

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, conducted on September 25, 2014.

ROLL
MAYOR GAYLE F. OBERST

COUNCILORS:
JOHN REICHARD
RICK RUSSELL
JOSIE STRANGE
KEITH CURRY

CITY MANAGER:
MARIO GISBERT
DEPUTY CITY CLERK:
JO SMITH
CITY ATTORNEY:
DOUG SALE

Mayor Oberst called the meeting to order at 2:00 P.M., with all the Council, the City Manager, Deputy City Clerk and City Attorney present.

Deacon Phil Chester of the Woodstock Church gave the invocation and Mayor Oberst led the pledge of allegiance.

The Mayor asked if there were any additions or deletions to the Agenda. Hearing none, **the Agenda was accepted as prepared.**

The Minutes of the Special Meeting of August 7 and the Regular Meeting of August 28, 2014 were read and approved as written per motion by Councilman Russell. Second was by Councilwoman Strange and the motion passed by unanimous roll call vote recorded as follows:

Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Aye
Mayor Oberst	Aye

CONSENT AGENDA

1 REVISION OF THE CITY MASTER AUDIT LIST TO REMOVE OBSOLETE ITEMS. *All Departments have been asked to update their audit lists for surplus/obsolete equipment/vehicles/etc. These items are to be removed from the Master Audit List. STAFF RECOMMENDS approval to remove these items. 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.*

2 "NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH". *A Proclamation designating October 2014 as "National Disability Employment Awareness Month" and call upon all employers, schools, and other community organizations to advance the important message that people with disabilities are EQUAL to the task throughout the year.*

3 RESOLUTION 14-106, J.R.ARNOLD HIGH SCHOOL HOMECOMING PARADE. *"A Resolution authorizing the temporary closure of certain sections of North Richard Jackson Boulevard, North Alf Coleman Road and Market Street to permit the J. R. Arnold High School Homecoming Parade on October 9, 2014."*

4 RESOLUTION 14-105, SHORES SEWER SYSTEM CONNECTION. *In August 2013, the City and the Homeowner's Association of the Shores, Inc. entered into an agreement titled the "Sanitary Sewer Connection Agreement" which provided that the Shores would pay the City to construct a new sewer lift station and force main to serve the Shores Condominium and other nearby customers of the Shores sewer system. This would enable the Shores sewer system base to connect to the City system and retire its wastewater treatment plant.*

The City's Wastewater Engineering Consultant, Baskerville-Donovan, Inc. (BDI), completed construction bid documents and permitting for the new lift station and force main. It has been designed with additional capacity to enable the City to serve nearby residential areas that currently lack sewer service. Staff also had the contract bid documents include limited gravity sewer mains to the east and west from the new station to allow future extensions.

An advertisement for bids was placed in the News Herald and five (5) bidders responded by the closing time and date. After review of the bids and alternates, Baskerville-Donovan has recommended that the City award the Base Bid to the low bidder, Waddell Plantation, Inc. dba Royal American Construction Group, for the amount of \$446,575. A copy of BDI's recommendation and bid tabulation is attached for reference. A draft construction Agreement with the low bidder is also attached for review. Alternate bid item #1 was for deleting a section of gravity sewer main and Alternate bid item #2 was for a different internal lining of the lift station wetwell. Based on the proposals, neither alternate is recommended at this time. This project is primarily being funded by the Shores, with some additional funds from the City utility system cash reserves. A cost breakdown of the low bid is attached, showing the initial construction funds to be supplied by the Shores (\$359,866.60) and those by the City (\$86,788.40) for the added gravity sewer. The final value of the Shores payment at the conclusion of the project may change, based on any change orders, tax savings and actual expenditures in line items 5, 6, 7, 18, 19 and 20. Staff does not anticipate any substantive changes.

Terms for finalizing the Shores payment to the City in exchange for the Impact Fee credit and a future Revenue Certificate are provided in the previously approved Sanitary Sewer Connection Agreement. The Shores will also pay to the City \$318,097.83, inclusive of the 25% credit, in Sewer Impact Fees, plus a 3% construction contract administrative fee of \$10,793.60 for the Shores portion of the work. STAFF RECOMMENDS that the City Council authorize the City Manager to contract with Waddell Plantation, Inc. dba Royal American Construction Group, contingent upon the Shores making payment in accordance with the Sanitary Sewer Connection Agreement. Construction will take approximately 6 months to complete after a contract is awarded. "BE IT RESOLVED that the appropriate officers of the City are authorized but not required to execute and deliver on behalf of the City that certain Agreement between the City and the Waddell Plantation, Inc., dba Royal American Construction Group, relating to the construction of a new sewer lift station and force main to serve the Shores Condominium and nearby customers, in the basic amount of \$446,575, in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution of such Agreement shall be conclusive evidence of such approval."

