

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 February 9, 2017.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

JOHN REICHARD  
JOSIE STRANGE  
PHIL CHESTER  
HECTOR SOLIS

CITY MANAGER:

MARIO GISBERT

CITY CLERK:

DIANE FOWLER

ACTING CITY ATTORNEY:

KEVIN OBOS

Mayor Thomas called the Regular Meeting to order at 6:00 P.M. with all Council members, City Manager, City Clerk and Acting City Attorney present.

Pastor Ramon Duvall of the Beachside Fellowship Church gave the invocation and Councilman Chester led the Pledge of Allegiance.

The Minutes of the Workshop of December 1, 2016 and the Regular Meeting of January 26, 2017 were read and approved as written per motion by Councilman Chester. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

Mayor Thomas asked if there were any additions or deletions to the Agenda. Councilman Reichard asked if Regular Agenda Item #1 **Ordinance 1394** could be moved later in the meeting as Ms. Bowden from Comcast wanted to speak and she had not yet arrived from Tallahassee. There were no objections. With no further changes, Councilwoman Strange made the motion to approve the Amended Agenda. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

Councilman Solis	Aye
Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Mayor Thomas	Aye

**PRESENTATIONS**

**1 BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD PRESENTATION.**

Councilman Chester introduced Mr. Dylan Pippin and presented him with the Civic Achievement Award for exemplary service to the Beach Boys and Girls Club. He then congratulated Dylan. Mr. J. C. Swab presented Dylan with a gift card donated by a local business. The audience responded with applause.

**2 FDOT SR 30A/US 98/PCB PARKWAY PD&E STUDY.**

Mayor Thomas welcomed Ms. Sherry Alaghemand to the podium for the FDOT PD&E Study from Mandy Lane to the Thomas Drive Intersection. She said this would be a status update for the upcoming February 16<sup>th</sup> Workshop as well as receive input during this meeting. She said the need was to add two lanes to the Parkway to address the existing failing level of service. The project would relieve congestion as well as enhance safety and mobility, improve emergency evacuation and include sidewalks and bike lanes. She announced the Alternatives Workshop would be held at the Lyndell Senior Center February 16, 2017 from 5:30 P.M. to 6:30 P.M. She asked if there were any questions.

Councilman Reichard asked Ms. Alaghemand about the sidewalks and she explained the term "discontinuous" sidewalks. Mr. Gisbert asked if Staff had considered building the Bay Parkway since it could be built without interrupting any existing driveways, buildings or traffic. Ms. Alaghemand said no because this PD&E was not an alternative corridor study. This study only looked at widening the existing road.

Councilman Solis asked about a designation for a Strategic Intermodal System (SIS). Ms. Alaghemand said that would be a question for the Bay County liaison who had told her that she had previously sent him that information. He said the last discussion had been a few months ago and wondered about the status of moving forward. He continued that the SIS was a different pot of funding which might help move the updates quicker.

Mr. Gisbert asked what could be done to move the project forward quicker than 2045. Ms. Alaghemand was FDOT was doing design now and three segments were funded for design. She could not give an answer to moving quicker.

Mayor Thomas commented about the Parkway being classed as a failing roadway but improvements not being done until 2045. He called it ridiculous. Mr. Ruddha Gotmare, Project Manager, said the 2045 number was traffic projection on a thirty-year horizon. However, now there were no funds available for the right-of-way or construction.

Councilman Reichard asked if there was anything that the TPO could do to move this along quicker. Mr. Gotmare said it would influence FDOT if the TPO moved the project higher on their priority list. Councilman Solis suggested that it be placed as a discussion item at the next TPO meeting.

Mr. Gisbert said the five foot sidewalk was not consistent with the City's LDC, and if it could be increased to six feet, it would not require a variance. Ms. Alaghemand said they would consider that change. She said they used five feet because that was the FDOT standard. Mayor Thomas thanked the representatives.

