

**MINUTES** of the Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency, held on October 8, 2020.

**Mayor Sheldon called the meeting to order at 6:00 PM.**

**ROLL CALL**

MAYOR MARK SHELDON

VICE MAYOR GEOFF MCCONNELL (*virtual*)

PAUL CASTO (*running late due to traffic*)

PHIL CHESTER

MICHAEL JARMAN

Others present were City Manager Tony O'Rourke, City Attorneys Amy Myers and Cole Davis, City Clerk Lynne Fasone, Directors and members of the public and press.

Councilman Michael Jarman gave the invocation and led the Pledge of Allegiance.

Mayor Sheldon provided community announcements. Mayor Sheldon called for approval of the August 27, 2020 regular meeting minutes. Councilman Jarman so moved. Councilman Chester seconded the motion. All were in favor by a roll call vote (4-0).

Councilman Jarman	Aye
Councilman Casto	<i>(running late due to traffic)</i>
Councilman Chester	Aye
Vice Mayor McConnell	Aye
Mayor Sheldon	Aye

Mayor Sheldon called for additions and/or deletions to the agenda. Councilman Chester moved to approve the agenda. Councilman Jarman seconded the motion. Hearing and seeing no discussion, all were in favor by a roll call vote (4-0).

Councilman Jarman	Aye
Councilman Casto	<i>(running late due to traffic)</i>
Councilman Chester	Aye
Vice Mayor McConnell	Aye
Mayor Sheldon	Aye

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

Mayor Sheldon opened the floor for non-agenda public comments.

Councilman Casto arrived at 6:04 PM.

JoAnn Weatherford, President of Keep PCB Beautiful – Ms. Weatherford invited everyone to attend a shredding event on November 14<sup>th</sup> at the PCB Senior Center. Ms. Weatherford discussed “Adopt a Beach Program.” Ms. Weatherford reported of the 96 public beach accesses, 50% had been adopted. Ms. Weatherford asked for approval to hang vinyl “Adopt a Beach” signs at the accesses. Mayor Sheldon asked the City Manager to work with Ms. Weatherford and her group. Discussion regarding how to adopt a beach took place. Mrs. Weatherford reported more information could be found at [keeppcbbeautiful@gmail.com](mailto:keeppcbbeautiful@gmail.com). Mayor Sheldon thanked Ms. Weatherford.

## **CONSENT AGENDA**

**RESOLUTION 21-01 A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA UPDATING THE FEES FOR PLANS REVIEW BY THE UTILITIES AND PUBLIC WORKS DEPARTMENTS.**

**RESOLUTION 21-02, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH LAURA JO SMITH AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

**RESOLUTION 21-07, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, ADOPTING THE 2020 UPDATE TO THE BAY COUNTY LOCAL MITIGATION STRATEGY PLAN.**

**RESOLUTION 21-08, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING A SUBRECIPIENT AGREEMENT RELATING TO CARES ACT FUNDING.**

**RESOLUTION 21-09, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN ON-CALL POLICY.**

**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.

Mayor Sheldon asked the Clerk to read the consent agenda. Mayor Sheldon announced the consent agenda was available. Councilman Chester moved to approve the consent agenda. Councilman Casto seconded the motion. All were in favor by a roll call vote (5-0).

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

## **REGULAR AGENDA- DISCUSSION/ACTION**

**ITEM 1. ORDINANCE 1525, ANNUAL UTILITY RATE SEWER & RECLAIMED WATER AMENDMENT FY 2020-2021, 3<sup>rd</sup> READING/PUBLIC HEARING AND ADOPTION.**

Mayor Sheldon announced that this was the third reading and public hearing of Ordinance 1525. Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1525 by title only. Mrs. Myers acknowledged that a third reading was unusual and that it was being held to cure a notice defect and the ordinance could be properly adopted. Mayor Sheldon opened the public hearing and called for comments. Hearing and seeing none, Mayor Sheldon closed the public hearing. Mayor Sheldon noted this item was available for discussion. Hearing and seeing none, Councilman Casto moved to approve Ordinance 1525. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

**ITEM 2. ORDINANCE 1537, AMENDING REGULATION OF PORTABLE STORAGE CONTAINERS, 2nd READING/PUBLIC HEARING AND ADOPTION.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1537 by title only. Mayor Sheldon opened Item 2 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon noted this item was available for discussion. Hearing and seeing none, Councilman Jarman moved to approve Ordinance 1537. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

**ITEM 3. ORDINANCE 1538, AMENDING BODY ALTERING BUSINESS DISTANCE LIMITATIONS AND APPEARANCE STANDARDS, 2nd READING/PUBLIC HEARING AND ADOPTION.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1538 by title only. Mayor Sheldon opened Item 3 up for public hearing/comment.