Ms. Smith presented the Consent Agenda by title. The Mayor asked if there were any comments concerning the Consent Agenda. Councilman Curry asked who would be the Project Manager on Item #4 and confirmed he would like to remove the Resolution from the Consent Agenda to discuss. The Mayor said Item #4, Resolution 14-105, would be moved to the Regular Agenda. Councilman Curry made the motion to approve the revised Consent Agenda. Second was by Councilman Reichard. The motion passed by unanimous roll call vote recorded as follows:

Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Aye
Mayor Oberst	Aye

REGULAR AGENDA

1 ITEM NO. 1 "IT'S FIRE PREVENTION WEEK" PROCLAMATION AND PRESENTATION. Mayor Oberst invited Fire Chief John Daly to the podium as she read portions of the Proclamation declaring October 5-11, 2014 as "It's Fire Prevention Week: Working Smoke Alarms Save Lives- Test Yours Every Month". Chief Daly thanked the Mayor for the Proclamation and spoke briefly about the importance of smoke alarms.

2 ITEM NO. 2 SET DATE/TIME FOR THE REHEARING OF THE PLANNING BOARD'S DENIAL OF VARIANCE FOR THE FRONT YARD SETBACK FOR 15007 FRONT BEACH ROAD. Mr. Leonard said the Planning Board had denied two combined variance requests at their last meeting and the owner/applicant asked for the City Council to schedule a Rehearing. He said to allow sufficient notice, it should be around October 23rd and asked whether the Council wanted to schedule the Rehearing on the same day as the regular 2 P.M. meeting. Mayor Oberst asked if the other members would like the Rehearing on the same day or a different day. Both Councilmen Reichard and Curry said they would prefer the same day. Councilwoman Strange said any would work and asked Mr. Leonard his thoughts as to how long the meeting would last. He replied that there were not many public comments during the Planning Board meeting and more the issue of the applicant meeting the hardship variance standards for the Planning Board. By general consent, it was agreed that the Rehearing would occur at 1:00 P.M. on October 23, 2014.

3 ITEM NO. 3 WEST FLORIDA REGIONAL PLANNING COUNCIL (WFRPC) PRESENTATION. Ms. Terry Joseph, Executive Director of the West Florida Regional Planning Council (WFRPC) introduced herself, distributed handouts with information about the organization and presented a powerpoint presentation which outlined the organization's mission and duties. She explained about their Board and their effort to gain additional City representation. The Mayor asked if there were any questions and there were none. Councilman Reichard said the City participated in the Transportation Planning Organization (TPO) and had two members on that Board. The Mayor said Staff should make a recommendation and bring it back to Council for further action.

At this juncture, the Mayor reminded that the Council had a Three Minute Speaking Rule and if anyone wished to address an item on the Agenda, to complete one of the forms on the table and return it to the Deputy City Clerk.

4 ITEM NO. 4 RESOLUTION 14-103, BUILDING PERMITS RATE INCREASE. Ms. Myers read Resolution 14-103 by title and explained that the fees had not been updated since 1999, and this would bring most of the fees into line with those of the County. She said the Exhibit detailed the fees for the County and how the new rates for the most part would then be consistent with those of the County. The Mayor asked if there were any questions; there were none. **Councilman Russell made the motion to approve Resolution 14-103. Second was by Councilman Reichard.** The Mayor called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Aye
Mayor Oberst	Aye

5 ITEM NO. 5* RESOLUTION 14-104, CRA 2015 NEAR TERM WORK PLAN AND PRESENTATION. Mayor Oberst said this item noted with an asterisk was one in which the City Council was also acting as the PCB Community Redevelopment Agency and voting as both. Mr. Sale read Resolution 14-104 by title. Mr. Alaghemand presented the powerpoint presentation outlining the 2015 Near Term Work Plan which included eleven activities:(1) complete the right-of-way acquisition and final design update for Front Beach Road Segment 2 and begin construction in FY 2015, (2) manage construction of the sidewalk along the north side of Alf Coleman Road from Hutchison Blvd to the Parkway, (3) coordinate with FDOT to develop a Transfer Agreement for the improved segments of Front Beach Road, (4) manage the CRA Landscape Maintenance Contract, (5) submit a TRIP grant application for the design phase of Front Beach Road Segment 4 (Lullwater Lake to Hill Road), (6) continue support of clearing and cleanup of blighted properties within the CRA, (7) continue the right-of-way acquisition effort needed for roadway and stormwater improvements, (8) continue efforts to find grant funding for landscape and roadway lighting for the Parkway, (9) continue identification of beach parking opportunities to compliment beach access points to include public/private parking partnerships, (10) continue exploring alternate roadway and transit funding, and (11) continue the efforts to evaluate local economic trends and available tax increment revenues to develop financing options and plans.

