

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 December 14, 2017.

ROLL
MAYOR MIKE THOMAS

COUNCILORS:
JOHN REICHARD
JOSIE STRANGE
PHIL CHESTER
HECTOR SOLIS

CITY MANAGER:
MARIO GISBERT
CITY CLERK:
JO SMITH
CITY ATTORNEY:
AMY MYERS

Mayor Thomas called the Regular Meeting to order at 6:45 P.M. with all Council members, City Manager, City Clerk and City Attorney present.

Pastor Ramon Duvall of the Beachside Fellowship Church gave the invocation and Cub Scout Troop 317 led the Pledge of Allegiance.

Mayor Thomas gave the Community Announcements.

The Minutes of the Special Meeting of October 12 and the Regular Meeting of November 9, 2017 were read and approved as written per motion by Councilwoman Strange. Second was by Councilman Chester. 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. There were none. Councilman Solis made the motion to approve the Agenda as written. Second was by Councilman Chester 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. Councilman Solis introduced Ms. Isabella Tomlinson and presented her with the Civic Achievement Award for exemplary service to the Beach Boys and Girls Club. He then congratulated Isabella and presented her with a bag from the Council. The audience responded with applause.

2 CUB SCOUT TROOP 317 RECOGNITION. Councilman Solis invited Cub Scout Troop 317 and the Troop leader to the podium to recognize and thank them for their participation in the meeting to earn a badge "Building A Better World".

3 EMPLOYEE MILESTONE PRESENTATIONS. Councilman Solis recognized Deputy Fire Chief Larry Couch, Battalion Chief Jon Kibler, and Police Department Executive Assistant Linda Humphreys for their 30 years with the City and gave each a Key to the City as recognition for their long service to the City. The audience responded with applause.

PUBLIC COMMENTS

The Mayor opened the Public Comments portion of the meeting at 6:59 P.M. There were no comments. The Public Comments portion of the meeting was closed at 6:59 P.M.

CONSENT AGENDA

Ms. Smith read the Consent Agenda Items by title.

1 "ARBOR DAY" PROCLAMATION. "A Proclamation designating January 6, 2018 as "Arbor Day" in Panama City Beach", and advising that 2,000 longleaf pines will be planted in the Conservation Park in honor of Arbor Day and allow the City to continue being designated as a "Tree City".

2 ORDER 01-PL-18, LYNDELL PLACE PLAT APPROVAL. After having received testimony and reviewed the exhibits produced at the Quasi-Judicial Hearing held on this matter on November 9, 2017, the City Council orders that the subject request to subdivide the land is hereby GRANTED and the captioned plat of Lyndell Place is hereby APPROVED.

3 RESOLUTION 18-22, BID AWARD- PORTABLE RESTROOM TRAILER & SERVICING UNIT. "A Resolution of the City of Panama City Beach, Florida, approving the purchase of a Portable Restroom Trailer and Servicing Unit from Ready 2 Go Restroom Trailers, LLC, for \$28,570; and providing an immediately effective date."

4 RESOLUTION 18-27, BID AWARD- FRANK BROWN PARK BIG KIDS PLAYGROUND. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with J.A. Dawson & Company, Inc., in the amount of \$57,455.24 for the purchase of the GameTime Powerscape Citadel Tower for the Frank Brown Park Big Kids Playground; and providing an immediately effective date."

5 RESOLUTION 18-29, BID AWARD- PORTABLE GROUND PENETRATING RADAR. "A Resolution of the City of Panama City Beach, Florida, approving the purchase of a Portable Ground Penetrating Radar from Green Equipment Company in the basic amount of \$13,650."

6 RESOLUTION 18-30, WWTF REPAIR OF DIESEL POWERED ELECTRIC GENERATOR. "A Resolution of the City of Panama City Beach, Florida, approving the purchase from TAW Power Systems, Inc. relating to the repair of a diesel powered electric generator at the City's Wastewater Treatment Facility in the total amount of \$14,740.54; and providing an immediately effective date."