Joe Spindler, owner of Gulf Coast Professional Tattoo – Mr. Spindler reported he had been trying to get this amendment done for a couple years now. Mr. Spindler added he property that his business was on would be changed to something else, so he was looking for a new location. Mr. Spindler noted his support for adoption of the ordinance and thanked Council for looking at this item.

Mayor Sheldon thanked Mr. Spindler. Mayor Sheldon called for further comments. Hearing none, Mayor Sheldon closed the public hearing. Mayor Sheldon noted this item was available.

Councilman Casto moved to approve Ordinance 1538. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

**ITEM 4. ORDINANCE 1539, AMENDING LSV RENTAL BUSINESS APPEARANCE STANDARDS, 2nd READING/PUBLIC HEARING AND ADOPTION.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Ordinance 1539 by title only. Mayor Sheldon opened Item 4 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon noted this item was available for discussion. Hearing and seeing none, Councilman Chester moved to approve Ordinance 1539. Councilman Jarman seconded the motion. All were in favor by a roll call vote (5-0).

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

**ITEM 5. RESOLUTION 21-03, BUDGET AMENDMENT FOR SEELIFE COMMUNITY ARTS PROJECT.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-03 by title only. Mayor Sheldon opened Item 5 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon called for comments from City Manager O'Rourke. Manager O'Rourke thanked the Mayor for creating the relationship with Dr. Dubin and his wife. Manager O'Rourke reported their foundation generously donated \$5,000 to the Seelife project and the City will in turn purchase the sculptors after this meeting. Mayor Sheldon noted this item was available for discussion. Councilman Chester noted he was excited about the project. Mayor Sheldon concurred. Councilman Jarman moved to approve Resolution 21-03. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

**ITEM 6. RESOLUTION 21-04, HAGERTY CONSULTING TASK ORDER FOR HMGP AND CDGB-DR RECOVERY RELATED TO HURRICANE MICHAEL AND BUDGET AMENDMENT.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-04 by title only. Mayor Sheldon opened Item 6 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon called for comments from City Manager O'Rourke. Manager O'Rourke reported the City had initially contracted with Hagerty for projects up to \$6.5 million and the scope of work expanded because they identified \$31.5 million worth of projects they believe FEMA would fund. Manager O'Rourke added this would be an extension of their contract. Manager O'Rourke briefly reported on some of the projects. Mayor Sheldon noted this item was available for discussion.

Councilman Casto reported he was ok with this item and it would be great do to some of these projects Mr. O'Rourke talked about. However, after this, he recommended holding off on additional projects until some of the projects were completed. Mayor Sheldon concurred and requested that everyone be open to using different firms in the future. Councilman Jarman concurred. Councilman Jarman moved to approve Resolution 21-04. Councilman Casto seconded the motion. All were in favor by a roll call vote (5-0).

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

**ITEM 7. RESOLUTION 21-05, BUDGET AMENDMENT FOR PCBPD TARGETED ENFORCEMENT AGAINST SPEED / AGGRESSIVE DRIVING.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-05 by title only. Mayor Sheldon opened Item 7 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon noted this was a phenomenal opportunity for the city to keep its streets safe. Mayor Sheldon noted this item was available for discussion. Councilman Casto moved to approve Resolution 21-05. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

**ITEM 8. RESOLUTION 21-06, BUDGET AMENDMENT FOR PCBDP GRANT FOR INCIDENT BASED REPORTED SYSTEM / RECORD MANAGEMENT SYSTEM.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-06 by title only. Mayor Sheldon opened Item 8 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon noted this item was available for discussion. Manager O'Rourke explained the types of crimes that would be tracked with this new reporting system. Councilman Jarman moved to approve Resolution 21-06. Councilman Chester seconded the motion. All were in favor by a roll call vote (5-0).

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

**ITEM 9. RESOLUTION 21-10, DEDICATION OF THE ROBERT CARLSON TENNIS CENTER.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-10 by title only. Mayor Sheldon opened Item 9 up for public comment. Members of the Carlson Family thanked Council and everyone for the recognition. Mayor Sheldon closed the public comment. Mayor Sheldon noted this item was available for discussion. Councilman Chester moved to approve Resolution 21-10. Councilman Jarman seconded the motion. Mayor Sheldon thanked for the family for attending and talked about Coach Rob. All were in favor by a roll call vote (5-0).

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

**\*ITEM 10. RESOLUTION 21-11, SETTLEMENT AGREEMENT, PCB V. TOTE HOLDINGS, ET AL.**

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-11 by title only. Mrs. Myers noted that a copy of the settlement agreement was provided to Council members in the agenda packet. Mrs. Myers explained the acquisition of these two parcels would allow the City to move forward with its Front Beach Road, Segment 3, improvement project. Mrs. Myers added that staff recommended approval. Mayor Sheldon opened Item 10 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon noted this item was available for discussion. Councilman Chester moved to approve Resolution 21-11. Councilman Jarman seconded the motion. All were in favor by a roll call vote (5-0).

Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye

Vice Mayor McConnell      Aye  
Mayor Sheldon                      Aye

**\*ITEM 11. DISCUSSION REGARDING CRA SEGMENT 2.**

Mayor Sheldon opened Item 11 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon noted invited Director Campbell to the podium. Director Campbell provided City Council with a brief updated on the CRA Segment 2 project. Mayor Sheldon noted this item was available for discussion. Hearing and seeing none.

**\*ITEM 12. DISCUSSION REGARDING CRA CAPITAL PROJECT STATUS.**

Mayor Sheldon opened Item 12 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Director Campbell provided Council with a brief update/timeline on the CRA capital projects. Discussion regarding the installation of a roundabout at Segment 3 took place. Mayor Sheldon referred everyone to the new signage in City Hall regarding the Front Beach CRA improvements. Director Campbell recommended contracting with a third-party construction engineer and inspection firm to ensure construction quality. Discussion regarding turtle lighting and bike lane lighting on Front Beach took place. Mayor Sheldon thanked Director Campbell for his hard work and timelines. Councilmembers concurred.

**ITEM 13. DISCUSSION REGARDING 4.1 / OUTFALLS.**

Mayor Sheldon opened Item 13 up for public comment. Hearing and seeing none, Mayor Sheldon closed the public comment. Mayor Sheldon invited Director Jenkins to the podium. Director Jenkins updated Council on offshore outfall opportunities. Director Jenkins recommended getting one of the outfalls installed during Segment 4.1 improvement project. Director Jenkins discussed the project limits and North Myrtle Beach's outfall project. Director Jenkins discussed budgeting and Restore Act funds. Mayor Sheldon noted this item was available for discussion. Hearing and seeing none. Mayor Sheldon reported on his conversations with the Mayor of Myrtle Beach. Discussions regarding the purpose of an outfall took place. Councilman Jarman discussed looking for grants to help fund the project. Councilman Casto reported this is one of his number one projects. Councilman Casto discussed flooding a Lakeview. Discussion regarding Myrtle Beach and North Myrtle Beach's outfalls took place. Vice Mayor McConnell noted he was pleased that the Administration was pulling for the current budget. Vice Mayor McConnell asked that the funding, including the Restore Act contribution, be more fully defined coming back to Council. All council members noted their support.

**CITY MANAGER REPORT**

Mr. O'Rourke reported Staff was closely monitoring Hurricane Delta. Mr. O'Rourke reported the City as complying with the FBI subpoena records request. Mr. O'Rourke explained the difference between an FBI request and a standard records request. Mr. O'Rourke added that several parties had requested copies of the records from the subpoena. Mr. O'Rourke recommended, after the review and redaction, the parties interested in the records jointly share in the cost the

produce those records. Mr. O'Rourke reported, at this point, 27% of residents had returned the citizen survey. Mr. O'Rourke reported pickleball lighting at Lyndell Center was just around the corner. Mr. O'Rourke added that Director Ponek was working on it and it should take about 6 weeks. Mr. O'Rourke provided early warning that a portion of Gayle's Trails would be closed for about 60 days because of the Bay Parkway improvements. Mr. O'Rourke reported that the new city website should be up and running mid-December. Mr. O'Rourke added that he would bring to the Council on October 22<sup>nd</sup> a comprehensive job classification study for view.

#### **CITY ATTORNEY REPORT**

Mrs. Myers reported there were three regular meetings left in the 2020 calendar year.

#### **COUNCIL COMMENTS**


Councilman Jarman reported he was pleased with the direction the City was moving.

Vice Mayor McConnell reported, unfortunately, Bay County and PCB were leading the in the State of Florida, per capita, in pedestrian and bicycle deaths. Vice Mayor McConnell recommended Council spend some money on signs for Front Beach Road stating that it is state law to stop for pedestrians. Vice Mayor McConnell recommended PCB Police have a high area of focus/enforcement in that area and the CRA do a deep dive regarding crosswalks. Vice Mayor McConnell called for a PSA and a push from the City's PIO on pedestrian and bike safety. Council members concurred and discussed a holistic approach on pedestrian and bike safety.

Mayor Sheldon asked if Council could get an update on Bay Parkway, phase 2. City Manager O'Rourke reported that it was on schedule despite the rains and should open early spring. Mayor Sheldon reported on a paint striping system that Bay County uses on ballfields. Mayor Sheldon reported that the costs would be offset by not hiring. Director Ponek concurred. Manager O'Rourke noted they would bring back a report. Mayor Sheldon wished Jason Pickle a happy birthday!

**With nothing further, the meeting was adjourned at 7:15 PM**

READ AND APPROVED this 14<sup>th</sup> day of January, 2021.

  
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Mark Sheldon, Mayor  
City of Panama City Beach, Florida

ATTEST:

  
\_\_\_\_\_  
Lynne Fasone, MMC  
City Clerk

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

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