Regarding Front Beach Road, Mr. Alaghemand explained that FDOT seemed to have reached a common ground with the City regarding future maintenance and hopefully, the City could assume the maintenance segment by segment as completed. He said he hoped to bring a draft Maintenance Agreement soon for Council's consideration. Another upcoming project was the demolition and clearing of the Beach Club Motel site. If all went according to schedule, Mr. Alaghemand said the City should let a contract mid-October for advertisement and clearing in November. Right-of-way acquisition remained in the Plan to allow for purchases when an opportunity arose.

Regarding Alf Coleman/Hutchison Blvd intersection improvement, Councilman Reichard asked how much was funded by the CRA and how much was paid by the City. Mr. Alaghemand said the last improvement was fully paid by the Street Department as part of their resurfacing plan. He said since the roadway was already being resurfaced, the City took the opportunity to widen the roadway at a lesser cost in comparison to the cost if done separately.

Regarding the Beach Club Motel property, Councilman Reichard asked if the City was seeking permission to go onto the property. Mr. Gisbert said the City had given the owners notice and Mr. Sale said the permission had been denied but the City was entering anyway by authority of law. He said the City had requested permission out of courtesy and the owner responded in a blanket fashion that permission was denied; the City followed with a notice that entry would be made on September 30th in order to check the asbestos. Mr. Sale said in his opinion, the City had the right to enter under the law.

Councilman Russell asked Mr. Alaghemand if he had a tentative start date for the Segment 2 project. Mr. Alaghemand responded that Staff hoped to advertise in November and apply for the permit simultaneously, and have the construction contract ready once the permit was granted. He also confirmed that Segment 2 was Front Beach Road from Richard Jackson Boulevard to South Thomas Drive. With no further questions, **Councilman Reichard made the motion to approve Resolution 14-104. Second was by Councilwoman Strange.** The Mayor called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Aye
Mayor Oberst	Aye

A copy of the 2015 Near Term Work Plan presentation is attached to and becomes an official part of these Minutes.

6 ITEM NO. 6 ORDINANCE 1319, COUNCIL COMPENSATION, 2ND READING, PUBLIC HEARING AND ADOPTION. Mr. Sale read Ordinance 1319 by title and Mayor Oberst opened the Public Hearing at 2:38 P.M. The Mayor asked if anyone in the audience wished to speak.

Ms. Karen Mathson, resident of 166 Christopher Drive, gave the definition of public servants and their responsibilities. She remarked that the hourly rate of the new salaries would be comparable to Panama City but yet they had three times more residents. She said when the Budget needed more funding, Building Department rates and water rates were increased; she said she thought it was deplorable for a 127% increase in only two Hearings. She asked the Council to reconsider.

Ms. Marcia Wiles, resident of 137 Porter Drive, said she did not oppose a Council salary increase. Recent years had produced great results from the tourist industry but she cautioned that if the City experienced a devastating hurricane, it would wipe out a lot of that industry and ultimately use a lot of the City's reserves rather quickly. She suggested instead a more reasonable salary increase implemented over time and perhaps revisit the salary issue every other year.

Councilman Curry said two Councilors opposed this salary increase. Regarding total compensation, he said the Council had an Eleven Thousand Five Hundred Dollar (\$11,500) salary, Five Thousand Four Hundred Dollar (\$5,400) car allowance, and some Councilors had approximately Six Thousand Seven Hundred Twenty Dollars (\$6,720) in health insurance. Including year-end bonuses, current compensation would be Twenty-Four Thousand Dollars (\$24,000). The new salary would then increase total compensation to Thirty-Seven Thousand Five Hundred Dollars (\$37,500), increasing the budget by Seventy-Three Thousand Dollars (\$73,000). He suggested that the Council revisit this issue and do something more fair, such as a small COLA, increasing the salaries slowly and putting the matter before the voters via a referendum.

Councilman Reichard said he understood a referendum would cost approximately Five Thousand Dollars (\$5,000). Mr. Gisbert said that was a ballpark figure. Councilman Reichard said he would be willing to pay that amount and Councilman Curry said he would be willing to pay half of that cost. **Councilman Reichard made the motion to allow the voters via referendum the right to determine this pay increase and the referendum would be paid by individuals and not the City of Panama City Beach. Second was by Councilman Curry.**

Ms. Debra Pinegar, resident of 151 Heather Drive, said she supported Councilman Curry and Reichard and voted no.

With nothing further, **the motion failed by majority roll call vote recorded as follows:**

Councilwoman Strange	Nay
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Nay
Mayor Oberst	Nay

Councilman Russell made the motion to approve Ordinance 1319. Second was by Councilwoman Strange. The Mayor called for comments and there were none. **The motion passed by majority roll call vote recorded as follows:**

Councilwoman Strange	Aye
Councilman Curry	Nay
Councilman Reichard	Nay
Councilman Russell	Aye
Mayor Oberst	Aye

The Public Hearing was closed at 2:52 P.M.

