

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 June 11, 2020.

ROLL

MAYOR MARK SHELDON

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

MICHAEL JARMAN

CITY MANAGER: `

TONY O'ROURKE

INTERIM CITY CLERK:

JO SMITH

CITY ATTORNEY:

AMY MYERS

Mayor Sheldon called the meeting to order at 6:00 P.M.

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

Mayor Sheldon read the Community Announcements.

The Minutes of the Regular Meeting of April 23, 2020 were presented for approval.

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 McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

Mayor Sheldon asked if there were any additions or deletions to the Agenda. Mr. O'Rourke asked to add a presentation by Mr. Matt Bush, Classic Rentals, about LSVs. He also asked to swap positions with Regular Items 5 and 6. There were no objections.

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

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

PRESENTATIONS

1 Mr. Andrew Rowell, Bay County Chamber of Commerce. Mr. Rowell presented Mayor Sheldon with the "Apple of the Eye" award for the new City Hall. Mayor Sheldon thanked the Chamber and also Mr. Shortt for his work on this building.

2 Mr. Matt Bush, Classic Rentals. Mr. Bush said he and the other owners had put a plan together for the industry and Beach Police to enact. He spoke of the problems with overnight rentals, and stated that the LSV industry would enact age restrictions and disabling the Bluetooth speakers which helped alleviate some of the problems. He said he had the same plan for this upcoming weekend. He spoke of having a meeting with the other owners, Chief Whitman, the City Manager and the Mayor to discuss options and create a plan.

Mayor Sheldon applauded the industry for their thinking. He said the City would meet with the industry and be open to ideas. He said stopping the bluetooth was a good idea.

Councilman Casto spoke of the rentals traveling on the Parkway. Mr. Bush described the decal and map which noted where they could go and where not.

Ms. Colleen Swab, CA Cycles, said they made their own rules for the LSVs, requiring being 25 or older to rent on the weekends. She also would obtain a copy of their insurance card and drivers license. She urged the community to call her office if

they saw any of her vehicles doing anything illegal as she would then get them off the road. She agreed in taking the keys away if there was reckless driving. She asked the Council not to pass any new Ordinances as they would set up a plan.

PUBLIC COMMENTS - NON-AGENDA BUSINESS (LIMITED TO THREE MINUTES)

Mayor Sheldon opened the Public Comments section at 6:16 P.M. and asked for comments.

1 Mr. Burnie Thompson. Mr. Thompson said it was refreshing for the Council to be service-oriented and the Mayor doing the right thing by recusing himself from the vote.

2 Ms. Sherry Trumball. Ms. Trumball spoke of a petition for speed humps on San Souci. Ms. Jenkins replied that speed humps were normally handled during resurfacing.

3 Mr. Gary Beck. Mr. Beck spoke of the powerful media and corruption. He spoke of his struggle for the last ten years.

4 Mr. Robert Hardy. Mr. Hardy asked about wheelchair access to the beach. Councilman Casto responded that the City Pier had beach wheelchairs and Mayor Sheldon said the County Pier did also.

5 Mr. Shane. Mr. Shane spoke of the beach chaos and flag signs not replaced after the hurricane. He urged the Beach Police to enforce the existing laws.

6 Mr. Fred Broussard. Mr. Broussard spoke online giving kudos to Mr. Bush and Ms. Swab for trying to find a solution. He spoke of the flag system but people getting in the water regardless. He urged the City to find a solution to keep people out of the water.

With no further comments, the Mayor closed the Public Comment section at 6:35 P.M.

CONSENT AGENDA

ITEM 1 RESOLUTION 20-119, BID AWARD- UNDERGROUND UTILITIES PIPE AND FITTINGS. *"A Resolution of the City of Panama City Beach, Florida, authorizing the purchase of pipe and fittings from Empire Pipe and Supply Company, Inc., Fortiline, Inc., and Lanier Municipal Supply Co., Inc., in the total amount of \$115,263.64, as more specifically set forth in the body of the Resolution."*

ITEM 2 REVISION OF THE MASTER AUDIT LIST TO REMOVE OBSOLETE ITEMS. *These items are to be removed from the Master Audit List. STAFF RECOMMENDS approval. By approval of this matter in the Consent Agenda, the City Council makes a finding of surplus for these items and approves their removal from the Master Audit List.*

