

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 **March 25, 2021.**

Mayor Sheldon called the meeting to order at 9:00 a.m.

ROLL CALL

MAYOR MARK SHELDON
VICE MAYOR GEOFF MCCONNELL
PAUL CASTO
PHIL CHESTER
MICHAEL JARMAN

Others present were Interim City Manager Al Shortt, City Attorneys Amy Myers and Cole Davis, City Clerk Lynne Fasone, Directors and members of the public and press.

Pastor Jay Powell with Gulf Beach Baptist Church led the invocation. Councilman Michael Jarman led the Pledge of Allegiance.

Mayor Sheldon provided community announcements. Mayor Sheldon called for approval of the January 14, 2021 meeting minutes. Councilman Casto so moved. 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

Mayor Sheldon called for approval, additions and/or deletions to the agenda. Mayor Sheldon recommended adding Resolution 21-128, approving an FDOT sidewalk agreement related to safe routes to schools, as new regular item #5. Vice Mayor McConnell moved to approve the agenda, as amended. Councilman Jarman seconded the motion. All were in favor of approval of the amended agenda by a roll call vote (5-0).

Councilman Jarman	Aye
Councilman Casto	Aye
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.

Larry Messinger with Keep PCB Beautiful – Mr. Messinger thanked Council and city staff members for their attention to Keep PCB Beautiful. Larry provided details on the upcoming 27-Mile Beach Clean Up event and asked everyone to register for the event on the Keep PCB Beautiful website and for the after party at the Senior Center.

Sam Patrick, 225 Summer Breeze Road, PCB – Mr. Patrick discussed the City’s beach and water safety ordinance and asked for clarification with respect to fishing off the Pier and swimmers and surfers in the Gulf around the Pier.

Michelle Carter, PCB – Ms. Carter reported that she was grateful that the criminal charges against her had been dropped, with respect to sleeping in her car on the beach. Ms. Carter asked Council to review the ordinance with respect to sleeping in her car in private parking lots.

Mark Neitzel, 121 Park Place, PCB – Mr. Neitzel thanked Council and city staff for their hard work that goes into running a city, as it often goes unnoticed. Mr. Neitzel thanked Council for selecting Drew Whitman as the City’s new City Manager. Mr. Neitzel thanked Ms. Fasone for her work with the Civil Service Board and the Police Department and Fire Department first responders.

Mayor Sheldon called for further public comments. Hearing and seeing none, Mayor Sheldon closed public comments.

PRESENTATIONS

Mayor Sheldon called for presentations.

Councilman Michael Jarman presented employees with years of service awards. Councilman Jarman presented a proclamation on behalf of National Child Abuse Prevention Month.

Mayor Sheldon invited Director Shaeffer to the podium for a presentation on water and wastewater impact fees and rates. Director Shaeffer provided background information on Raftelis and the study. Director Shaeffer introduced Henry Thomas with Raftelis. Mr. Thomas, Vice President of Raftelis Financial Consultants, presented a presentation on water and wastewater impact fees and rates. Mr. Thomas recommended a gradual rate increase; 1% over the next four years for water and 4% over the next four years for wastewater. Mayor Sheldon thanked Mr. Shortt, Mr. Shaeffer and Mr. Thomas for the presentation. Mayor Sheldon called for comments from Council.

Councilman Casto noted he was in favor of impact fees. Councilman Casto discussed the improvements made to Police and Fire Stations and the Parks. Councilman Casto added that he was not in favor of ratepayers paying for all the growth. Councilman Chester concurred and inquired as to when the contract was up with the County. Mr. Shortt reported 2042 or 2046. Councilman Jarman concurred with Councilman Casto.

City Manager Shortt asked that Council accept the findings and bring back an ordinance on the impact fees. Mr. Shortt discussed the 90-day wait period. Vice Mayor McConnell asked that staff provide a list of projects that would be funded. City Manager Shortt reported that Council would hear a presentation on that topic on April 8th.

Council members directed Staff to bring back the recommendations and ordinance.

Mayor Sheldon invited Director Campbell to the podium for an update on CRA design guidelines and angled parking. Director Campbell reviewed State Road 79, Segment 3 and angled parking projects, as well as upcoming bid openings and increase in construction costs and timelines. Council members reported that they were not in favor of the angled parking. Discussion regarding the Bid-O-Wee right-of-way took place.

Discussion regarding a dedicated left hand turn lane in front of Home Depot took place. Mayor Sheldon request a Gantt Chart detailing the CRA project. Council members thanked Director Campbell and staff for their hard work. Councilman Casto discussed the new stimulus money and recommended that Back Beach Road be added back to the priority list. CRA designs, including crosswalks design and safety and lighting was discussed. Discussion regarding not changing the CRA guidelines randomly took place. Discussion regarding CRA lighting, smart lighting and bidding the lighting out took place. Council decided to review the lighting options in-house first. Council decided to move forward with Smart lighting. Vice Mayor McConnell thanked Director Campbell and inquired as to the cost driver in Segment 3. Director Campbell reported the costs of materials, overtime hours and realizing how difficult the previous Segments were. Mayor Sheldon thanked Director Campbell.