7 ITEM NO. 7 ORDINANCE 1320, HOURS OF ALCOHOL SALES, 1ST READING. Mr. Sale said a redlined version of Ordinance 1320 had been placed in front of each Councilor amending the Ordinance published in the Agenda Packet. He said he had been asked today to clarify that this Ordinance would apply to the sale of all alcoholic beverages in the City, not just in bars, in order for alcoholic beverages in a junior store or a retail store to be prohibited. Mr. Sale said he had spoken with Deputy Chief Lindsey and Command Staff and added to the recitals on Page 2 were two additional reasons for clarifying that the prohibition applied to all alcohol sales and he elaborated. The revised Ordinance as presented and recommended by Staff prohibited sale of all alcohol in the City beginning at 2 A.M., and that was the only difference between it and the proposed ordinance in the Agenda Packet.

Councilman Reichard asked if the audience members who were interested in this matter had seen this new version of the Ordinance. Mr. Sale said he would suspect not and explained the purpose of a First Reading was to provide the notice to the public. Councilman Reichard asked if the Ordinance would be available for a motion and vote today and Mr. Sale responded affirmatively and said one more Reading would be required for adoption. Mr. Sale encouraged the Council to remember that today's reading on all three Ordinances were primarily for notice purposes and the final decisions would be made at the Public Hearings, and the record of why the Council was considering these Ordinances would be made at that Public Hearing. The revised version of the Ordinance would be posted on the City website tomorrow.

At the Mayor's request, Mr. Gisbert updated the Council members on the Spring Break items. One of the items concerned the K-9s and the local business people providing the funding to purchase three more K-9s. He continued that an Ordinance would be presented to the Council later today requiring persons in possession of an alcoholic beverage on the sandy beach to have a valid Government-issued ID on their persons. Mr. Gisbert continued that the City would work with the TDC to advertise the new rules for next Spring Break. Relating to only one Special Event permit on the sandy beach, this proposed Ordinance had been amended to set a maximum/minimum for an event and more details would be given when the proposed Ordinance was discussed. He said meetings had continued with the groups affected and interested in Spring Break.

Mr. Gisbert reported on the Myrtle Beach Special Events Summit that he and Chief Whitman recently attended, hearing from larger municipalities which were dealing with very similar issues. He said the other cities were meeting with the police, fire, emergency personnel, and the event organizers, the same as the City does. He elaborated.

Councilman Reichard asked Mr. Gisbert to name the businesses and individuals who contributed for the new K-9s. Mr. Gisbert said Ms. Clare Pease and her management group, Mr. Sparky Sparkman, the Hilton family, Club La Vela, Edgewater, Firefly, Mr. Jack Bishop, the Bennett family, the Hundley family, Ms. Velda Wigham, Mr. Bill Buskell, and Simon Properties. Unfortunately, our remaining K-9 was accidentally killed and funds were available in the budget so a fourth dog was ordered and being trained along with the three dogs. At this time, a powerpoint presentation was shown relating to the new dogs and their training. At Councilwoman Strange's request, Mr. Gisbert confirmed that the new dogs should be able to come to a future Council meeting once trained.

Mr. Sale read revised Ordinance 1320 by title and read the recitals from this version into the record. The Mayor asked if there were any questions. Councilwoman Strange asked about restaurants and Mr. Sale explained that a restaurant not primarily engaged in the sale of alcoholic beverages could stay open past 2 A.M.

Councilman Russell said he had been contacted by several hotel/motel and condo owners who expressed concerns about having all Spring Breakers return to the lodgings at 2 A.M. as opposed to the trickle-in effect all night long. He said he personally felt that the 4 A.M. closure would more benefit what the City was trying to accomplish rather than the 2 A.M. closure. Mr. Sale said that would be a policy decision by the City Council and that this Ordinance was created based on the earlier comments by the Council and the rationale expressed by the Police Department. He continued that in response to Councilman Russell's concern, one of the points to closing at 2 A.M. was to shift the responsibility for these young adults back to the lodgings and allow the Police Department the opportunity to start earlier addressing the unregistered guests.

Mr. Jim Muscaro, resident of 88 Windridge Lane, said closing at 2 A.M. would put more people on the streets and cause more hotel/motel fights. Referencing the petitions in his hand, the people signing them were taking a pay-cut with this early closing. As a resident and business owner, he felt the Council was making a mistake and questioned how the effectiveness of this change would be judged. Mr. Sale responded that the Ordinance provided that it would automatically go back to 4 A.M. on April 1st. Mr. Gisbert said next year the Council would evaluate how the changes worked and it would be a subjective process. He elaborated.

Mr. Frank Sewell, resident of 435 Hidden Island Drive, said he was a patron of Ms. Newby's and that everyone who worked there would be hurt by this early closing. He recommended enforcing the current laws as everything mentioned such as mugging, under-age drinking, etc., was already illegal. He said Ms. Newby's was not really a Spring Break venue but rather where the local employees came when they got off work at midnight or 1 A.M. Relating to the IDs, Mr. Sewell said underage drinking was a problem and would always be a problem and requiring the Spring Breakers to bring their IDs to the beach would mean an increase of stolen purses and wallets. He asked the Council to reconsider as closing the bars at 2 A.M. would hurt more locals.