ITEM 3 RESOLUTION 20-120, SUPPORTING FUNDING REQUEST FOR PCB PARKWAY REUSE TRANSMISSION EXTENSION PROJECT. *"A Resolution of the City of Panama City Beach, Florida, indicating its support of the City's pursuit of State of Florida alternative water supply funding for the City of Panama City Beach Parkway Reuse Transmission Extension project; ratifying a letter of support; and authorizing the appropriate officers of the City to provide any other documents necessary to satisfy the requirements of the application for funding."*

ITEM 4 APPROVAL OF UPDATED JOB DESCRIPTIONS. *With the implementation of the City's new online job application system, Staff updated the City's job descriptions to provide consistency, accuracy, and to ensure each was suitable for the new system and to prepare for the upcoming pay plan study. Staff recommends approval.*

ITEM 5 RESOLUTION 20-121, NUISANCE ABATEMENT SEACLUSION CIRCLE. *"A Resolution of the City of Panama City Beach, Florida, approving an amount of \$854.90 to be liened on property located at Lot 106, Lot 107, and Lot 108 Seaclusion Circle, for costs incurred by the City to abate nuisances located upon such property; authorizing the appropriate officers of the City to record the lien and notify interested parties of such lien; and providing an immediately effective date."*

ITEM 6 RESOLUTION 20-126, APPLYING FOR NAUTILUS GOLF CART CROSSING. *"A Resolution of the City of Panama City Beach, Florida, directing the appropriate officers of the City to prepare and submit an application to FDOT for the establishment of a golf cart crossing at the intersection of Panama City Beach Parkway and Nautilus Street; and providing an immediately effective date."*

ITEM 7 RESOLUTION 20-117, JEEP JAM BEACH TURTLE KRAWL ROAD CLOSURE. "A Resolution of the City of Panama City Beach authorizing rerouting a portion of traffic on a portion of Front Beach Road on Friday, June 19, 2020, for the "Florida Jeep Jam Beach Turtle Krawl"; and providing an immediately effective date."

ITEM 8 RESOLUTION 20-125, LOCAL ACCESS MANAGEMENT PLAN DEVELOPMENT. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Florida Transportation Engineers for the development of an Access Management Plan in the basic amount of \$22,500."

Ms. Smith read the Consent Agenda by titles.

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

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

AMENDED REGULAR AGENDA- DISCUSSION/ACTION

ITEM 1 RESOLUTION 20-122, COVID-19 RELATED MEASURES. Prior to Ms. Myers reading the Resolution by title, Mayor Sheldon announced that he would recuse himself from voting since his business required a special event permit at time and that he promoted those events. Ms. Myers read Resolution 20-122 by title. Mayor Sheldon called for comments from the audience or online, and there were none. Ms. Ward received no emails.

Mr. O'Rourke outlined the latest plan, such as increasing the number for summer camp and increasing the groups at the Lyndell Center. He said Staff looked at opening the open swim at the Aquatic Center and Kiddie Pool, opening the facilities to the public and consideration of the delinquent water accounts.

Councilman McConnell asked about the Youth Sports, and Mr. Ponek replied that the programs would start in July, with fall soccer, fall baseball and some adult baseball.

Councilman Casto asked about the Summer Concert Series. He said it would be mostly local families. Mr. Ponek said he hoped to start July 9th or July 16th. Mr. O'Rourke reminded that the Governor had restrictions for groups fifty or less. He said the Concert Series could not comply with those restriction. Mr. O'Rourke said he would bring something back to Council for the June 25th meeting. Councilman Chester said maybe July 23rd might be a good date.

Councilman Chester made the motion to approve Resolution 20-122. Second was by Councilman Casto and the motion passed by unanimous roll call vote of those members voting recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Recused

A copy of Mayor Sheldon's Memorandum of Voting Conflict is attached to and becomes an official part of these Minutes.

ITEM 2 ORDINANCE 1524, FIREFIGHTERS' PENSION PLAN AMENDMENT RELATED TO CANCER, 1ST READING. Ms. Myers read Ordinance 1524 by title. Mayor Sheldon asked if there were any audience or online comments, and there were none. Ms. Ward had no emails. Mr. O'Rourke said this Ordinance followed the new State Statute.

Councilman Casto made the motion to approve Ordinance 1524. Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

ITEM 3 RESOLUTION 20-123, RESIDENTIAL PARKING PILOT PROGRAM. Ms. Myers read Resolution 20-123 by title. Mayor Sheldon asked if there were any audience or online comments, and there were none. Ms. Ward had no emails. Mayor Sheldon clarified that the cap for the daily fee was six dollars (\$6.00) and that this would be a great benefit to the City residents.

