

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 July 9, 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 Casto gave the invocation and led the Pledge of Allegiance.

Mayor Sheldon read the Community Announcements.

The Minutes of the Regular Meeting of May 28, 2020 were presented for approval.

Councilman Chester made the motion to approve the Minutes as written.

Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:

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

Mayor Sheldon asked to remove Item #15, ***Beach Access Trash Program***, and add **Ordinance 1532-E** as Item 15 and **Covid-19-Discussion** as Item 16. There were no objections.

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

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

PRESENTATIONS

1 MR. BILL HUSFELT, THE STATE OF BAY DISTRICT SCHOOLS. Mr. Husfelt said the Mayor had asked him to update the community on the schools. He spoke of the Elevate Bay program, adding more adults into kid's lives as mentors. He said this worthwhile project had been used at Tyndall and the Navy Base for years. He said their goal was to have one thousand mentors.

Mr. Husfelt spoke of Arnold High School, one of the leaders in academics. He said the Principal of the Beach (Hutchison) Elementary School was one of the top three principals in the State.

Councilman Jarman asked when the Charter Schools were opening and Mr. Husfelt replied August 11th, the same as the public schools. He said he believed the schools would be safe and they would deal with any safety challenges. He also added that a preliminary survey of parents wanted the schools to open August 11th. He said the DOH will require masks when riding the buses but not in school. Teachers and visitors will wear masks. Mayor Sheldon thanked Mr. Husfelt for the update.

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

The Mayor opened the floor for Public Comments section at 6:19 P.M. and there were none. He closed the Public Comments section at 6:19 P.M.

CONSENT AGENDA

1.* RESOLUTION 20-136, CHANGE ORDER #18, FRONT BEACH ROAD CRA SEGMENT 2. "A Resolution of the City of Panama City Beach, Florida, approving a Change Order to the City's Contract with GAC Contractors, Inc., for the construction of Front Beach Road Segment 2 in the basic amount of \$13,108.30".

2. RESOLUTION 20-135, FIRE INSPECTION FEES AMENDMENT. "A Resolution of the City of Panama City Beach, Florida, amending Fire Safety Inspection Fees and providing an immediately effective date."

Ms. Smith read the Consent Agenda by titles.

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

AMENDED REGULAR AGENDA- DISCUSSION/ACTION

ITEM 1 CITY CLERK INTERVIEWS AND APPOINTMENT. Mayor Sheldon asked if there were any comments before the applicants spoke. There were none. The Mayor asked each applicant to give a three-minute presentation, called in alphabetical order: Ms. April Beggerow, Ms. Ruth Bocchino, and Ms. Lynne Fasone.

After the presentations were concluded, the Council ranked the three candidates on the paper ballots. Ms. Smith tabulated the votes and announced the results as follows:

Ms. Ruth Bocchino-	3 1 st place and 2 2 nd place votes
Ms. Lynne Fasone-	1 1 st place, 2 2 nd place and 3 3 rd place votes
Ms. April Beggerow-	1 1 st place, 1 2 nd place, and 2 3 rd place votes

Ms. Bocchino was asked to meet with Mr. Davis and Ms. White to discuss the City Clerk contract.

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

ITEM 2 ORDINANCE 1512, ST JOE FOUR CORNERS REZONING, 2ND READING, PUBLIC HEARING. Ms. Myers read Ordinance 1512 by title. Mayor Sheldon opened the Public Hearing at 6:30 P.M. and invited comments. There were none. He closed the Public Hearing at 6:30 P.M. Mr. Leonard said the Master Plan had been recommended for approval by the Planning Board on July 8th.

Councilman Casto made the motion to approve Ordinance 1512. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 3 EMERGENCY ORDINANCE 1531-E, CODE ENFORCEMENT AUTHORITY. Ms. Myers read Ordinance 1531-E by title. The Mayor opened the floor for comments.

1 Mr. Burnie Thompson. Mr. Thompson asked that everyone be treated equally by Code Enforcement.

2 Mr. Gary Beck. Mr. Beck spoke of seized property, criminal activity, and the stealing of his inventions and tools.

With no further comments, the Mayor closed the comment section.