7 RESOLUTION 18-31, WWTF INFLUENT PIPING ADDITIONAL PIPE AND MATERIALS PURCHASES. "A Resolution of the City of Panama City Beach, Florida, approving the purchase of additional piping replacement materials for the City's Wastewater Treatment Facility from 5 different vendors in the total amount of \$40,760.62 as more particularly set forth in the Resolution; and providing an immediately effective date."

8 RESOLUTION 18-32, MASTER SERVICES AGREEMENT UTILITY ENGINEERING SERVICES, DEWBERRY ENGINEERS, TASK ORDER 2017-01, THOMAS DRIVE MANHOLE REPLACEMENT PROJECT. "A Resolution of the City of Panama City Beach, Florida, approving Task Order #2017-01 to the Master Services Agreement with Dewberry Engineers, Inc. related to Engineering and Inspection Services for the replacement of 15 sewer manholes on Thomas Drive in an amount of \$21,350."

9 RESOLUTION 18-33, BID AWARD- WWTF INFLUENT PIPING REPLACEMENT AND INSTALLATION. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Talcon Group, LLC, in the total amount of \$417,010 for the installation of replacement piping and fittings at the City's Wastewater Treatment Facility; and providing an immediately effective date."

Councilman Reichard made the motion to approve the Consent Agenda. Second was by Councilwoman Strange 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

ITEM 1 ORDINANCE 1442, ANNUAL CAPITAL IMPROVEMENTS SCHEDULE, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1442 by title. The Mayor asked if there were any questions or comments from Council; there were none. He opened the Public Hearing at 7:05 P.M. and invited comments or questions from the audience. There were none. He closed the Public Hearing at 7:05 P.M. **Councilman Reichard made the motion to approve Ordinance 1442. Second was by Councilman Chester 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

ITEM 2 RESOLUTION 18-24, NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON- AD VALOREM FIRE PROTECTION SERVICES SPECIAL ASSESSMENTS, PUBLIC HEARING. Ms. Myers read Resolution 18-24 by title. She stated that the Public Hearing to adopt the Fire Assessment would be held January 11th at 6 P.M. If the Council adopted the Fire Assessment, this Resolution would permit the City to collect the fees on the tax bill, but did not commit the City to do so. This was the intent notice required by Florida Statutes. The Mayor opened the Public Hearing at 7:07 P.M.

Mr. Burnie Thompson, 301 Lullwater Drive. Mr. Thompson asked if the City had previously funded a fire station through an Assessment, how many fire calls were received by the Fire Department and quoted only ten fire calls. He questioned the necessity to send the fire truck and EMTs out for every call.

There were no further comments or questions. The Mayor closed the Public Hearing at 7:10 P.M. Mayor Thomas responded that the Fire Department had responded to eighty-five fire calls last year. He stated that the Fire Department was called to wrecks and fire alarms, not merely fires. He said this particular vote was to move the Assessment process forward.

Councilwoman Strange asked Deputy Chief Couch about the reciprocal Agreement with the County. He responded that due to our size, in an emergency, all agencies assisted, and it was that way all over the State. He stated that the City had also responded to calls in Lynn Haven and Walton County when necessary.

Councilman Solis said the Department responded to car accidents due to the possibility of a fire. He said they responded to fire alarms and were rolling constantly. Councilwoman Strange asked why two trucks and the SUV would sometimes respond to one call, and the Mayor explained the various reasons why that occurred.

Mayor Thomas referred to the recent emails received by the Council members which reported inaccurate information. He stated that the City would send the correct information out to the public and every property owner would receive accurate information. He read Deputy Chief Couch's email response in its entirety on the nature and number of calls and he stated that the City was not duplicating services as the PCB Fire/ Rescue was acting as an extension of Bay County EMS.

Councilwoman Strange suggested since this was a tax to place the question on a referendum and let the residents vote. Mayor Thomas said this was not a tax. Ms. Myers explained that an assessment was used for a specific purpose and the rate of apportionment had to be fair. She agreed that Florida Statutes prevented the Assessment from being used for EMS. This Assessment was meant to staff the Fire Department and provide for continued readiness. She said all of the EMS-related items were cut from the budget costs so the revenue generated from the Fire Assessment would only cover the non-EMS related items. Mayor Thomas mentioned the Six Million Dollar settlement from BP which would be used to build the new Fire Station and the next phase of the Back Back Beach Road.