**3 AIRPORT AUTHORITY BOARD PRESENTATION.** Mayor Thomas welcomed Mr. Del Lee, member of the Airport Authority, to the podium. Mr. Gisbert thanked Mr. Lee for serving and mentioned that his term would be ending June 30<sup>th</sup>. Mr. Lee gave compliments to former Chair Til Bruett, the City's other representative, and what a strong leader he had been for the Board. Mr. Lee reported a good year for the airport, steady numbers, with four new members appointed to the Airport Authority over the past year. Councilman Solis questioned airline pricing and why other airports offered less expensive flights. Mr. Lee said that was outside of the Airport Authority's control. Mayor Thomas thanked Mr. Lee for his service and the presentation.

#### **PUBLIC COMMENTS (Consent and Regular Items only)**

The Mayor opened the Public Comments section at 6:35 P.M. and explained only Regular and Consent Items would be addressed during this portion of the meeting.

**1 JUSTIN WILSON, 5218 BEACH DRIVE.** Mr. Wilson made comments about Ordinance 1409, the Network Company Vehicles for Hire. He suggested that a Florida Drivers License should be required, not merely a drivers license from any state. He suggested three years driving experience rather than merely one year. He also recommended physicals being required.

**2 DAVID KELLY, 108 SALE ROAD.** Mr. Kelly questioned how to enforce having a Florida Drivers License. He mentioned 4<sup>th</sup> Amendment rights. With no further comments, the Public Comments portion of the meeting was closed at 6:42 P.M.

#### **CONSENT AGENDA**

**1 RESOLUTION 17-32, ANALYSIS OF EXISTING STORMWATER NON- AD VALOREM FUNDING PROGRAM AND UPDATE OF THE STORMWATER RATE STUDY.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Ennead LLC and Public Utility Management and Planning Services, Inc., for analysis of the City's Existing Stormwater Non- Ad Valorem Funding Program and update to the Stormwater Rate Study; and providing an immediately effective date."

**2 RESOLUTION 17-53, AGREEMENT WITH BAY COUNTY EMERGENCY MANAGEMENT FOR NOTIFICATION SYSTEM IN SUPPORT OF ALERTFLORIDA INITIATIVE (ALERT BAY).** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Bay County Emergency Management for use of the Notification System in support of the AlertFlorida Initiative; and providing an immediately effective date."

**3 RESOLUTION 17-49, VACANT LAND ACQUISITION HERMANN & JUDITH IRENE BOHN, 6919 SOUTH LAGOON DRIVE FOR THE GRAND LAGOON SEWER PROJECT.** "A Resolution of the City of Panama City Beach, Florida, approving the purchase of vacant land for \$50,000 from Hermann and Judith Irene Bohn, co-Trustees of the Hermann and Judith Bohn Revocable Trust, and providing an immediately effective date."

**4 RESOLUTION 17-54, VACANT LAND ACQUISITION NONNIE LEE M. KINNER, LOT 7, BLOCK 13, HOLIDAY BEACH UNIT 15 (VEGA STREET) FOR THE GRAND LAGOON SEWER PROJECT.** "A Resolution of the City of Panama City Beach, Florida, approving the purchase of vacant land for \$46,000 from Nonnie Lee M. Kinner, and providing an immediately effective date."

**5\* RESOLUTION 17-55, MASTER SERVICES AGREEMENT SOUTHERN EARTH SCIENCES, TASK ORDER #2017-1 FOR GEOTECHNICAL TESTING SERVICES, FRONT BEACH ROAD CRA SEGMENT 2 PROJECT.** "A Resolution of the City of Panama City Beach, Florida, approving Task Order #2017-1 to the Master Services Agreement with Southern Earth Sciences, Inc., for Geotechnical Testing Services for Front Beach Road CRA Segment 2 Construction Materials Testing, in the amount of \$56,000; and providing an immediately effective date."