Ms. Jennifer Goheen, resident of 102 Fossil Falls Lane, said she shared the recent sentiments from the business standpoint. Her main concern was for the lodging establishments where the Spring Breakers would go once the bars closed. She said she understood law enforcement's goal and questioned if the City was prepared for the additional calls from property owners or the neighbors relating to Noise Ordinance violations. She voiced concerns that no one had the answers as to how the success of the changes would be gauged.

Ms. Debra Pinegar, resident of 151 Heather Drive, said as a member of Paws & Claws, she had been to many of these establishments during the hours of midnight to 4 A.M. and the patrons at that time were employees from local businesses just getting off work and not troublemakers. She supported letting the establishments remain open until 4 A.M.

Councilman Reichard said audience comments had been made about the process to evaluate these changes and prior to Spring Break, the Council would create a way to determine what was successful and what was not successful. He said in discussions with the City Manager and Police Chief, it would be difficult to determine that success by the number of 911 calls, arrests, etc. Councilman Reichard said, if the Ordinance was adopted, this process would go forward and be in place before Spring Break occurred.

Councilwoman Strange said Chief Whitman would have a good grasp on the issues. Mr. Gisbert agreed and said Staff would continue to meet and consult with the restaurateurs, hoteliers and the condo owners to see how these changes were working. It was a work in progress. Councilwoman Strange said all of the Council agreed that something must be done. Councilman Russell said absolutely. Mayor Oberst explained that the Council directed Staff to put these changes in the form of an ordinance based on what Sheriff McKeithen had recommended. She

said she agreed with Councilman Russell in that the City would see an increase in accidents and fights at the resorts and condos. She said she would make her decision based upon the recommendation of Sheriff McKeithen and Chief Whitman's agreement. The Mayor reminded that these types of changes would be voted on each year. Mr. Sale agreed and continued that the single criteria underlying this change was the Sheriff's and Chief's judgment that (1) the registered guests would go back to their lodgings and (2) law enforcement would then have the opportunity to deal with the unregistered guests. Mr. Sale said it was not necessarily what would happen at the lodgings as the first assumption was that they would take care of their property. If not, another set of problems would arise. However, from the City's perspective, our responsibility would be the public areas and the policing of those public areas. Councilwoman Strange mentioned the Wal-Mart parking lot at 3 A.M. and shoppers afraid to go shopping at that time, and if next year, they were not afraid, that would make a difference.

Councilman Curry said there would be other measurements, such as EMS calls and data from two hospitals. He agreed with Councilman Russell in that he had misgivings about some of these changes but the Council must change the environment that was driving this behavior. He said this change would take the drinking time from twenty-one hours per day to nineteen hours per day. The Sheriff's five recommendations were not a quick fix but more of a reaction. He said he thought there were good ideas presented and ways which could measure the success.

Mayor Oberst said the Council has relied over the years on the men and women who were out on the streets, advising what was good and bad. She said when someone looked at the statistics for the EMS calls last year, they were higher in January, February and March than the previous year and if this meant our winter visitors had more sickness or accidents than before. Councilman Curry said the Council could not merely compare numbers to numbers without a defined set of criteria. Councilman Reichard said the importance of doing something constructive was evidenced by phone calls this week from the Washington Post; he said he thought the Council was looking at the correct improvements. He commended Staff for putting this information together and giving suggestions.

Mayor Oberst reminded everyone that there would be a Second Reading, Public Hearing and potential Adoption of these Ordinances on October 23, 2014 at 2 P.M. She added that at that meeting, Chief Whitman would be able to present information.

Ms. Julie Hilton, resident of 234 La Valencia Circle, asked if there were any examples of other cities which had moved their closing hours from 4 A.M. to 2 A.M. Mr. Gisbert replied that there were some cities with no closing hours, some with 5 A.M., some with 2 A.M., etc. He said the times were varied with different experiences and different populations. He said during the Summit, the hours were not a big issue but rather how the crowds were managed. He said for Myrtle Beach, their hours were 2 A.M. and their issues were more gang-related. He added that focusing on the uninvited guests was the common ground that every one of the cities had during the Summit. Mr. Gisbert said the key with tens of thousands of people was keeping everyone calm.

Mr. Neel Bennett said he was not sure that 2 A.M. closing was the answer. As a business owner, he understood the issues involved with Spring Break. He knew the Council had to react but was concerned about the impact and hopeful the Council would revisit the issue next year and examine what worked and what did not work. Mayor said the County had said previously that they would follow our lead with whatever Ordinances the City adopted. Mr. Sale said that was the current law and unless changed, their laws would mirror the City's. Mr. Bennett said he appreciated the City working on these issues and reminded that after Spring Break comments had been made that the summer business would be ruined and how bad business would be; he said he believed not one more person could have been here during July. It had been a great summer.