Councilwoman Strange said the majority of calls were generated by tourists during the tourist season so the City should place the burden on the tourists. Mayor Thomas said that was against the law.

Ms. Myers said several emails had been sent requesting that their comments be read into the record at this meeting. She said the substance of those emails related to the wisdom of the Fire Assessment itself which would be presented at the Public Hearing on January 11th. She proposed to enter those emails into the record at that Hearing. There were no objections.

Councilwoman Strange asked why this issue now could not be placed on the referendum and Ms. Myers responded that the decision to place the Assessment on the tax rolls was at the discretion of the City Council. Councilman Reichard said it would be very efficient being placed on the tax rolls. Ms. Myers further explained if the Council voted no on this Resolution, it would not stop the Fire Assessment but rather prevent the Assessment from being placed on the tax rolls. Voting yes preserved the right to place the Assessment on the tax rolls if the Assessment program was established. **Councilman Reichard made the motion to approve Resolution 18-24. Second was by Councilman Solis and the motion passed by majority roll call vote recorded as follows:**

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

ITEM 3 APPOINTMENT OF TDC NON-COLLECTOR BOARD MEMBER. Mayor Thomas asked the Council members to complete their ballots and pass to the City Clerk. Ms. Smith announced that current member Mr. Gary Walsingham received three (3) votes and Mr. Jeffrey DiBenedictis received two (2) votes. Mayor Thomas announced that Mr. Walsingham's term would be extended on the TDC for another four years.

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

ITEM 4 APPOINTMENT OF COUNCIL REPRESENTATIVES ON THE POLICE OFFICERS' AND FIREFIGHTERS' PENSION PLAN BOARDS. Ms. Myers said Florida Statutes for Police and Fire required for the Council representatives to be City residents. She said the Pension Boards themselves had already made their recommendations for these choices. For the Police Officers' Board, they recommended that Captain Rich McClanahan be appointed to replace Ms. White. For the Firefighters' Board, they recommended Firefighters J.J.Roberts and Rob Spivey be appointed to replace Ms. White and FF. Legleiter. **Councilwoman Strange made the motion to approve the Pension Board's recommendations. Second was by Councilman Chester 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

ITEM 5 ORDINANCE 1445, AMENDING POLICE OFFICERS' RETIREMENT PLAN, AMENDING NORMAL RETIREMENT AGE AND DATE PROVISION, 1ST READING. Ms. Myers read Ordinance 1445 by title and explained this was recommended by the Pension Board. **Councilwoman Strange made the motion to approve Ordinance 1445. Second was by Councilman Chester 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

ITEM 6 RESOLUTION 18-21, GRANT AWARD FDOT PCBPD OUTREACH PROGRAM TO FIGHT AGAINST SPEED AND AGGRESSIVE DRIVING, SC-18-13-10, AND BUDGET AMENDMENT #3. Ms. Myers read Resolution 18-21 by title. Councilwoman Strange asked if the numerous traffic stops along the Parkway was due to this grant and Chief Whitman responded they were more for safety. **Councilwoman Strange made the motion to approve Resolution 18-21. Second was by Councilman Reichard 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

ITEM 7 RESOLUTION 18-23, APPOINTING CITY TREASURER. Ms. Myers read Resolution 18-23 by title and explained that blanks would need to be filled in at Council's direction. Currently Councilwoman Strange was the City Treasurer and previously the City Clerk. Upon recommendation by the City auditors, they recommended appointing a person not involved in finance so that there would be checks and balances. Councilman Reichard suggested returning to the City Clerk, Ms. Smith, who confirmed she could handle the duties. **Councilman Reichard made the motion to approve the City Clerk as the City Treasurer in Resolution 18-23. Second was by Councilwoman Strange 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