Ms. Fowler read each item on the Consent Agenda by title. She also identified Item 5, **Resolution 17-55**, as a CRA Item in which the Council was also acting as the City of Panama City Beach Community Redevelopment Agency, jointly and concurrently. Mayor Thomas asked Mr. Gisbert to explain **Resolution 17-53** for the public prior to the vote. After the explanation, **Councilman Solis made the motion to approve the Consent Agenda. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

#### **REGULAR AGENDA**

**ITEM 1 ORDINANCE 1394, MAINTENANCE OF COMMUNICATION CABLES IN RIGHT-OF-WAY, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Mr. Obos read Ordinance 1394 by title. Mayor Thomas opened the Public Hearing at 6:49 P.M. He recognized Ms. Sandy Sims with Gulf Power and Ms. Stefanie Bowden with Comcast. He asked if anyone was present for AT&T & Mr. Ray Walker responded affirmatively.

Ms. Sandy Sims, Gulf Power, said her engineering supervisor Josh Rogers was also present. She said they were committed to work with the City on enforcement of this Ordinance and had already had conversations with Code Enforcement to identify the cables on the poles. She explained the joint use agreement with the other utilities, Gulf Power owning about half the poles with AT&T the other half and the placement hierarchy of the lines. Councilman Reichard said it seemed that Gulf Power would be the least likely to leave lines on the poles and Ms. Sims agreed and elaborated.

Ms. Stefanie Bowden, Comcast Government Affairs, said she would like to work with the City on this Ordinance and explained some of their concerns about Section D. She said some lines may look abandoned but their thoughts were that customers may in future want to use the lines. Mayor Thomas explained some poles had four to five abandoned lines and Councilman Solis reported new lines installed yet old lines were left on the pole. Councilman Reichard said if the hardware was left on the pole in the hopes that the customer would come back to Comcast, he questioned about maintenance and deterioration on the equipment while waiting on the future event. Ms. Bowden said it involved the timing, and if the service was changed only a few months ago, those wires would still be viable. She said she would still like more conversations about this Ordinance.

Mr. Ray Walker, AT&T, said he would work with Ms. Sims and coordinate their efforts to find areas to be corrected. Mayor Thomas said the City appreciated their cooperation. He asked if there were any questions and there were none. Councilman Reichard told Ms. Bowden if language in this Ordinance should be revised, the Ordinance could be revisited and amended.

With nothing further, the Public Hearing was closed at 7:03 P.M. **Councilwoman Strange made the motion to approve Ordinance 1394. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 2 ORDINANCE 1407, TRESPASSING ON PUBLIC PROPERTY, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Mr. Obos read Ordinance 1407 by title. The Mayor opened the Public Hearing at 7:05 P.M. and asked for comments. Hearing none, the Public Hearing was closed at 7:06 P.M. **Councilwoman Strange made the motion to approve Ordinance 1407. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 3 RESOLUTION 17-56, BID AWARD-VINYL FENCING FOR POLICE DEPARTMENT IMPOUND YARD AND BUDGET AMENDMENT #18.** Mayor Thomas said he would like the impound yard moved near the Wastewater Plant to make this corner look better. Councilman Reichard agreed. Councilman Solis questioned the cost and time to build a new impound yard. Councilwoman Strange asked if the City had available land and Mr. Gisbert said new land would be needed. Mayor Thomas said the reason he brought up this issue was to find out the answers. Councilman Reichard said the Police Department would need to give input about an "off campus" impound yard and if it would work. Mr. Gisbert said after speaking with the Chief, it would work off site but would require a security system and ideally near an existing facility with 24-hour manpower. The Mayor suggested pulling the Resolution until answers were found for these questions. Councilwoman Strange agreed and Councilman Reichard said that was a good idea. **Resolution 17-56 was removed from the Agenda.**

**ITEM 4 RESOLUTION 17-57, BID AWARD- POLICE MOBILE RADIOS AND BUDGET AMENDMENT #16.** Mr. Obos read Resolution 17-57 by title. The Mayor asked if there were any questions. Councilman Reichard asked Chief Whitman the life of the radios. Chief Whitman explained in detail, their being compatible with the County system and paid by Impact Fees due to growth. **Councilman Reichard made the motion to approve Resolution 17-57. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 5 ORDINANCE 1408, CHANGING MEETING DATES, 1<sup>ST</sup> READING.** Mr. Obos read Ordinance 1408 by title. Councilman Solis said he had thought the prior conversations had only concerned rescheduling for November and December, not necessarily for the entire year. He said there would other holidays impacted by the change, such as July 4<sup>th</sup>. He said additional meetings could be added for November and December if necessary, such as November 30<sup>th</sup>. Councilwoman Strange suggested leaving the schedule as it was and call special meetings if necessary. Mayor Thomas said the flexibility was there to reschedule the November and December meetings. **Mayor Thomas pulled Ordinance 1408 from the Agenda.** There were no objections.

