

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 August 22, 2019.

ROLL
MAYOR MIKE THOMAS

COUNCILORS:
PAUL CASTO
PHIL CHESTER
GEOFF MCCONNELL
HECTOR SOLIS

CITY MANAGER:
MARIO GISBERT
CITY CLERK:
MARY JAN BOSSERT
CITY ATTORNEY:
AMY MYERS

Mayor Thomas called the Regular Meeting to order at 9 a.m. with all Councilmen, the City Manager, City Clerk, and City Attorney present.

Pastor Wayne Asprodites of Destiny Worship Center gave the invocation and Councilman McConnell led the Pledge of Allegiance.

Mayor Thomas announced the upcoming Community Events and expressed his condolences for the loss of Mr. Ross Elder. He explained that Mr. Elder retired from the Police Department several years ago and was loved by everyone. Mayor Thomas express that Mr. Elder would be missed greatly.

The Minutes of the Regular Meeting July 25, 2019 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. Councilman Casto requested to add Lifeguard Discussion and Glades Update. **Councilman McConnell made the motion to approve the agenda with the additions. 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

PRESENTATIONS

1 **BUILDING AND PLANNING DEPARTMENT UPDATE.** Mr. Leonard gave a PowerPoint presentation on the Building and Planning Department. He gave a brief overview of the Building, Business Licensing, Code Enforcement, and Planning division. He presented historical development information. He presented a chart that displayed permit fee collections. He explained the City boards which fall within the Planning Department. Discussion ensued.

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

Mayor Thomas opened the Public Comments section of the meeting at 9:18 a.m. and invited comments.

1 Genese Hatcher – Ms. Hatcher spoke of her opposition to CRA Assessment and the trolley system. She commented it will shut down homes and businesses bringing in money for the business license tax, and will take away parking in front of houses and

businesses. She noted her love for the City and pleaded the Council act in its best interests.

2 Colleen Swab, California Cycles – Ms. Swab asked about the term and scope of the CRA assessment. She expressed concern over the cost to business owners and the City’s intent to provide transportation services.

3 Burnie Thompson, 17292 Front Beach Road – Mr. Thompson asserted that all assessments are taxes by another name. He alleged the Council was wasting money on consultants and building a new City hall.

He closed the Public Comments at 9:25 a.m.

Mayor Thomas explained the CRA was established in 2001 and must be followed through its completion. He explained the Council was required to create an assessment to help pay for the operations and maintenance of the project.

Mayor Thomas denied that the City was planning on entering the transportation business. Councilman McConnell explained residents in the CRA borders took a risk knowing that development may come through the area. The Councilman explained that the City is primarily improving the right-of-way under its existing rights. Councilman Solis commented it is good to see sidewalks being utilized and underground power being put in, in case of storms. He commented beautification only increases property value. He explained when a property is bought, you take on the responsibility to maintain the yard and other things. He commented this is an example of what the Council is doing, taking responsibility and maintaining what is bought. Discussion ensued.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Items by title.

ITEM 1 RESOLUTION 19-120, DEWBERRY TASK ORDER – BID-A-WEE WATER SYSTEM IMPROVEMENTS. *“A Resolution of the City of Panama City Beach, Florida approving Task Order #2019-02 to the Master Services Agreement for Water Utility Engineering Services with Dewberry Engineers, Inc., related to Bid-A-Wee Water System Improvement in the amount of \$133,300; authorizing execution and providing an immediately effective date.”*

ITEM 2 RESOLUTION 19-130, IRONMAN FLORIDA. *“A Resolution of the City of Panama City Beach, Florida related to the “Ironman Florida Triathlon”; authorizing extraordinary traffic control of 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 1, 2019, and Saturday November 2, 2019 for the event as more particularly set forth in the body of the Resolution.”*

ITEM 3 RESOLUTION 19-131, PIRATES OF THE HIGH SEAS FESTIVAL ROAD CLOSURE. *“A Resolution of the City of Panama City Beach, Florida related to the “Pirates of the High Seas Festival”; authorizing closure of portion of LC Hilton, Jr. Drive, Sea Monkey Way, Longboard Way and Pier Park Drive on October 11 and 12, 2019 for the event; and authorizing closure of a portion of Powell Adams Road and the temporary usage of a portion of Front Beach Road on October 12 to permit the event’s parade.”*

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 RESOLUTION 19-132, EMPLOYEE PHYSICALS. Ms. Myers read Resolution 19-132 by title. There were no comments.