Councilman Jarman made the motion to approve Resolution 20-123. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

ITEM 4 ORDINANCE 1527, RESIDENTIAL PARKING DECAL PROGRAM, 1ST READING. Ms. Myers read Ordinance 1527 by title. Mayor Sheldon asked if there were any audience or online comments, and there were none. Ms. Ward had no emails. Mayor Sheldon asked if the stickers were transferrable if the vehicle was sold or wrecked. Mr. O'Rourke responded that the owner would come to the Public Services building for a new sticker.

Councilman McConnell made the motion to approve Ordinance 1527. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

ITEM 5 RESOLUTION 20-111, BID AWARD- APPROVING WRECKER SERVICE CONTRACTS. Ms. Myers read Resolution 20-111 by title. Mayor Sheldon asked if there were any audience or online comments, and there were none. Ms. Ward had no emails. Chief Whitman said the sole source wrecker service was working well and he had no issues with the current service. He spoke of their ability to clean up traffic and they helped with the impound yard at no charge to the City. He added that their employees were licensed to do traffic control at the scenes to release the patrol officers to respond to other calls.

Councilman Casto asked about performance. Chief Whitman responded that the current service could respond within five to ten minutes and had 115 wreckers in this area. He stated he was happy with this company. Councilman Jarman said the issue should be revisited at the end of the contract. Mayor Sheldon said if there were no problems, no need to change.

Councilman Jarman made the motion to reject the new contract. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

ITEM 6 ORDINANCE 1528, MODIFICATION OF TOWING RATES, 1ST READING. Mayor Sheldon explained the Ordinance would be rejected since a new contract was not being considered.

Councilman Jarman made the motion to reject Ordinance 1528. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

ITEM 7 RESOLUTION 20-124, FRANK BROWN PARK CONCESSION LEASE MODIFICATION. Ms. Myers read Resolution 20-124 by title. Mayor Sheldon asked if there were any audience or online comments, and there were none. Ms. Ward had no emails. Mayor Sheldon asked about the issues with the credit card machines not working at the concession stand. Mr. Ponek said that was being addressed by adding more internet at the Park. Mayor Sheldon asked Mr. O'Rourke to look into the issue.

Councilman Jarman asked if sales were tracked. Mr. Ponek said the vendor had a good history and he explained the contract features.

Councilman McConnell made the motion to approve Resolution 20-124. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

ITEM 8 FINANCIAL MANAGEMENT ADVISORY COMMITTEE COUNCIL LIAISON APPOINTMENT. Mayor Sheldon asked if there were any audience or online comments, and there were none. Ms. Ward had no emails.

Councilman Jarman made the motion to appoint Councilman McConnell to the Committee as he was active in this area. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

ITEM 9* RESOLUTION 20-127, CONDEMNATION OF PROPERTY LOCATED AT 17138 AND 17140 FRONT BEACH ROAD. Ms. Myers read Resolution 20-127 by title. Mayor Sheldon asked if there were any audience or online comments, and there were none. Ms. Ward had no emails. Mayor Sheldon said the City had offered fair market value. Ms. Myers said this was for business purposes and was at the request of the business owners.

Councilman Chester made the motion to approve Resolution 20-127. Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Sheldon	Aye

ITEM 10 SEPTIC TO SEWER CONNECTION, DISCUSSION. Mr. Shortt presented a Powerpoint presentation, with the history of the City's utility system. He spoke of the Grand Lagoon area, where sewer was installed due to a grant. He said cost was the driving factor with conversion being incredibly expensive. He explained the gravity sewer, the low-pressure sewer and vacuum collection sewer systems. He reviewed the history of neighborhood conversions, with the costs financed over five years and utility customers outside of the City limits were charged an extra 25%. Mr. Shortt explained the Bayside project where the City coordinated that conversion with the County replacing the road.

Mayor Sheldon suggested surveying the neighborhoods to see where most would connect. Councilman Casto said the five-year financing was a good incentive. The Mayor said many residents had asked for it, and Councilman McConnell said he was concerned that some people did not have the money to convert. Councilman Jarman said Staff could look into grant programs. Discussion ensued and Mr. Shortt said he would bring figures back for the next Council meeting.

ITEM 11 EMPLOYEE SURVEY RESULTS, DISCUSSION. Mayor Sheldon called for comments from the audience and online, and there were none. Ms. Ward received no emails. Mr. O'Rourke explained the Employee input with 96% participation, and it was the City's duty now to act. He spoke of the City's efforts to work on communication and

the flow of information from Department Heads to Staff. He spoke of the action plan and enhancing leadership, optimizing performance.