**ITEM 6\* REQUEST FOR NEW PUBLIC WORKS ENGINEER I.** Mr. Casto gave an overview of the CRA and the reorganization of Public Works and Utilities. He said in 2015, the CRA and Public Works were combined, inspections brought in-house but with no additional employees. Additional projects and grant writing were added with no additional employees. With CRA Segment 2 underway, there were several steps for

Segment 3 to be done to be ready when 2 was complete. He said current Staff was stretched thin so they recommended another engineer.

Councilman Solis said this position was warranted but he emphasized that this new position would carry a lot of responsibility and Council's expectations that the CRA would move forward quickly. He said he would want a commitment from Staff that the CRA Segments would move forward every two years.

Councilwoman Strange asked about the projects falling behind. Mr. Casto mentioned the land acquisitions for Segment 3. Ms. Jenkins said there were thirteen parcels and explained the reviews were coming now from the outside consultant but it took a few months for the information such as legal descriptions, owners. Mayor Thomas explained what was being considered and why Segment 2 had been delayed. Ms. Jenkins said Staff was worried there would not be enough time to keep up with the projects.

Mr. Casto said there were twenty-one substantial projects being managed by the Department, both CRA and Stormwater. Ms. Jenkins said grants should already have been in process for the new Segment and mentioned being proactive and aggressive. Mr. Casto said the salary for this new employee would be paid from CRA funds and was budgeted. Councilman Reichard asked why the prior position (½ CRA, ½ Public Works) was not filled and Ms. Jenkins replied possibly the lack of applicants and after further study, there was sufficient work on the CRA to sustain this new employee.

Councilman Chester asked Mr. Gisbert if this new employee would be under the one year probation and he replied affirmatively. Ms. Jenkins said they were also actively cross-training with Ms. Younce on Stormwater to be able to back each other up on the work. Councilman Reichard asked if one of the Building Department Planners could help write the grants and Ms. Jenkins said maybe a few but most required an engineer's expertise. Councilman Reichard reminded that Council had been told earlier that the CEI services could be handled inhouse and Ms. Jenkins replied yes if there was adequate staff. Mr. Casto said they did not have sufficient staff to handle all the work and Ms. Jenkins said the additional part-time engineer was not hired in November. Councilman Reichard said this engineer would be funded by the CRA, and if Segment 3 was not ready to go once Segment 2 was completed, asked what work would he be assigned. Ms. Jenkins said once the CRA was completed, there would be sufficient work afterwards for managing the projects. Councilman Reichard asked what had occurred the past four years when the Segment 2 was not moving forward and Mr. Gisbert responded that the TIF had been insufficient to build the project.

Mayor Thomas said he opposed this new hire as Staff had originally said they could do the work with the half-person. He said the Loop Road and other projects mentioned were completed. He said two new employees were added for the Street Department for landscaping, and it seemed that new personnel were constantly being added but projects not completed.

Councilman Solis mentioned the additional work required for new grants and if only one new grant was awarded, it would more than fund a new employee. He said with the increased TIF, he felt it would be delaying the projects if additional staff was not on board. He said with the money coming in and adequate staff, there could be a CRA Segment every 2.5 years. Mayor Thomas agreed and that the City would push the projects, and in the past, there had been some projects neglected but he did not foresee this Council allowing that neglect. With no further comments, **Councilman Solis made the motion to approve the new Public Works Engineer. Second was by Councilwoman Strange and the motion passed by majority roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Nay</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Nay</b>