Councilman Jarman asked why an Emergency Ordinance. Mr. O'Rourke explained that the City had a history of rip currents and even with six drownings this year, people still went into the water during double red flag conditions. He said Code Enforcement would first educate the people, getting them out of the water. He said those people jeopardized the safety of the first responders and a \$500 fine was cheap to save

a life. He added that the lifeguards would focus on rescues and let Code Enforcement do the education and enforcement.

Mayor Sheldon said the Police were overtaxed and overwhelmed during double red flag conditions, and this was a great idea. He said everyone would be treated equally. Councilman Casto said this would not apply to surfers because of their surfboards.

Councilman Jarman made the motion to approve Emergency Ordinance 1531-E. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 4 ORDINANCE 1529, AMENDING BEACH BONFIRE REGULATIONS, 1ST READING. Ms. Myers read Ordinance 1529 by title. The Mayor called for comments and there were none. Mr. O'Rourke said the intent was to authorize skilled professionals to be on the beach as well as streamline the process, and not permit any other entities to have fires on the beach. He spoke of the protection for the turtles.

Councilman Chester made the motion to approve Ordinance 1529. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 5 ORDINANCE 1524, AMENDING FIREFIGHTERS PENSION BENEFITS REGARDING CANCER PRESUMPTION, 2ND READING, PUBLIC HEARING. Ms. Myers read Ordinance 1524 by title. The Mayor opened the Public Hearing at 6:45 P.M. and called for comments. There were none. He closed the Public Hearing at 6:46 P.M.

Mr. O'Rourke explained the cancer presumption legislation recently passed by the FL. Legislature. There were no questions.

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

ITEM 6 RESOLUTION 20-137, BUDGET AMENDMENT #48 FOR ACCRUED LEAVE DUE TO POLICE RETIREMENTS. Ms. Myers read Resolution 20-137 by title. The Mayor called for comments and there were none. Mr. O'Rourke explained that although funds had been reserved for this purpose, more retirements occurred than originally planned. There were no questions.

Councilman Jarman made the motion to approve Resolution 20-137. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 7* ORDINANCE 1527, ADOPTING RESIDENTIAL PARKING DECAL PROGRAM, 2ND READING, PUBLIC HEARING. Ms. Myers read Ordinance 1527 by title. The Mayor opened the Public Hearing at 6:48 P.M. and called for comments. There were none. He closed the Public Hearing at 6:48 P.M. Mr. O'Rourke explained that this would allow annual decals and easier access to the beach. Mayor Sheldon said the parking rates had always been One Dollar per hour, with a Six Dollar maximum, with

no change. Councilman Casto said this would allow for 25% of the parking to be reserved for local residents.

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

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

ITEM 8 RESOLUTION 20-134, LSV SAFETY PLAN. Ms. Myers read Resolution 20-134 by title. The Mayor opened the floor for comments.

1 Ms. Colleen Swab. Ms. Swab said they ensured that the customers understood the rules and that she agreed with everything on the list. She said the industry was addressing the concerns. There were no further comments.

Councilman Jarman thanked the industry for working together to take action without being forced to do so. Councilman Casto said the biggest problems were people still driving on the Parkway and Middle Beach Road. Chief Whitman thanked Ms. Swab and Mr. Bush for their work in this matter. He suggested the businesses keeping the deposits for the rentals if they were on those roads. He spoke of using GPS. Mr. Bush said he had ordered ten units to see if they would work on the LSVs. Ms. Swab said last year, they used GPS on their Harleys but had concerns about the battery life with the lights and music. Mr. Bush said the ones he ordered had internal batteries and once in use, he would send reports to the other owners on their performance.

Councilman Casto thanked Mr. Bush and Ms. Swab for their hard work in this effort.

Councilman Casto made the motion to approve Resolution 20-134. Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 9 RESOLUTION 20-133, EMPLOYEE VOLUNTEER LEAVE PROGRAM. Ms. Myers read Resolution 20-133 by title. The Mayor called for comments or questions and there were none. Mr. O'Rourke said this would cover the schools as well as not-for-profits which contribute back to the community. Mayor Sheldon said this would include Elevate Bay, a need for the community.