Mr. Frank Sewell submitted petitions into the record of about three thousand people who opposed the time change and who would be affected by the change.

Mr. Sparky Sparkman, resident of 5817 North Lagoon, said there was consensus that the invited guests were not the problem. He said by changing the time frame, this would set the Spring Breakers up for failure because this would take the people out of a controlled environment and put them back onto the street to go to their lodgings. He said when the people misbehaved, the City must assume some of the blame by taking them out of that controlled environment. He encouraged the City to consider that issue.

Mr. Jack Bishop said Spring Break had been going over twenty years and the problems had varied over the years as customers changed and drinking habits changed. He questioned how much time people commenting about Spring Break had actually dealt with the kids. He said the vast majority of the kids were good kids who were under control in the nightclubs and the bars. He said the clubs on the beach had more security people on staff working midnight to 4 A.M. than

the law enforcement personnel. He said between Hammerhead Fred's, La Vela, Spinnaker, Harpoon Harrys and Sharkys, there were probably three hundred security people keeping the kids under control and safe. This 2 A.M. closing would not address the problem of the uninvited guests; this was more of a knee-jerk reaction to someone thinking they could solve the problem by closing the bars at 2 A.M. He asked the Council to think about the unintended consequence to the 2 A.M. closing.

Mr. Hector Solis, resident of 13220 Front Beach Road, said the Council had tasked the City Manager and Police Chief to determine ways to regain control and he met with them and was thoroughly impressed at their commitment to reach solutions for the City. Mr. Solis said he had been here for four Spring Breaks and could report that the Spring Breakers were partying until 7 A.M. and if the bars closed at 2 A.M., maybe they would only party until 5 A.M. and go to sleep two hours earlier. He questioned why the bars and clubs could not remain open until 4 A.M. but with no alcohol sales. Mr. Sale responded that several years ago, the Florida legislature enacted a statute that said once alcohol sales were prohibited, the club must close. Mr. Solis said he supported all changes recommended by Chief Whitman and Mr. Gisbert.

Councilwoman Strange made the motion to approve Ordinance 1320. Second was by Councilman Curry. The Mayor called for comments. Councilman Reichard said this change was a recommendation by Sheriff McKeithen and endorsed by Chief Whitman, in order to support law enforcement. **The motion passed by majority roll call vote recorded as follows:**

Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Nay
Mayor Oberst	Aye

8 ITEM NO. 8 ORDINANCE 1321, REQUIRING IDS ON THE SANDY GULF BEACH, 1ST READING. Mr. Sale read Ordinance 1321 by title. Mayor Oberst said this was the First Reading and the Second Reading and Public Hearing would be held October 23rd. Mr. Sale explained that this Ordinance would adopt the lowest tier of civil penalties for alcohol-related offenses. Mr. Gisbert said this would be a tool that the officers would be more willing to use rather than a Notice to Appear and a record. Mayor Oberst added that this also was a recommendation from Sheriff McKeithen and Chief Whitman.

Mr. Gisbert said this also included being in possession of alcohol, such as in a nearby cooler. Councilman Reichard asked if this meant a person of his age would be asked for his ID to verify he was old enough to drink; Mr. Gisbert said the officers had discretion to use common sense. Mr. Sale said he had discussed this with the Chief and the practical effect would be in the circumstance where an adult was in a group of young people and providing alcohol, law enforcement would want to know the name of the adult. The point was to deal with the alcohol not the individuals. The Chief had said he wanted to know the names of the adults who were providing alcohol to minors. Mr. Gisbert said this was a tool for the officer to allow the opportunity to engage people with coolers.

Mr. Hector Solis, resident of 13220 Front Beach Road, said he had discussed the structure of the law enforcement force available during Spring Break. He said he was concerned about control over the numbers of Spring Breakers as compared to the numbers of law enforcement officers. He said the ID check was an important tool in maintaining this control. This would be a great tool to address the underage drinkers on the beach and encouraged the Council to support the Police Chief in this issue.

Ms. Debra Pinegar, resident of 151 Heather Drive, said this was more important than the issue of people carrying purses or wallets onto the beach. She agreed that IDs should be on the people on the beach.

Councilwoman Strange asked if it was legal to have the ID on the I-phone. Mr. Sale responded no for most purposes but for this Ordinance, it may work but he will discuss with the Chief. The Ordinance may have to be tweaked but if the phone had a good clear picture, he thought it might work. Deputy Chief Lindsey said NCIC/SCIC computers could verify the authenticity of the ID.

Councilman Reichard mentioned a citation for those people drinking on the right-of-way. He said at a later time, this matter should be addressed because of the difficulties in identifying the right-of-way.