**ITEM 7 ORDINANCE 1409, AMENDING CHAPTER 24, NETWORK COMPANY VEHICLES FOR HIRE, 1<sup>ST</sup> READING.** Mr. Obos read Ordinance 1409 by title. Councilman Solis said the City should move forward with these types of companies. He asked Attorney Cole Davis about some of the language in the Ordinance to identify the driver. Mr. Davis explained other means identifying a driver. Mayor Thomas explained that Mr. Davis had been working on this issue since the start, assisting Ms. Myers. Councilman Chester asked about the State regulating the companies and Mr. Davis said the State had a Bill currently in process which would basically do the same as the City's

Ordinance and preempt local regulations July 1st. He said he had discussed the City's Ordinance with UBER and they liked the language and to comply with the Ordinance would not duplicate any work if they waited and not miss potential business. Mayor Thomas said he had asked the attorneys not to bring this now as he thought this was a waste of City funds. Councilman Reichard said he thought it was definitive that UBER would not come until the State had adopted their regulations. Mr. Davis said during his recent conversations with UBER, they were reconsidering delaying.

Councilwoman Strange asked if he felt confident the Legislature would pass the Bill and Mr. Davis responded it passed the subcommittee but the full Legislature would decide. Councilman Reichard said he thought the Bill would pass due to problems in other locations. Councilman Solis said he thought the City should move forward. Mr. Davis said that the City would probably see other companies coming in to use the same technology. With nothing further, **Councilman Solis made the motion to approve Ordinance 1409. Second was by Councilwoman Strange and the motion passed by majority roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Nay</b>

**ITEM 8 ORDINANCE 1398, LOW SPEED VEHICLES REGISTRATION, 1<sup>ST</sup> READING, PUBLIC HEARING.** Mr. Obos read Ordinance 1398 by title. The Mayor asked the other Council members if there were questions and there were none. He then opened the Public Hearing at 7:39 P.M.

Mr. Rick Roof, California Cycles, said they had expanded to new locations during their 32 year history. He said his five stores were in prime locations on the beach and limiting fifty LSVs for his five stores while his competition with only one store was allowed fifty which gave them the edge in business. He could not compete, supply and demand. He mentioned his business was for sale this year but would not be able to sell and maintain the grandfathering for the new buyer. He mentioned being unable to create a business plan for the future. Mr. Roof said if the City adopted this Ordinance, they would sue to save his business.

Ms. Colleen Swab, California Cycles, said they had changed their business format over the past few years. She mentioned her location in the County which would not have medallions, and questioned how her vehicles in Bay County would be regulated. She said she was concerned about the language allowing the City Manager to close a business based on the number of accidents/infractions. She asked for clarification now, not a year from now. She recommended tabling this Ordinance now to meet with the industry again because more items had been added to the Ordinance beyond what had been agreed upon three months ago. Mayor Thomas said this was merely the First Reading and there would be two weeks to work with Staff for answers.

Mr. Mitch Dever, representative for King of Scooters, said there were large LSV companies and small LSV companies, and only the larger companies would be hurt by the fifty LSV limitation. He mentioned the signage issues and questioned how a tourist would know the LSVs were available for rent if they could not be displayed. He said the lack of advertising signage would crush these businesses. He questioned how these LSVs could be classed as an amusement.

Mr. Tony Horton, Bike the Beach PCB, questioned the buildup of LSV inventory now being a problem. He mentioned the language of failing roads in the Ordinance but that the weight of a LSV and its lower speed were not an issue. He urged the Council to allow the free market to determine what types and numbers of vehicles were wanted.

Councilman Reichard said he had understood that everyone had agreed to the fifty per business at the industry meeting with Staff. Mr. Gisbert said a majority of the businesses had agreed except one. Councilwoman Strange said she also had been under the same impression that all companies were in agreement.

Mr. Frank Sewell, 435 Hidden Island Drive. Mr. Sewell questioned the definition of an amusement vehicle and that cars from Enterprise or Hertz could be included. He stated that he had heard from Hertz that they would plan a lawsuit if that specific language was not stricken from the Ordinance. He questioned why these businesses would not be grandfathered.