Councilman McConnell thanked the Employees in that a 96% response rate was unheard of. He said it was more typically 50%. He said their input was important to the Council. Mayor Sheldon said the employees were hungry for a change.

ITEM 12 FIRE DEPARTMENT SCHEDULE SHIFT 48/96, DISCUSSION. Mayor Sheldon called for audience comments and online comments, and there were none. Ms. Ward received no emails.

Mr. O'Rourke said this was a popular shift and a great recruitment tool. He said this change would also help with retention and a cost savings. The Fire Department had a 93% approval from the Firefighters. The tentative date was set for October 1st.

Chief Couch said this was a huge step and only a few Departments used this schedule in NW Florida. He said this new approach would offer reduced sick time with his officers, being mentally healthier and overall healthier. He said Lt. Tim Smith had put a lot of effort into this project.

CITY MANAGER REPORT

Mr. O'Rourke spoke of the use of force and how the Police Department administered force when necessary. He explained matching the response to the resistance. He spoke of self-regulation so that the community would not lose faith.

Regarding Beach safety, Mr. O'Rourke said the City had experienced five drownings in three weeks. He spoke of proactive education concerning rip currents and urged adherence to the beach flag system. He spoke of taking personal responsibility and more education on double red flag situations. He spoke of our current lifeguard situation and the distances between stands. He added that the City could not carry that burden alone, and that the private sector could match the City's coverage. He said the City needed to use more than flags in this digital age. Mr. O'Rourke suggested working with the hotels and the TDC.

A Strategic Planning Workshop was planned for June 18th with one hundred people participating. He said the Council would vote on the final version, with a mission and core values. Once the Council adopted the final version, a draft would be developed for Council consideration in August.

Mr. O'Rourke said the Financial Management Advisory Committee would meet Monday at 3 P.M. The CRA Advisory Committee would be discussed on the June 25th Council meeting, and then the Economic Development, and finally the Public Safety Committee.

CITY ATTORNEY REPORT

Ms. Myers said the Governor was releasing the CARES Act which would help the City reimbursements.

COUNCIL COMMENTS

Councilman Casto thanked the Police and Fire Departments for the beach water safety employees. He said the City would issue a Request for Proposal to see how many of the private sector wanted to participate.

Councilman Chester echoed Councilman Casto's comments and thanked Lt. Smith for his work on changing the Fire shifts.

Councilman McConnell thanked the Police Department and Chief Whitman for their critical support, and his pride of the Chief's leadership of his staff and Dispatch. He also urged the residents to complete the Census as it would help the City with funding.

Councilman Jarman spoke of the false alarms and the request for a discussion on the June 25th meeting.

Mayor Sheldon discussed the status of the COVID-19 public health crisis in Panama City Beach. He spoke of efforts to clean the beach and questioned the trash can costs for Gayle's Trails. He requested to revisit the rule about three rods on the Pier and asked for a report back. He asked if there were future plans for more basketball courts. Related to beach bonfires, the Mayor asked to look at vendors and how to make the process more efficient. He spoke of the turtle watch and how to expand the program, not hinder it. Mayor Sheldon mentioned a new program that would allow someone to receive a text when the flags changed.

With nothing further, the meeting was adjourned at 8:30 P.M.

**** ACTION ITEMS NOTED WITH AN ASTERISK ARE TAKEN BOTH BY THE CITY COUNCIL AND THE PANAMA CITY BEACH REDEVELOPMENT AGENCY JOINTLY AND CONCURRENTLY.**

READ AND APPROVED this 23rd of July, 2020.

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



Mayor

ATTEST:



Interim City Clerk

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARK SHELDON, hereby disclose that on JUNE 11, 20 20 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RESOLUTION 20-122 OF THE CITY OF PANAMA CITY BEACH WHICH ALLOWED THE PERMITTING OF SPECIAL EVENTS DURING THE COVID-19 PUBLIC HEALTH CRISIS. AS THE MANAGING MEMBER OF PCB ENTERTAINMENT, LLC AND R&M ENTERTAINMENT, LLC, I HOST SPECIAL EVENTS IN THE CITY OF PANAMA CITY BEACH. THE COUNCIL'S ACTION ON THAT DAY WOULD ENABLE MY EVENTS TO TAKE PLACE UNDER REGULATIONS SET FORTH BY THE COUNCIL AND THUS WOULD INURE TO BY SPECIAL PRIVATE GAIN OR LOSS.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

JUNE 12, 2020

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.