Councilwoman Strange made the motion to approve Ordinance 1321. Second was by Councilman Russell. The Mayor called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Aye
Mayor Oberst	Aye

9 ITEM NO. 9 ORDINANCE 1322, WHITE SANDY BEACH SPECIAL EVENTS, 1ST READING. Mayor Oberst said this was not a recommendation from the Sheriff but rather Chief Whitman and Mr. Gisbert. Mr. Sale read Ordinance 1322 by title.

Councilwoman Strange asked if Special Events would be completely fenced with gates controlling the ingress/egress. Mr. Gisbert replied affirmatively and the fences would be towards the water line but yet allow emergency vehicle access and walkers. Councilwoman Strange questioned the sound projection and if this would be complaint-driven and Mr. Gisbert responded yes. She asked if the Noise Ordinance could be used in this case for a Special Event. Mr. Gisbert said every time he approved a Special Event permit, he noted to please follow the Noise Ordinance to the best of their ability. He also typically met with the producer of the event to discuss following the Noise Ordinance to the best of their ability because it was within their best interest for when they applied for the permit next year. Councilwoman Strange asked what would occur when someone called the Police on the noise. Mr. Gisbert said the Police would go out to the event with the sound meter and take readings; that record would help because then he could go back to the producer saying the problem should be corrected or the event canceled.

Mr. Brandon Mathson, resident of 173 Christopher Drive, said it sounded like the City was trying to get rid of Spring Break. He said all of these rules would make the kids not want to come here. He said these decisions were taking money from the paychecks of the local business owners. He said he thought the Council was not listening to the local people and ignored the 3,000 signatures on the petitions. He encouraged the Council to listen to the business owners, not law enforcement.

Ms. Debra Pinegar asked if she would be given time to gain more signatures on petitions. The Mayor replied that the City would accept the petitions during the Public Hearing which would be held at 2 P.M. on October 23rd. With nothing further, **Councilman Curry made the motion to approve Ordinance 1322. Second was by Councilman Russell.** The Mayor called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Aye
Mayor Oberst	Aye

10 ITEM NO. 10 SET DATE/TIME FOR SALARY STUDY WORKSHOP. Mr. Gisbert said Staff had been working on the salary study for the past few months, obtaining information from all the employees and their duties. He said the organization was comparing this information to several comparable municipalities and would come back to the City with an implementation plan. He suggested October 15, 2014 at 1 P.M. as a possible date and time for their presentation. Councilman Reichard said he would prefer it to be scheduled prior to a regular meeting if possible. Councilwoman Strange said that made for such a long day when back-to-back meetings occurred. Mayor Oberst reminded that the Rehearing had already been scheduled for October 23rd as well as the Regular Meeting. Councilman Reichard asked if the presentation would be ready by October 9th and Mr. Gisbert said no. Councilman Reichard asked if action would be taken if salary adjustments were recommended by this firm. Mr. Gisbert said the intent was to take some action based upon the information presented at the meeting. After further discussion, it was determined the meeting would be held at 1 P.M. on October 15th.

11 ITEM NO. 11 CITY MANAGER UPDATE. Mr. Gisbert said most of his updates had been covered during this meeting.

12 ITEM NO. 12 RESOLUTION 14-105, SHORES SEWER SYSTEM CONNECTION. Resolution 14-105 had been read by title during the Consent Agenda portion of the meeting. Mr. Gisbert explained that Mr. Shortt had worked with this group (Royal American) on two prior projects and both projects were completed successfully. Councilman Curry said in reviewing the documents, he questioned a large company establishing an LLC to do this work, as in some instances this would limit the liability. He asked Mr. Mark Shaeffer if he was comfortable with this LLC group and believed this LLC had the sound financial footing.

Mr. Mark Shaeffer, Baskerville-Donovan, the consulting engineers, said the City had worked with Royal American on several successful projects in the past and his own company had worked with them in other similar municipal projects. He said Royal American was a very large company with several business lines and individual names for each one. He said he could not speak to their financial footing but reminded that they did provide a Bond for the project.

Councilwoman Strange asked Mr. Shaeffer if he had worked with Waddell Plantation. He replied that he had worked with Royal American but not with Waddell. He continued that after checking with DBPR, Waddell Plantation had been licensed for several years and there were no complaints against the company listed on the website. Councilman Curry asked Mr. Sale that if this firm went out of business, there would be no problems such as had occurred in Jefferson County or Des Moines. Mr. Sale responded that it was an active corporation and significant to note that the President was Ms. Jeanette Chapman, Joe Chapman's wife, and the family was closely associated with Royal American. He said there had been reorganizations of their affairs over the years. He said if the consulting engineer advised that the firm had a bond and were bondable, it meant that a legitimate bonding company had enough faith in the firm to put their credit on the line. Mr. Shaeffer said the firm had presented a Bid Bond, and before the contract was executed, a Completion Bond and Payment Bond would be issued, as well as providing evidence of insurance. With nothing further, **Councilman Reichard made the motion to approve Resolution 14-105. Second was by Councilwoman Strange.** The Mayor called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Councilman Russell	Aye
Mayor Oberst	Aye

ANNOUNCEMENTS

ITEM 1 FALL FISHING CHALLENGE. Councilman Russell explained the Fall Fishing Challenge would be October 3 through October 26th for each weekend. He said there would be four species of fish judged and he explained the different prizes. He also reminded that the City Pier was longer than the County Pier.