Ms. Olesea Siriteanu, Hangout By The Sea, said the fifty vehicles per business was fair and had been discussed at the workshops for almost a year. She reminded that all but one company had agreed on that number and questioned why now there would

be a problem. She said she was concerned about signage and display since she was the smallest company with a large property at a good location.

Mr. Roof explained they had changed their mind about fifty LSVs because originally the plan was to have ten vehicles per location, which for them would be fifty total. This ten per location would be for all companies in order to be fair. They had not said fifty per company.

With nothing further, the Mayor closed the Public Hearing at 8:03 P.M. He asked for Council discussion.

Councilman Solis said one significant issue was how the City Manager would close a business based upon the number of accidents and asked Mr. Gisbert for clarification. Mr. Gisbert assured the Council members that he would check with them prior to closing any business. He explained how analytics would be a problem and how difficult to quantify those numbers based on the differing sizes of the businesses. Regarding selling the business, Councilman Solis asked why the business would have to be 1500' away from a residential area. He also had questions concerning signage and a percentage of the property size. Mr. Leonard responded that there was a reduction in signage based and that amount based on percentage had changed. He also explained the 1500' from residential was the same as used for scooters.

Councilwoman Strange asked Mr. Obos about the issue with rental cars being considered the same as these vehicles. Mr. Obos responded that he thought it should be clarified or excluded.

Councilman Reichard said this issue had been discussed for so long that it was confusing as to where it stood now. He said he thought almost everyone was confused. Councilman Chester said he needed more time to discuss the matter with Mr. Obos and Mr. Gisbert as he had more questions. Councilwoman Strange said if the Council moved forward to the Second Reading and there were more changes, would there be a Third Reading. Mr. Obos said that depended upon the changes whether material or not. He said he would not consider the issues discussed today material and could change in between the two Readings and be discussed at the second Public Hearing.

Councilman Solis asked the other Council members about more checks and balances with the City Manager being able to close a business. Mr. Obos said he could amend it to say a City Council decision and make that change prior to the Second Reading. Councilwoman Strange said to move forward and any other issues could be addressed at the next meeting. The industry agreed. **Councilman Solis made the motion to approve Ordinance 1398. Second was by Councilwoman Strange and the motion passed by majority roll call vote recorded as follows:**

<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Nay</b>
<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

#### **ITEM 9 PUBLIC COMMENTS (Limited to Three Minutes).**

The Mayor opened the Public Comments at 8:16 P.M.

1 Rick Roof, 107 Colony Bay Harbour Drive. Mr. Roof commented about private golf carts and that the drivers should have the same responsibility as the rental LSVs and the tourists. He said recently his business had started refurbishing their LSVs and selling them after being made street-legal. He said our own citizens should be protected by the same rules as visitors. Discussion ensued concerning a 14 year old being able to legally drive a golf cart.

2 Mr. Tony Horton. Mr. Horton said there was one golf cart company in Bay County which allowed their golf carts to drive on the streets and they were not street legal. He said the Sheriff's Department did not focus on golf carts. He questioned who would police those golf carts for driving on the streets. He questioned when the laws would be applied to the public and not merely the businesses. Councilman Solis said that was a good point. Mr. Horton said LSVs were recognized as an automobile by the State and should not be labeled as an amusement.

3 Mr. Mike Minnick, 101 Windsor Way, Palmetto Trace. Mr. Minnick thanked the City for installing the "no thru traffic" signs the afternoon after he addressed the Council. He asked the Council to consider installing a three-way stop sign at the intersection of Brunswick, Loop Road and North Pier Park Drive. He mentioned the speed limits on Bay

Parkway being 45 mph, Loop Road 35 mph and North Pier Park Drive 25 mph. He suggested an acceleration lane leaving North Pier Park Drive into PCB Parkway and suggested trimming the vegetation causing sight problems.

There were no further comments. The Mayor closed this portion of the meeting at 8:30 P.M.

