

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 October 24, 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.

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

Mayor Thomas announced the upcoming Community Events.

The Minutes of the Special Meeting of September 23, 2019 were read. **Councilman Chester made the motion to approve the Minutes as written. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

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

Mayor Thomas asked if there were any additions or deletions to the Agenda. Ms. Myers requested to add a multimodal site discussion, Councilman Solis requested to add a TPO discussion and Councilman Casto requested to add a trolley discussion. **Councilman Chester made the motion to approve the Agenda with the additions. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

PRESENTATIONS

- 1 KESIA MILNER, U.S. CENSUS BUREAU.** Ms. Milner commented she is a PCB local and a partnership specialist for the U.S. Census Bureau. She explained in March, invitations to participate in the 2020 census will be mailed out to residences. She explained the decennial census happens every ten years. She explained 675 billion dollars in annual funds from the Federal Government will be distributed depending on community participation. She explained these funds are spent on schools, hospitals, roads, and different infrastructure and that the census is a vital program for the community. She continued that this year, for the first time, residences will be invited to complete their census online. She encouraged the community to participate to complete their census. She explained the goal of the 2020 census is to count everyone only once and in the right place as of April 1st. She also explained the U.S. Census Bureau will be hiring temporary positions. She thanked the Council for their time.

Mayor Thomas explained the importance of community participation due to the distribution of government money.

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

Mayor Thomas opened the Public Comments section of the meeting at 9:10 a.m. and invited comments.

1 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson spoke against Ordinance 1501 as improperly targeting short term rentals in violation of the 14th Amendment. Mr. Thompson also opposed approving the Gulf Coast Jam Facility Use Agreement Agenda item, stating it is a conflict of interest. He asserted that the contract is improperly preferential because Mark Sheldon is the Chair of the Planning Board, the Chief Operating Officer for Gulf Coast Jam, and expected Mayoral candidate for the City of Panama City Beach.

2 Tony Horton, 17292 Front Beach Road. Mr. Horton questioned Councilman Solis' residential address. Mayor Thomas instructed him to reserve those comments for the Delegations portion of the meeting.

The Mayor closed the Public Comments at 9:14 a.m.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Items by title.

ITEM 1 RESOLUTION 20-07, APPROVING TASK ORDER WITH DEWBERRY ENGINEERS, INC. FOR PERFORMANCE OF RISK AND RESILIENCY STUDY OF CITY WATER SYSTEM. *"A Resolution of the City of Panama City Beach, Florida, approving Task Order #2020-01 to the Master Services Agreement for Water Utility Engineering Services with Dewberry Engineers, Inc., related to risk resiliency assessment and emergency response plan in the amount of \$45,150; authorizing execution and providing an immediately effective date."*

ITEM 2 RESOLUTION 20-11, AUTHORIZING PURCHASE OF POLICE FLEET VEHICLES FROM GARBER FLEET SALES. *"A Resolution of the City of Panama City Beach, Florida, authorizing the purchase of eleven Ford Explorer Police Interceptors and one Chevy Tahoe from Garber Fleet Sales in the total amount of \$404,206; and providing an immediately effective date."*

ITEM 3 RESOLUTION 20-12, APPROVING LICENSE AND INDEMNIFICATION AGREEMENT WITH THE ST. JOE COMPANY FOR GAYLE'S TRAILS EXTENSION. *"A Resolution of the City of Panama City Beach, Florida, accepting a license agreement from the St. Joe Company related to the use of land for an extension of Gayle's Trails east of the Breakfast Point subdivision."*

Councilman Chester asked if the department is piggybacking on the Police Fleet Vehicles. Ms. Myers stated no, the Police Department independently bid.

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

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

REGULAR AGENDA

ITEM 1A MULTIMODAL SITE DISCUSSION. Ms. Myers informed the Council her office received a timely cancellation of the purchase sale agreement regarding the multimodal site facility. She commented they are still interested in purchasing the property but need more time to do so. The Council gave Ms. Myers direction to accept the cancellation.

