% for the Sewer and Reclaimed Water and none for Water. The Mayor opened the Public Hearing at 9:16 A.M. and invited comments from the audience.

Mr. Frank Sewell stated that his neighborhood opposed the Ordinance. The Mayor asked if there were any more comments and there were none. He closed the Public Hearing at 9:17 A.M. **Councilman Solis made the motion to approve Ordinance 1468. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 3 ORDINANCE 1471, PARKS & RECREATION BOARD MEMBERSHIP, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1471 by title. The Mayor opened the Public Hearing at 9:17 A.M. and invited audience comments or questions. There were none. He closed the Public Hearing at 9:18 A.M. **Councilman Chester made the motion to approve Ordinance 1471. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 4 CIVIL SERVICE BOARD APPOINTMENT. Mayor Thomas said the ballots were to be used to vote for the Civil Service Board member and he advised the audience that the signed ballots were public records. The Council members voted and passed the signed ballots to Ms. Smith to tabulate. She announced that Mr. John Reichard received three (3) votes and Mr. James Turner received two (2) votes.

Copies of the signed ballots for the Civil Service Board member are attached to and become an official part of these Minutes.

ITEM 5* RESOLUTON 18-137, ADOPTION OF THE AMENDMENT TO THE 2017-2018 CRA AGENCY BUDGET AND ADOPTION OF THE PROPOSED 2018-2019 CRA AGENCY BUDGET. This item was one in which the City Council also acted as the Community Redevelopment Agency and voted as both. Ms. Myers read Resolution 18-137 by title. The Mayor asked if there were any questions or comments by Council. There were none. **Councilman Chester made the motion to approve Resolution 18-137. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 6 RESOLUTION 18-138, AMENDING FISCAL YEAR 2017-2018 CITY BUDGET. Ms. Myers read Resolution 18-138 by title and explained this and the next Budget Resolution were the result of the Public Hearings and Workshops held earlier this year. The Mayor asked if there were any comments from the other Council members and there were none. **Councilman Solis made the motion to approve Resolution 18-138. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 7 RESOLUTION 18-139, ESTABLISHING FISCAL YEAR 2018-2019 CITY BUDGET. Ms. Myers read Resolution 18-139. Mayor Thomas asked the other Council members if there were any questions or comments; there were none. **Councilman Solis made the motion to approve Resolution 18-139. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 8 PLANNING BOARD CHAIR APPOINTMENT. Mayor Thomas asked the other Council members to vote for the Chair, sign the ballot, and pass the vote to Ms. Smith to tabulate. Ms. Smith announced that Mr. Mark Sheldon received four (4) votes and Mr. Paul Turner received one (1) vote.

Copies of the signed ballots for the Planning Board Chair are attached to and become an official part of these Minutes.

ITEM 9 ORDINANCE 1474, BAY PARKWAY AND NORTH PIER PARK DRIVE SCENIC CORRIDORS, 1ST READING. Ms. Myers read Ordinance 1474 by title and explained that Staff recommended the change which memorialized the limited access roads. She explained the effect of the change in adding these roads in the Scenic Corridors and the design requirements. Ms. Myers added that the Planning Board recommended approval and made an additional recommendation to limit the height of the Bay Parkway monument signs to no greater than six feet (6'). The Planning Board felt the twenty feet (20') was too high.

Councilman Chester asked about the lighting requirements with it now being classed as a Scenic Corridor. Ms. Myers said no changes had been made expressly in that category. Councilman Casto said that the designs for the new extension should have the conduit for the lighting as it was dark in those areas. Mayor Thomas mentioned that Front Beach Road was getting dark and very dangerous at the crossings.

Mayor Thomas said he opposed the six foot (6') height and commented about the landscaping around the signs and low visibility for such low signs. He agreed with making the roadways limited access. Ms. Myers said the Council could strike that change and the default height would be twenty feet (20'). Mr. Gisbert added that six feet (6') would be a minimalistic sign and would not be able to accommodate a sign such as that at the CRI building near Nautilus with its numerous faces. Mr. Leonard said Staff did not propose any changes to the sign height and twenty feet (20') worked fine. He elaborated.

Mayor Thomas suggested striking the six foot (6') height. Councilman Solis agreed that there should be more discussion and concurred in striking the six foot (6') limit. **Councilman Solis made the motion to approve Ordinance 1474 and striking the six foot (6') height limit on the signs. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 10 ORDINANCE 1464, SIGNS ON THE SANDY BEACH, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1464 by title and said the Planning Board recommended approval. This Ordinance was tailored as narrowly as possible to address the signs which would exclude people from the recreational use of the sandy beach. Mayor Thomas opened the Public Hearing at 9:30 A.M.

Ms. Sharon Boyk asked for clarification as to private and public beaches. Ms. Myers responded and explained the City's position was that the beaches were public and all sand below the erosion control line was in trust for the public. The purpose of this Ordinance was to avoid the signage, obstructions and fences as seen over in Walton County where they do not have renourishment and the tradition of public recreational use. Ms. Boyk commented about prior problems with tents and if the HOA could ban people from in front of their resort.

Councilman Solis spoke of rights of private property and customary use. He suggested everyone should work together. He suggested speaking with their attorney about their property rights. Councilman McConnell agreed with the distinction between the erosion control line and the high-water line. Mayor Thomas closed the Public Hearing at 9:35 A.M. **Councilman Casto made the motion to approve Ordinance 1464. Second was by Councilman Chester and the motion passed by majority roll call vote recorded as follows:**

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

ITEM 11 ORDINANCE 1472, SUNDIAL STREET SMALL SCALE COMP PLAN AMENDMENT, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1472 by title. Mr. Leonard said the Planning Board and Staff recommended approval. The Mayor opened the Public Hearing at 9:38 A.M.