CONSENT AGENDA

RESOLUTION 21-116 – A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH HG2 EMERGENCY LIGHTING LLC FOR THE INSTALLATION OF EQUIPMENT ON POLICE VEHICLES FOR THE BASIC AMOUNT OF \$64,078.00.

RESOLUTION 21-118 - A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RELATED TO THE 2021 IRONMAN 70.3 GULF COAST EVENT; AUTHORIZING TEMPORARY CLOSURE OF PORTIONS OF FRONT BEACH ROAD, RICHARD JACKSON BOULEVARD, ALF COLEMAN ROAD, DOGWOOD STREET, W. PARK DRIVE, PIER PARK DRIVE, AND PHILIP GRIFFITTS, SR. PARKWAY ON SATURDAY, MAY 15, 2021, FOR THE EVENT AS MORE PARTICULARLY SET FORTH IN THE BODY OF THE RESOLUTION.

RESOLUTION 21-119 – A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING A TASK ORDER WITH DEWBERRY ENGINEERS, INC. FOR PROVISION OF STATE ROAD 30A UTILITY RELOCATION ENGINEERING SERVICES IN THE AMOUNT OF \$42,770.

RESOLUTION 21-120 – A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH ATKINS NORTH AMERICA, INC. FOR CONSTRUCTION ENGINEERING INSPECTION SERVICES FOR THE ALF COLEMAN ROAD SIDEWALK LIGHTING AND RESURFACING PROJECT IN A NOT TO EXCEED AMOUNT OF \$198,354.82.

RESOLUTION 21-122- A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING A GRANT AGREEMENT WITH THE NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR THE GRAND LAGOON SEWER SYSTEM EXTENSION PROJECT.

RESOLUTION 21-123- A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING A GRANT AGREEMENT WITH THE NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR THE PANAMA CITY BEACH PARKWAY REUSE TRANSMISSION EXTENSION PROJECT.

RESOLUTION 21-124 – A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, ADOPTING AN AMENDED NON-DISCRIMINATION POLICY TO ENSURE ACCESS TO CITY PROGRAMS, SERVICES, AND ACTIVITIES AND REPEALING ALL POLICIES IN CONFLICT.

RESOLUTION 21-126 - A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE TRANSFER OF FRONT BEACH ROAD SEGMENTS 3 AND 5.

Mayor Sheldon asked Ms. Fasone to read the consent agenda. Mayor Sheldon announced that the consent agenda was available. Councilman Jarman moved to approve the consent agenda. Councilman McConnell seconded the motion. All were in favor of approval 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. RESOLUTION 21-117 – FRANK BROWN BID AWARD FOR FRANK BROWN PARK BACKSTOPS AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-117 by title only. Mayor Sheldon opened up Item 1 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Council. Hearing and seeing none. Councilman Casto moved to approve Resolution 21-117. Councilman Jarman seconded the motion. Hearing and seeing no further comments, all were in favor of approval 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. RESOLUTION 21-127 – BID AWARD - FRONT BEACH ROAD CONSTRUCTION AGREEMENT FOR SEGMENT 3 REDEVELOPMENT CONSTRUCTION.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-127 by title only. Mrs. Myers added that staff recommended some additional authority in the resolution, including authorizing the City Manager to be able to authorize certain change orders, provided that they meet certain criteria. Mayor Sheldon opened up Item 2 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments.

Mayor Sheldon reported that there were only two bidders on this project and the contractor looking to get awarded was approximately \$2 million less than the other bidder. Councilman Jarman inquired if this was regionally bid out. Director Campbell concurred and reported there were no responses and/or no questions received during the question period.

Mayor Sheldon noted this item was available. Councilman Jarman moved to approve Resolution 21-127, as amended by the City Attorney. 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. RESOLUTION 21-121 – DEWBERRY FRONT BEACH ROAD SEGMENT 3 CONSTRUCTION ADMINISTRATION AND CEI.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-121 by title only. Mayor Sheldon opened up Item 3 for public comment. Hearing and seeing none, Mayor Sheldon noted this item was available to Council.

Mayor Sheldon reported he was not a fan of one person monitoring themselves. Vice Mayor McConnell concurred. Councilman Casto asked Director Campbell to please come forward and give Council an explanation and a recommendation.