ITEM 1B TROLLEY DISCUSSION. Councilman Casto suggested having a discussion on how the trolley system will be handled. He suggested trolley companies come and speak to the Council to see what is expected. Councilman Solis commented trolleys operate off advertisements. He stated the red asphalt is estimated to be done around December 1st. Councilman McConnell commented it is premature to talk to companies before more sections of the CRA are completed. He suggested to remove the cyclist lane when adding more traffic, as it is no longer safe for cyclists. Mr. Gisbert commented whoever operates in the trolley lane will be a professional driver that is

aware the lane is dedicated and shared with bicycles. Councilman McConnell commented less density will lead to more speeders. Discussion ensued.

Councilman Casto made a motion directing the City Manager to contact trolley companies to provide presentations, at no cost to the City. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 1 PLAT APPROVAL, EMERALD COVE, PUBLIC HEARING. Ms. Myers requested to continue the Public Hearing until November 14th. Mayor Thomas commented this Hearing will be continued.

ITEM 2 ORDINANCE 1499, SETTING MAXIMUM RATES AND STANDARDIZING NOTICE PROCEDURES FOR NON AD VALOREM ASSESSMENTS, 1ST READING. Ms. Myers read Ordinance 1499 by title. There were no comments.

Councilman Casto made the motion to approve Ordinance 1499. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 3 ORDINANCE 1501, BUSINESS TAX REPORTING, 1ST READING. Ms. Myers read Ordinance 1501 by title. She explained the difficulties with gaining business tax compliance from transient residential property rentals. This Ordinance requires hosting platforms to post their business license tax number on their rental listings. She explained the penalty schedule. Councilman Solis asked if passed, how are people informed. Ms. Myers explained the enforcement will begin on March 1st, so there is an opportunity to notice the affected parties.

Councilman Solis encouraged citizens to sign up for e-notify for the information posted by the City.

Councilman McConnell made the motion to approve Ordinance 1501. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 4 RESOLUTION 20-03, UPDATING RECREATIONAL USER FEES AND USE POLICIES. Ms. Myers read Resolution 20-03 by title. She explained as stated in the body of the Resolution, it will be effective January 1, 2020. There were no comments. **Councilman Chester made the motion to approve Resolution 20-03. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

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

ITEM 5 RESOLUTION 20-13, BUDGET AMENDMENT #3 REAPPROPRIATING FUNDS UNSPENT IN FY 2019 TO FY 2020. Ms. Myers read Resolution 20-13 by title. There were no comments.

Councilman McConnell made the motion to approve Resolution 20-13. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 6 RESOLUTION 20-14, APPROVING EARLY SICK LEAVE PAYOUT TO DROP PARTICIPANTS. Ms. Myers read Resolution 20-14 by title. Councilman McConnell stated this is a great benefit for DROP employees.

Councilman McConnell made the motion to approve Resolution 20-14. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 7 RESOLUTION 20-15, APPROVING FACILITY USE AGREEMENT WITH GULF COAST JAM FOR 2021-2025. Ms. Myers read Resolution 20-15 by title. She clarified that approval of the agreement created no conflict of interest. Mr. Sheldon does not have the authority to approve contracts, he is not selling his services to the City, he is renting out the facilities as a private person. She stated this agreement does not conflict with ethics laws.

Councilman Casto commented he would like to approve the agreement for three years instead of five years. He asked why the agreement is for five years.

Mark Sheldon, 104 Twilight Bay Drive – Mr. Sheldon explained it is crucial to lock in a location for their business plan and future advertisements. Councilman McConnell stated a standardized strategic business plan starts with a five-year budget.