Ms. Joni Burke said she was the acting agent for the owners and that the intent of these Ordinances was to allow short-term rentals.

Mayor Thomas asked if there were any further questions or comments. There were none. He closed the Public Hearing at 9:39 A.M. **Councilman Chester made the motion to approve Ordinance 1472. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 12 ORDINANCE 1473, SUNDIAL STREET REZONING, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1473 by title. The Mayor opened the Public Hearing at 9:40 A.M. and invited comments. There were none. He closed the Public Hearing at 9:40 A.M. **Councilman McConnell made the motion to approve Ordinance 1473. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 9:41 A.M.

1 Mr. Gary Beck spoke of threats, harassment, no water or lights at his residence, and funds from the BP oil spill.

2 Ms. Genese Hatcher suggested that someone help Mr. Beck with his problems and anger.

With no further comments, The Mayor closed the Delegations period at 9:45 A.M.

ATTORNEY REPORT

Ms. Myers had no report.

CITY MANAGER REPORT

Mr. Gisbert commended Staff and the City Attorney for the work in purchasing a parcel for CRA Segment 3 through cooperative negotiation without the prospect of eminent domain. He read the positions currently available on the City website and the Bids currently posted. He also said the additional parking spaces had been prepared at the Conservation Park and the trees which were removed were mulched and that the free mulch was available to the public.

COUNCIL COMMENTS

Councilman Chester announced that Firefighter Anthony Malko had been selected as the Firefighter of the Year by the Optimist Club and he congratulated FF. Malko.

Councilman Solis thanked Dr. Dubin for bringing the Mooney pilots to the beach. He also spoke of the Warrior Beach Retreat occurring later today with the parade starting at 4:00 P.M.

Councilman McConnell made comments about the Sewer & Reclaimed Water increase which would not keep up with inflation and something the City did annually to avoid a large rate hike. He also thanked Chief Whitman for the increased law enforcement presence in the neighborhoods.

Mayor Thomas reminded that the Public Hearings meeting would begin at 10:00 A.M.

With nothing further, the meeting was adjourned at 9:52 A.M.

READ AND APPROVED this 25th of October, 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


BALLOT

Council selection for Civil Service Board member, filling one seat. Term will run through September, 2020.

JOHN REICHARD
JAMES TURNER

James Turner

Choice:


Signature 9/27/18
Custer

BALLOT


Council selection for Civil Service Board member, filling one seat. Term will run through September, 2020.

JOHN REICHARD
JAMES TURNER

JAMES TURNER

Choice:

JAMES TURNER


Signature 9/27/18


BALLOT

Council selection for Civil Service Board member, filling one seat. Term will run through September, 2020.

JOHN REICHARD
JAMES TURNER

John Reichard

Choice:

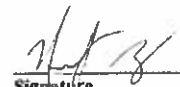

Signature 9/27/18

BALLOT

Council selection for Civil Service Board member, filling one seat. Term will run through September, 2020.

JOHN REICHARD
JAMES TURNER

Choice:


Signature 9/27/18
Solis

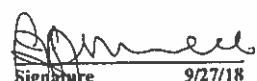
BALLOT

Council selection for Civil Service Board member, filling one seat. Term will run through September, 2020.

JOHN REICHARD
JAMES TURNER

Choice:

JOHN REICHARD


Signature 9/27/18
McCowell

BALLOTS

PLANNING BOARD CHAIRMAN (for 1 year)

MARK CARON
PATRICK HODGES
JASON MOREHOUSE
MARK SHELDON
DAVID SCRUGGS
PAUL TURNER
JOSH WAKSTEIN

1 Choice:

Mark Sheldon



Signature 9/27/18

BALLOTS

PLANNING BOARD CHAIRMAN (for 1 year)

MARK CARON
PATRICK HODGES
JASON MOREHOUSE
MARK SHELDON
DAVID SCRUGGS
PAUL TURNER
JOSH WAKSTEIN

1 Choice:


Signature 9/27/18

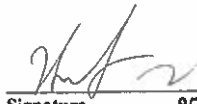
BALLOTS

PLANNING BOARD CHAIRMAN (for 1 year)

MARK CARON
PATRICK HODGES
JASON MOREHOUSE
MARK SHELDON
DAVID SCRUGGS
PAUL TURNER
JOSH WAKSTEIN

1 Choice:

Mark Sheldon


Signature 9/27/18
Solis

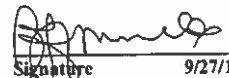
BALLOTS

PLANNING BOARD CHAIRMAN (for 1 year)

MARK CARON
PATRICK HODGES
JASON MOREHOUSE
MARK SHELDON
DAVID SCRUGGS
PAUL TURNER
JOSH WAKSTEIN

1 Choice:

MARK SHELDON


Signature 9/27/18
McCoull

BALLOTS


PLANNING BOARD CHAIRMAN (for 1 year)

MARK CARON
PATRICK HODGES
JASON MOREHOUSE
MARK SHELDON
DAVID SCRUGGS
PAUL TURNER
JOSH WAKSTEIN

1 Choice:

Mark Sheldon

Mark Sheldon


Signature 9/27/18
Chester