Councilman McConnell made the motion to approve Resolution 19-132. 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 2 ORDINANCE 1495, SEWER AND RECLAIMED WATER RATE INCREASE, 1ST READING. Ms. Myers read Ordinance 1495 by title. Councilman Solis commented the City has the lowest rates for sewer and water in the entire Bay County area. He commented he is thankful that the City had good management over these systems. Councilman McConnell stated the rates are a part of a five-year plan that has already been laid out and is scheduled to increase. Discussion ensued.

Councilman Solis made the motion to approve Ordinance 1495. 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 1496, ILLICIT DISCHARGE (MS4), 1ST READING. Ms. Myers read Ordinance 1496 by title. There were no comments.

Councilman McConnell made the motion to approve Ordinance 1496. 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 4 ORDINANCE 1497, PERSONAL FLOATATION DEVICES, 1ST READING. Ms. Myers read Ordinance 1497 by title. The Mayor asked if there were any Council questions or comments. Councilman Chester asked who would be selling the floatation devices. Ms. Myers explained currently there is a limited list of what the beach businesses can sell on the beach and right now, which does not include personal floatation devices. She explained the proposed ordinance allows beach services to make those devices available for sale or rent. Councilman Casto explained the two types used for lifeguards. The floatation devices that will be required to be kept at the huts are type IV floatation devices. He commented the floatation devices that are sold may not be those types. He commented he believes this is progress.

Councilman Casto made the motion to approve Ordinance 1497. 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 5 ORDINANCE 1498, FRONT BEACH ROAD ASSESSMENT, 1ST READING. Ms. Myers read Ordinance 1498 by title. Mayor Thomas explained the original CRA documents authorizes the city to collect an assessment from those benefitting from the CRA. He explained the CRA plan defines the boundaries, and those within the boundaries are those who will be assessed. He commented the Council has chosen not to assess the entire City, even though the entire City will receive benefits from the project.

Councilman Solis made the motion to approve Ordinance 1498. 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 APPROVAL OF JOB DESCRIPTIONS. Ms. Myers explained lifeguards are being transitioned into the fire department and in order to make those changes, new job descriptions were developed. She explained other job descriptions were developed for new positions approved by the Council in the new budget. She explained staff requests approval of the new or revised job descriptions for Beach Rescue Lifeguard – Seasonal; Beach Rescue Division Director; Beach Rescue Responder; Beach Rescue Responder Supervisor; Parks Maintenance – Mechanic – Full Time; Aquatics and Pier Supervisor; and Public Works Field Supervisor III. The Council had no comments. **Councilman Chester made the motion to approve the job descriptions. 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 7 FIRE PENSION BOARD MEMBER APPOINTMENT. Ms. Myers explained the fire pension board has a vacancy, there were two applicants. She explained the appointment could be made by motion or ballot. Ballots were handed to the City Clerk by all council members present. **Ms. Bossert stated by majority vote Jonathan Miller is appointed to the Fire Pension Board.**

ITEM 8 LIFEGUARD DISCUSSION. Councilman Casto explained they held a Beach Safety Workshop earlier in the month and ideas were shared on how to put lifeguards on the beach. He commented the TDC does not qualify for an additional one-cent tourist development tax, but there are other options. He commented this is a serious problem in our community.

Councilman Casto suggested public-private partnership since the city is covered under sovereign immunity some of the neighbors of business communities suggested that they would be interested in hiring lifeguards from the City. He commented if the City ran the program, trained lifeguards and provided lifeguards under an agreement with property owners that could be a good option. He stated the program could be built over time. Councilman Solis agreed and requested Chief Couch find out what the cost would be per lifeguard because people have approached him that are willing to move forward quickly, they would take the bulk of the expense while the City manages the program. He commented the first step is finding out the cost and how serious people are as to whether they are willing to take that burden on. He stated we can't move forward without knowing the cost. Mr. Gisbert stated Chief Couch spent the weekend over in Jacksonville and gathered good information.