Councilman Solis made the motion to approve Resolution 20-15 if it does not lock in a rate on the fee schedule. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 8 TPO DISCUSSION. Councilman Solis gave a brief overview of the Transportation Plan Organization update. He explained repaving and cut-ins will be completed on detected high accident areas. He invited everyone to the public meeting next week at Woodstock Church. He commented there is a rumor that a traffic light will be installed at Ashley Drive, and he has confirmed with FDOT that it will not be happening. He suggested it be placed on Griffin Drive. He commented good things are coming from the TPO. Discussion ensued.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 9:50 a.m.

1 JoAnn Weatherford, 6220 Thomas Drive – Ms. Weatherford stated she is with Keep PCB Beautiful. She updated the Council on all the nice things they have done for the Beach. She stated they donated 6,676 volunteer hours to the Beach at the cost of \$39,830.44. They have saved the Beach \$206,471.76 and have held 47 events with 1,165 volunteers and collected 9,910 pounds of litter and debris. She explained they have cleaned 48 miles of shoreline, 17 miles of parks, and 19 miles of streets. They have planted 15 trees, 555 plants, and recently done a cleanup at Arnold High School, as well as created a beautiful garden at the Senior Center with recycled benches. She commented they have placed 54 cigarette litter receptacles throughout the Beach and have kept 30 pounds of cigarette butts out of the Gulf. The audience responded with applause.

2 Burnie Thompson, 17292 Front Beach Road. Mr. Thompson asked Councilman Solis to state his address for the record. He explained he has seen his residence

advertised for long term rental. He expressed several verbal public records requests. He requested any and all documents related to indictments given to the Council or the City. He requested all emails between Mr. Robert Estes and Councilman Solis and all emails between Mr. Robert Estes and Councilman McConnell.

3 Tammy Taylor, 134 Bid-a-Wee Lane – Ms. Taylor commented she appreciates the Council and all decisions they make. She requested the City leave the roads in her neighborhood concrete, instead of changing to asphalt. Councilman Chester asked Ms. Jenkins to approach the podium. Ms. Jenkins explained this area is one of the last two concrete roads. The concrete roads take five to ten times more maintenance than asphalt. This road has been an “F” grade road and it will be significantly cheaper to change to asphalt.

4 Tony Horton, 17292 Front Beach Road. Mr. Horton stated it looks like Councilman Solis is vacating his seat and asked for clarification about his residence.

5 Tammy Taylor, 134 Bid-a-Wee Lane – Ms. Taylor thanked Councilman Chester for coming out to speak to her and her neighbors when called about the issue. She thanked the Council for their consideration.

6 Kim Lepore, 143 Bid-a-Wee Lane – Ms. Lepore explained she walked the neighborhood and spoke to all residences and it was unanimous to keep the concrete roads. She explained her road has been there for 30 years, and that concrete roads have a longer life than asphalt. She stated it will have a detrimental impact on home values.

With no further comments, Mayor Thomas closed the Delegations period at 10:05 a.m.

ATTORNEY REPORT

Ms. Myers explained there are several vacancies on various City Boards that will be advertised soon so the vacancies can be appointed at the next City Council Meeting. She requested the Council to look at the calendar to pick a good time for the Special December 2nd meeting to narrow down candidates for City Manager.

CITY MANAGER REPORT

Mr. Gisbert reminded everyone the Ironman event will be held on November 2nd. He read the open bids and available jobs.

COUNCIL COMMENTS

Councilman Casto inquired on the date for the groundbreaking for Bay Parkway. Mr. Gisbert explained due to Hurricane Michael the groundbreaking has been pushed back. Ms. Jenkins explained the project will go out to bid in December. She explained the 90% plan approval has been completed and is waiting on FDOT for approval.

Councilman McConnell requested to meet with Ms. Jenkins and Mr. Gisbert for an update next week.

Councilman Solis stated he plans to fulfill the residency requirements of his position and he plans ahead for all of his property sales.

With nothing further, the meeting was adjourned at 10:13 a.m.

READ AND APPROVED this 14th of November, 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