Councilman McConnell made the motion to approve Resolution 20-133. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 10 PLAT, NORTH GLADES COMMERCIAL, PUBLIC HEARING. Mayor Sheldon opened the Public Hearing at 7:05 P.M. and asked to continue the Public Hearing for the Plat until July 23rd. There were no objections.

Councilman McConnell made the motion to continue the Public Hearing until July 23rd. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 11 APPOINTMENTS TO PARKS AND RECREATION BOARD. The Mayor called for comments from the floor and there were none.

Councilman Casto reappointed Mr. Michael Dorr.

Councilman McConnell reappointed Ms. Gayle Oberst.

Councilman McConnell made the motion to approve the slate of Parks & Recreation Board members. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 12 APPOINTMENT TO EXAMINING BOARD. Mayor Sheldon opened the floor for public comments and there were none. Mr. O'Rourke said one member, Mr. Keith Walker, would serve again on the Master HVAC seat if chosen. The remaining vacancy, a civilian and qualified elector of the City, remains open and advertisements continue.

Councilman Chester made the motion to reappoint Mr. Keith Walker to the Examining Board. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 13 DISCUSSION-WASTEWATER ODOR CONTROL BUDGETING. Mayor Sheldon opened the floor and called for comments.

1 Mr. Frank Sewell. Mr. Sewell asked when the Joan Avenue Lift Station corrections would be complete. There were no further comments.

Mr. Shortt said that would depend upon 1.6 Million Dollar funding. He said he would recommend starting the repairs now as there were funds available in reserves and could be reprogrammed for this project. He reminded that the smell would never be 100% removed. He referenced the priorities on the memo and suggested putting this project out for bid.

Councilman Jarman asked how long the project would take and Mr. Shortt estimated nine months. Mr. Shortt said the bid would be performance-based and outlined in the criteria in the specifications. Discussion ensued concerning costs and timing. Mayor Sheldon said this was something the community wanted.

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

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

ITEM 14* FRONT BEACH ROAD/SR 79 INTERSECTION DESIGN. Mayor Sheldon called for public comments and there were none.

Mr. Campbell presented a powerpoint presentation concerning roundabouts and their benefits to the community. He said the biggest issue was the drivers stopping to let cars in when they should continue around the circle. He spoke of pedestrian safety with the access points away from the circle. He said the design costs would be an additional One Hundred Fifty Thousand Dollars and ninety days, but no additional right of way would be needed. He spoke of a signal at the intersection costing Three Hundred Fifty Thousand Dollars. Total new cost would be Four Hundred Two Thousand Dollars and funds were in the current budget if approved.

Discussion ensued concerning the pedestrian overpass at Pier Park which would assist traffic movement. There was no cost estimate yet and may require additional land.

Councilman McConnell said the funds were available and improvement was needed as it was one of the access points to the City. The Mayor asked if there could be two shifts working to increase the completion date to only nine months, and Mr. Campbell said the only delay would be materials. Mr. Campbell said he would work with the design team to incentivize the construction. Mayor Sheldon said he would also like staff to look at Powell Adams and be creative as parked traffic was not an option.

Councilman McConnell made the motion to move forward with the roundabout. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 15 ORDINANCE 1532-E. Ms. Myers read Ordinance 1532-E. She said the intent was to remain in effect until August 13th. The Mayor called for comments and there were none.

Chief Whitman explained the strain on the Police department, and addressed the situation at the Shores of Panama and parking at Wal-Mart. He said the Department was acting as babysitters. He spoke of plans to spread the mass of kids out and will educate the people and property owners. Councilman McConnell spoke of concerns about pushing the problems onto the beach. Mayor Sheldon spoke in support with due diligence, and it take effect tomorrow night.

Councilman McConnell made the motion to approve Ordinance 1532-E. Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:

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

ITEM 16 COVID-19. Mayor Sheldon called for comments and there were none. Mr. O'Rourke spoke of the increased cases compared to the relatively low rate in May. He said the big spike could be contributed to the bars being open and high contact. He recommended no Summer Concert Series, which would bring a savings of Twenty Thousand Dollars. He reminded that open swim and kiddie swim were still canceled. He spoke of the efforts to mitigate the spread of the virus. Mr. O'Rourke spoke of the many restaurants which were not adhering to the 50% capacity, and the plans to use Code Enforcement and Police department first to educate and after the first contact, then issue citations.