**ITEM 10 ATTORNEY REPORT.** Mr. Obos said he had nothing to report.

**ITEM 11 CITY MANAGER REPORT.** Mr. Gisbert said the AlertBay information sheets were available on the table and urged everyone to sign up for the notification program. He stated that there would be a Conservation Park Wagon Tour Saturday from 10 A.M. to 1 P.M., flyers were on the table. There would be a Planning Board meeting here Monday, February 13<sup>th</sup>, at 2 P.M. He reminded that FDOT would hold their PD&E meeting at the Lyndell Senior Center February 16<sup>th</sup> at 5:30 P.M. On February 25<sup>th</sup>, the PCB Mardi Gras Parade would be held at Pier Park in the afternoon. Mr. Gisbert reported the bids and job opportunities posted on the City's website.

**ITEM 12 COUNCIL COMMENTS.** Councilman Reichard said he apologized to the St. Joe Company who had been a multi-million dollar donor to the City for many years. He addressed the complaints that St. Joe might have built the Loop Road on their own which might be true but it would not be to the City's specifications and designs. This road was a public/private partnership success.

Councilman Chester asked about the School's Citizens Oversight Committee and said he would appreciate hearing from them about the beach's schools.

Councilman Solis asked Mr. Gisbert if FDOT would do the "pork chop" or if there had been further discussion in light on the new business just opened next door. Mr. Gisbert replied that the direction from Council given to FDOT was to install a restricted access median, basically a pork chop, but it was FDOT's to build once funds were available and what FDOT's timeline was for the construction, he did not know. Mr. Casto said they had talked with FDOT who reported that they were trying to use the same contractor doing the SR 79 intersection once this intersection was completed in April. He reported that the Colony Club Exit Road would be completed in April.

Councilwoman Strange had no comments.

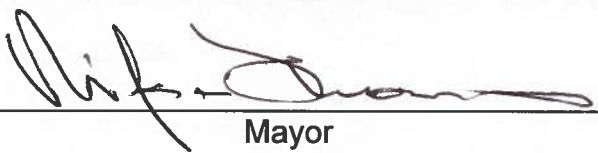
Mayor Thomas said the City had been working on a project for extra parking in the Conservation Park which had almost been lost because St. Joe corporate may not want to help the City if we were mad at them. He continued that St. Joe made it possible to have the Aaron Bessant Amphitheater and gave the City the North Glades Lift Station land donation, Frank Brown Park addition, Gayle's Trails easements, the CRA right-of-way at Alf Coleman, the other Frank Brown Park expansion, the Frank Brown Park mitigation credits, the Frank Brown Park trail meeting Gayle's Trails, permitting lands and credits, Frank Brown Park access road, Laguna lift station land donation, landfill site after Hurricane Eloise, utility easement for the Beach Commerce Park to the Conservation Park, North Gulf Blvd. utility easement, sewer plant expansion land, West Bay lift station and water tank land, buffer restriction releases for all those, Loop Road permitting and engineering, right-of-way credits and mitigation lands, Colony Club Exit Road land and the conservation credits, the PCB Fire Station on the east side at Breakfast Point, the PCB West End Fire Station land and mitigation, Surfside land donation, Breakfast Academy land donation, Arnold High School conservation lands, new PCB east school site donation, and the millions of dollars they do with the St. Joe Foundation. He said the City and St. Joe had always been partners making our life better. Regarding Spring Break, Mayor Thomas said some sites had posted that Panama City Beach and Bay County relaxed the drinking Ordinances and trying to use those statements to bring people here for Spring Break. He understood the economics but did not want the people to come here and be mad that they could not drink as advertised. He said the rules had not been relaxed and were not being changed as far as he knew.

With nothing further, the meeting was adjourned at 8:46 P.M.

READ AND APPROVED this 23rd of February, 2017.



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

# PANAMA CITY BEACH CITY COUNCIL AGENDA

NOTE: AT EACH OF ITS REGULAR OR SPECIAL MEETINGS, THE CITY COUNCIL ALSO SITS, EX-OFFICIO, AS THE CITY OF PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY AND MAY CONSIDER ITEMS AND TAKE ACTION IN THAT LATTER CAPACITY.