Director Campbell recommended continuing with the resolution and moving forward with hiring an independent CEI for each project, independent from the designers, after this resolution. Discussion regarding Council establishing a policy took place. Discussion regarding DOT having the same policy took place. Councilman Casto inquired if staff's recommendation was to go with Dewberry on this project and moving forward establishing a new policy. Director Campbell concurred. **Councilman Casto moved to proceed with the resolution and staff recommendation.** Discussion regarding the timeline on this project took place. Discussion regarding the practice being the CEI starting during the bidding process took place. Councilman Casto reported he was not in favor of holding this project up for 8 weeks.

Discussion regarding procurement, ranking, and possibly calling a special city council meeting took place. Director Shortt discussed how a new policy would affect current contracts. Director Shortt reported that it would be cleaner for staff to move forward with this resolution and then establish a new policy going forward.

Councilman Jarman reported that he was not a fan of delaying the project. Director Campbell reported on the City's in-house inspectors and the CEI both spending 4 hours each at the project. Director Shortt asked for direction from Council for staff going forward. Director Shortt inquired if Council wanted a policy going forward. Vice Mayor McConnell recommended hammering out the details of the new policy in the future.

Councilman Casto asked for the City Manager's recommendation. Mr. Shortt recommended moving forward with this resolution and noted he supported Director Campbell's recommendations.

Councilman Jarman noted he was not in favor of delaying the project, however, rectifying Council's concerns in the future needed to be taken into consideration. **Councilman Jarman seconded Councilman Casto's original motion.** Mayor Sheldon called for further comments. Hearing and seeing none. The motion carried by a roll call vote (3-2).

Councilman Jarman	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Vice Mayor McConnell	No
Mayor Sheldon	No

ITEM 4. RESOLUTION 21-125 – FIRE DEPARTMENT GRANT AND BUDGET AMENDMENT.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-125 by title only. Mayor Sheldon opened up Item 4 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments.

Mayor Sheldon invited Chief Morgan to the podium. Chief Morgan discussed the importance of the City's firefighters staying healthy and having clean gear. Chief Morgan reported the grant would allow the City to purchase gloves for firefighters.

Mayor Sheldon noted this item was available. Councilman Chester moved to approve Resolution 21-125. 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

ADDED: ITEM 5. RESOLUTION 21-128, A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN OFF-SYSTEM PROJECT MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR SIDEWALKS TO BE CONSTRUCTED BY FDOT ON CLARA AVENUE AND BETH STREET.

Mayor Sheldon introduced Mrs. Myers, City Attorney. Mrs. Myers read Resolution 21-128 by title only. Mrs. Myers reported this resolution was related to the safe routes to schools that Kathy Younce was working on. Mayor Sheldon opened up Item 5 for public comment. Hearing and seeing no public comments, Mayor Sheldon closed public comments. Mayor Sheldon called for comments from Council.

Vice Mayor McConnell thanked City Manager Shortt and staff for working on this grant. Mayor Sheldon noted this item was available. Councilman Jarman moved to approve Resolution 21-128. Vice Mayor Connell 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

INTERIM CITY MANAGER REPORT

Mr. Shortt reported that the Philip Griffiths Parkway closure would take place April 13, 14, 15 from 6 am-midnight opening, unless any objections. Mayor Sheldon reported that he appreciated the contractor working with the City. Council members concurred. Mr. Shortt reported a new metal detector at City Hall would be installed prior to the April 8th meeting. Mr. Shortt reported three bids were currently out; impound building roof, banking services, and LS4 relocation project. Mr. Shortt reported the Governor was dropping the age limits on receiving COVID vaccines. Lastly, Mr. Shortt reported the City's COVID leave policy in effect would sunset on April 30th, unless Council takes action to extend it.

CITY ATTORNEY REPORT

Mrs. Myers reported that she and Chief Whitman were currently negotiating his City Manager contract. Mrs. Myers reported that she would be asking Council to consider changes with respect to the PD pension/General Employee pension ordinance and his desire to hire an assistant city manager, with Council's blessing on funding.

COUNCIL COMMENTS

Councilman Casto thanked Chief Drew and Ray and the city staff for a job well done during this busy Spring Break. Councilman Chester concurred and thanked all city staff. Councilman Jarman concurred. Councilman Jarman inquired about manhole covers. Director Campbell recommended four manhole covers be repaired from Churchwell Drive, just west to the Majestic. Vice Mayor McConnell thanked the City's first responders, Director Ponak and his Rec staff. Vice Mayor McConnell recommended documenting citywide procurement policies, now that the City has hired a procurement officer. Vice Mayor McConnell recommended holding feedback meetings after bid openings. Mayor Sheldon asked the City Manager to follow up with Mr. Sam regarding beach water safety. Mayor Sheldon asked staff to look into encouraging public art and recommended the Planning Board review that section of the Code as well. Mayor Sheldon thanked the City's first responders and staff for their hard work during Spring Break and going into the busy summer season.

With nothing further, Mayor Sheldon adjourned the meeting by unanimous consent at 11:07 a.m.

READ AND APPROVED this 24th day of June, 2021.



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.