Councilman McConnell said the people needed to return to maintaining social distance and please wear the masks. He expected heavy enforcement on the businesses who did not adhere to the 50%. Councilman Jarman said it was a community effort and the businesses needed to be part of the effort. He urged the visitors to wear face coverings. Councilman Casto said it had been a tough decision to close the beach and he did not want to do so again. He said the City needed to give a strong message to wear masks, use social distancing and avoid crowds. Councilman Chester said the TDC was putting out a lot of information. He continued that wearing the face coverings was a right thing to do. He supported enforcement on the restaurants. Mayor Sheldon said he was concerned about civil unrest because of masks. He urged more education and the use of PSAs and possibly banner planes. He spoke of personal accountability.

Councilman Casto made the motion to approve the City Manager's plan. Second was by Councilman Jarman and the motion passed by unanimous roll call vote recorded as follows:

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

CITY MANAGER REPORT

Mr. O'Rourke spoke of the citizens survey needing significant participation by the community, with the initial distribution of 1700 homes, to be completed by August. He said then the survey would be opened to everyone online. He spoke of the Mid-Year Uniform Crime Report, with violent crime down 24% and property crime down 23%, significant decreases.

Mr. O'Rourke said the Strategic Plan was now in draft form and would be shared with the employee groups., and his hope for it to be adopted by Council on the August 13th meeting. He said this would give the City a clear vision and mission and the Plan

would be the driver. He spoke of the three strong candidates for City Clerk and thanked Mr. Colin Baenziger for his work in that search.

CITY ATTORNEY REPORT

Ms. Myers announced that since the last meeting, the Governor had approved Nine Hundred Twenty-One Thousand Dollars in the budget for Bay Parkway funding. She said it was time for the City Manager's review, contemplated by his contract. She said it would be ready in a week or two.

COUNCIL COMMENTS

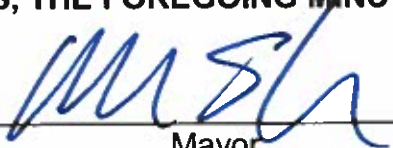
Councilman Casto encouraged the public to social distance and wear face coverings. Councilman Chester asked the community to be respectful of each other. He said the City had also assumed responsibility to cutting the grass on SR79. Councilman Jarman spoke of food trucks at Ripley's being on the next Agenda for discussion. He also urged personal responsibility. Mayor Sheldon thanked the Days Inn and By The Sea Resorts for participating in the lifeguard program. He said meetings were being held this week. The Mayor said he also wanted staff to explore expediting the CRA by doing two segments at the same time. He thanked Ms. Ward for her hard work in coordinating the trips for the City Clerk applicants. Finally, he implored the citizens to complete the Census.

With nothing further, the meeting was adjourned at 8:20 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 13th of August, 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:


City Clerk (Interim)

BALLOT FOR CITY CLERK
7/9/20

Listed alphabetically:
1 APRIL BEGGEROW
2 RUTH BOCCHINO
3 LYNNE FASONE

RANKINGS:

- 1 LYNNE FASONE
- 2 RUTH BOCCHINO
- 3 APRIL BEGGEROW


SIGNATURE 7/9/20

*Michael
Cassidy*

NOTE THIS BALLOT WILL BE A PUBLIC RECORD AND ATTACHED TO THE MINUTES.

BALLOT FOR CITY CLERK
7/9/20

Listed alphabetically:
1 APRIL BEGGEROW
2 RUTH BOCCHINO
3 LYNNE FASONE

RANKINGS:

- Ruth
- Lynne
- April


SIGNATURE 7/9/20

*Michael
Cassidy*

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RANKINGS:

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- Lynne Fasone
- April Beggerow


SIGNATURE 7/9/20

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RANKINGS:

- ③ Ruth Bocchino
- ② Lynne Fasone
- 1 April Beggerow


SIGNATURE 7/9/20

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BALLOT FOR CITY CLERK
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RANKINGS:

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- April
- Lynne


SIGNATURE 7/9/20

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