Chief Couch explained he spent five days in St. John's County reviewing their lifeguard program. He explained St. John's program has substantial help through a Red Cross administered awareness program. Under that program, non-lifeguards patrol the beach on four-wheelers and keep people out of the water. He commented people have volunteered wave runners or four-wheelers and he is looking into a similar volunteer program. He explained St. John's had a side-by-side UTV that has a swivel seat if you find your density areas and the lifeguard places the UTV there. He commented it would be a good solution because an umbrella could be placed where gear and radio are readily available. He explained most of the volunteers were community helpers and some were retired that want to do something for the community. Councilman Solis stated they warn people but are not there to enforce anything.

Councilman Casto recommended raising the fee for the pedestrian walk on the pier by a dollar or two in order to hire two lifeguards. He commented progress needs to be made. Councilman Solis suggested getting comparable prices from other cities for their pier charges before the Council decides to raise rates. He explained the City is missing out on a great amount of revenue on the paid parking lots, this area needs to be monitored. He suggested engaging with TDC for educational program assistance. Mayor Thomas instructed Chief Couch to bring back a price per lifeguard and what the City could lease a lifeguard for. He instructed Mr. Ponek to bring back pier prices along the coast. Mr. Gisbert stated staff will bring back a comprehensive study on the regional piers and what

their fees are. He explained a regional study on parking will be completed. He explained Mr. Campbell has been working on a system whereby patrons can pay for parking by mobile app as opposed to the stations that are there.

Mayor Thomas noted a recent drowning in the Gulf occurred at 1:30 a.m. and regretted that no lifeguard program will save every life that enters the water. He commended the significant changes and progress being made. Discussion ensued.

ITEM 9 GLADES UPDATE. Councilman Casto commented he continues to receive calls and emails for the residence of the Glades. He suggested the two bodies get together and communicate to come to some terms because it's a complicated issue. He asked for an update from the City Manager. Mr. Gisbert explained the Building and Planning Department has retained outside counsel because the City Attorney's firm has a conflict. He commented he will follow the Council's recommendation. Discussion ensued over whether the City could act as a mediator of the dispute between the homeowners and developer. Mr. Leonard explained they have not received an application from a developer for that area. Councilman Casto expressed a desire that the City Manager attempt to mediate the dispute. Councilman McConnell and Mayor Thomas stated that they did not believe it was the City's place to get involved.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 10:24 a.m.

1 Diana Holmes, 302 S. Glades Trail – Ms. Holmes thanked the Council for the recent discussion on the Glades. She commented predominately the issue continues to be privacy and loss of property rights and security.

2 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson stated the Council should be more concerned with what is happening to the Glades community. He stated code enforcement is not enforcing the grass being cut, the golf course subdivision looks terrible. He spoke of the Mayor's restaurant and parking issues.

3 Genese Hatcher, 601 Gardenia – Ms. Hatcher commented the Council has chosen select individuals to pay the CRA assessment, while everyone else benefits. She commented certain people are being targeted.

4 June Kennedy, Glades Turn – Ms. Kennedy stated she was upset, she commented she is 72 years old and doesn't want to move, she expressed her concern for privacy if townhomes are built in the Glades.

With no further comments, Mayor Thomas closed the Delegations period at 10:45 a.m.

Mayor Thomas commented he has been friends with George Roberts, owner of the Hombre Golf Course, for many years and would not treat him any different from anyone else. He commented he has numerous friends that live in the Glades and have known them longer than Mr. Roberts. Mayor Thomas called Mr. Leonard to the podium to discuss the maintenance of the golf course. Mr. Leonard explained the owner is focusing on the areas around the houses and has not finished. He stated everyone will see a significant improvement in the next couple of weeks.

ATTORNEY REPORT

Ms. Myers explained in regard to the right of way assessments, the notice for stormwater has been published in the newspaper, CRA and Fire would be published the following day. She explained the City will launch a search engine allowing residents search their property and see what the amount of the proposed assessments. She explained resolutions adopting various assessments would be present at the next council meeting. She explained she does not have a contract in place for a city manager search consultant yet but would present a contract at the next Council meeting.

CITY MANAGER REPORT

Mr. Gisbert read the open bids and available jobs.


COUNCIL COMMENTS

Mayor Thomas explained a budget workshop will follow this meeting.

With nothing further, the meeting was adjourned at 10:43 a.m.

READ AND APPROVED this 26th of September, 2019.

**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