MEETING DATE: MARCH 9, 2017  
MEETING TIME: 6:00 P.M.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION- PASTOR JOHN WOODROW, GULFVIEW UNITED METHODIST CHURCH
- III. PLEDGE OF ALLEGIANCE- COUNCILMAN REICHARD
- IV. APPROVAL OF REGULAR MINUTES OF FEBRUARY 23, 2017
- V. APPROVAL OF AGENDA, AND ADDITIONS OR DELETIONS
- VI. PRESENTATIONS –
  - 1 MARCH BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD PRESENTATION.
  - 2 “GIRLS SCOUTS WEEK” PROCLAMATION AND PRESENTATION.
- VII. PUBLIC COMMENTS-REGULAR & CONSENT ITEMS ONLY (Limited to Three Minutes)
- VIII. CONSENT AGENDA
  - 1 REVISION OF THE MASTER AUDIT LIST TO REMOVE OBSOLETE ITEMS. *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.*
- IX. REGULAR AGENDA - DISCUSSION/ACTION

NO.	OFFICIAL	ITEM
7	MG	ORDINANCE 1409, AMENDING CHAPTER 24, NETWORK COMPANY VEHICLES FOR HIRE, 2 <sup>ND</sup> READING, <u>PUBLIC HEARING</u> AND ADOPTION.
4	ML	ORDINANCE 1405, AMENDING LDC REGARDING PARKING REQUIREMENTS IN FBO-1 DISTRICT, 2 <sup>ND</sup> READING, <u>PUBLIC HEARING</u> AND ADOPTION.
5	ML	ORDINANCE 1406, AMENDING LDC REGARDING PERMANENT BUILDINGS, 2 <sup>ND</sup> READING, <u>PUBLIC HEARING</u> AND ADOPTION.
6	ML	ORDINANCE 1410, AMENDING LDC REGARDING CHANGE TO NON- CONFORMING DEVELOPMENT REVIEW, 2 <sup>ND</sup> READING, <u>PUBLIC HEARING</u> AND ADOPTION.
9	MT	PUBLIC COMMENTS. (Limited to Three Minutes).
10	KO	ATTORNEY REPORT.
11	MG	CITY MANAGER REPORT.

12 MT COUNCIL COMMENTS.

13 MT ADJOURN.

\* Action on this item is taken by both the City Council and the City of Panama City Beach Community Redevelopment Agency, jointly and concurrently.

JOHN REICHARD  X   
PHIL CHESTER  X   
JOSIE STRANGE  X   
HECTOR SOLIS  X   
MIKE THOMAS  X

JOHN REICHARD  X   
PHIL CHESTER  X   
JOSIE STRANGE  X   
HECTOR SOLIS  X   
MIKE THOMAS  X

I certify that the Council members listed above have been contacted and given the opportunity to include items on this agenda.

I certify that the Council members listed above have been contacted and made aware of the items on this agenda.

\_\_\_\_\_  
City Clerk Date

\_\_\_\_\_  
City Clerk Date

**IN AN EFFORT TO CONDUCT YOUR COUNCIL MEETINGS IN AN ORDERLY AND EXPEDIENT MANNER, WE RESPECTFULLY REQUEST THAT YOU WAIT UNTIL THE CHAIR RECOGNIZES YOU TO SPEAK, THEN COME TO THE PODIUM AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.**

**E-mailed and/or Faxed to following interested parties on: 3/6/17, Noon.**

**NEWS MEDIA**

News Herald  
Bullet  
Channel 4  
Channel 7  
Channel 13  
Comcast  
WOW  
WKGC  
WLTG  
Clear Channel  
Powell Broadcasting

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Crystal Presley  
Jeff Storey, GM

**NOTE; COPIES OF THE AGENDA ITEMS ARE POSTED ON THE CITY'S WEBSITE [WWW.PCBGOV.COM](http://WWW.PCBGOV.COM) UNDER "AGENDA INFORMATION". THIS MEETING WILL BE LIVE-STREAMED ON THE CITY WEBSITE.**

If a person decides to appeal any decision made by the City Council with respect to any matter considered at the meeting, if an appeal is available, such person will need a record of the proceeding, and such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. Sec. 286.0105, FS (1995)