ITEM 2 MONARCH Butterfly TAGGING. Mayor Oberst announced that there would be Monarch Butterfly Tagging at the Conservation Park beginning at 10 A.M. on September 27, 2014. She added that about half of the trails in the Conservation Park were now open.

ITEM 3 WATER SAFETY BOARD. The Mayor reminded that the City was advertising for applicants who wished to serve on the Water Safety Board. To date, no one had applied. The application form was listed on the City website and the closing date was October 16th.

FLOOR ITEMS

ITEM 1 ANIMAL CONTROL. Ms. Debra Pinegar, resident of 151 Heather Drive, said she worked with Animal Rescue and asked about the City's Animal Control Officer. Mr. Gisbert explained that the officer had resigned and his responsibilities had been assigned to Bay County Animal Control and by using BCAC, this allowed the City to have multiple officers to answer calls as opposed to only one City employee available in the past. She said she had an issue with this change and Mr. Gisbert invited her to meet with him in his office to discuss.

ITEM 2 GLASS ON THE BEACH. Mr. Hector Solis, resident of 13220 Front Beach Road, said every day his wife was picking up glass on the beach while walking. He said it seemed that the City was not enforcing the rules concerning litter/trash and glass on the beach. He suggested better advertising and signage about no littering and no glass. He also suggested more trash receptacles on the sandy beach and roving patrols for enforcement.

ITEM 3 TRAFFIC. Mr. Lou Waycuilis, resident of 200 Fairway Blvd, said the traffic made it difficult to leave Colony Club and that he did not see the proposed Loop Road as the solution. He asked where the project stood with the City and Mr. Gisbert said he was welcome to come visit with him and discuss the project and details as to how it would function. He said it was only the first phase of a larger project with the intent of the roadway to reach Nautilus and Colony Club.

ITEM 4 FERAL CATS. Ms. Debra Pinegar said she was speaking for members of numerous local rescue groups, and that these volunteers fed feral cat colonies not only on the island but all over the County. She asked to poll the Councilors for their opinions prior to meeting individually to discuss the situation. The Mayor responded that she was welcome to email or call but this meeting was not the place to poll the Council members. The Mayor continued that she felt all animals should be taken care of, but animal populations must be controlled. Ms. Pinegar said she agreed. She also commended the Mayor and City for Gayle's Trails.


With nothing further, the meeting was adjourned at 5:00 P.M.

READ AND APPROVED this 23rd of October, 2014.

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



**Front Beach Road CRA
2015 Near Term Work Plan**

CRA Near Term Work Plan

- ❖ **On August 8, 2013, the Council Adopted Resolution 13-84 and Approved the FY 2014 CRA Near Term Work Plan**
- ❖ **The 2014 Near Term Work Plan activities are either completed in 2014 or being continued in 2015**
- ❖ **Staff has prepared the FY 2015 CRA Near Term Work Plan for the Council's Consideration**

CRA Near Term Work Plan

The 2015 CRA Near Term Work Plan included 11 Activities:

- 1. Complete right-of-way acquisition and final design update for the Front Beach Road Segment 2 Redevelopment Project and begin construction in fiscal year 2015;**
- 2. Manage construction of sidewalk along north side of Alf Coleman Road from Hutchison Blvd to Panama City Beach Parkway;**
- 3. Continue coordination with Florida Department of Transportation to develop a transfer agreement for the improved segments of the Front Beach Road;**

CRA Near Term Work Plan

- 4. Manage CRA landscape maintenance contract;**
- 5. Resubmit a Transportation Regional Incentive Program (TRIP) grant application for the design phase of Front Beach Road Segment 4 Improvement (Lullwater Lake Drive to Hills Road);**
- 6. Continue support of clearing and cleanup of blighted properties within CRA;**
- 7. Continue right-of-way acquisition effort needed for roadway and stormwater improvements;**
- 8. Continue efforts to find grant funding for landscape and roadway lighting on Panama City Beach Parkway;**

CRA Near Term Work Plan

9. **Continue identification of beach parking opportunities to compliment beach access points to include public-private parking partnerships;**
10. **Continue exploring alternate roadway and transit funding through government grants, loan programs, non-ad valorem assessment revenue and public/private partnerships, and**
11. **Continue effort to evaluate local economic trends and available tax increment revenues to develop financing options and plans, including leveraging tax increment funds to procure additional bond financing.**