ITEM 8 RESOLUTION 18-25, FEMA GRANT AWARD FOR GULF HIGHLANDS DRAINAGE IMPROVEMENT PROJECT, PHASE II, AND BUDGET AMENDMENT #4. Ms. Myers read Resolution 18-25 by title. Councilman Reichard gave compliments to Mr. Casto and Ms. Jenkins for their hard work in getting this Grant approved. Councilwoman Strange and Councilman Solis agreed. **Councilwoman Strange made the motion to approve Resolution 18-25. Second was by Councilman Chester 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

ITEM 9* RESOLUTION 18-34, CRA FRONT BEACH ROAD SEGMENT 2 CONSTRUCTION CONTRACT CHANGE ORDER #11 AND BUDGET AMENDMENT #5. Ms. Myers read Resolution 18-34 by title. **Councilman Reichard made the motion to approve Resolution 18-34. Second was by Councilwoman Strange 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

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

ITEM 10 RESOLUTION 18-28, SUPPORT FOR SAFE ROUTE TO SCHOOL GRANT APPLICATION. Ms. Myers read Resolution 18-28 by title. Councilman Solis said this was the program he brought to the City last year to possibly fund sidewalks to the schools. The problem last year was that the schools were non-responsive in supplying information necessary for the grant. He continued that this type of grant was awarded to agencies especially if matching funds were available. He encouraged everyone to contact the School Board in support of the application. Mayor Thomas asked Councilman Reichard and Councilman Solis, TPO Board members, to attend the School Board meetings and encourage their support. Both Councilors agreed to go. Mayor Thomas also stated a signup sheet was available on the table for those interested in staying informed. **Councilwoman Strange made the motion to approve Resolution 18-28. Second was by Councilman Chester 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

ITEM 11 RESOLUTION 18-35, TEMPORARY ROAD CLOSURE FRONT BEACH ROAD FOR OCEAN VILLAS CONDOMINIUMS PEDESTRIAN BRIDGE REPAIR AND MAINTENANCE. Ms. Myers read Resolution 18-35 by title. The Mayor asked if there were any comments or discussion by the Council members. **Councilman Reichard made the motion to approve Resolution 18-35. Second was by Councilman Chester.**

Councilwoman Strange asked about the route. Mr. Casto explained the short detour would only be during daylight hours. The recent road closure for another pedestrian bridge maintenance caused no complaints and he said now was the time of year to do this type of maintenance. Councilman Reichard said he had spoken with the maintenance people and they felt it could be repaired quicker. Mr. Casto said they anticipated it could be done within seven days but asked for an additional few days in the event of bad weather. **With nothing further, 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

ITEM 12 ORDINANCE 1448, CHARTER AMENDMENT, COMPETITIVE BIDDING EXPENDITURES PER ANNUM, 1ST READING. Ms. Myers read Ordinance 1448 by title and explained it came with her recommendation. She said for the past few years, she had worked with Staff who were challenged when working with multi-year leases for items such as copiers or software, where the annual cost would not trigger the bidding requirement but with the aggregate, they often did. She said often favorable quotes on the multi-year contracts were lost, becoming stale when the City had to go through the bidding process. **Councilman Solis made the motion to approve Ordinance 1448. Second was by Councilwoman Strange 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

ITEM 13 RESOLUTION 18-36, WOODEN BEACH CHAIRS REGULATIONS. Ms. Myers read Resolution 18-36 by title and explained it was at the direction of Council. She said there were no regulations in place now specifically for wooden loungers, and the Leave No Trace Ordinance allowed items to be stored overnight on the sandy beach. This Resolution directed Staff to interpret the Beach Services Ordinance concerning the wooden loungers. Ms. Myers also asked to reserve the right to bring back an Ordinance to the Council.

Mayor Thomas said he had received two phone calls concerning this issue, both asking for one additional year due to the expense. He had been told by one caller that it was the right thing to do, to make the beach look better, but asked for one more year. Councilman Reichard said he had met with three of the larger beach service providers, and two had asked for the same extension. He also mentioned a potential future problem involving arrangements between a beach service and an HOA, that the provider and landlord should settle any disputes concerning tents placed in the area where the provider wanted to place his chairs. He agreed with the three year extension. **Councilman Reichard made the motion to approve Resolution 18-36, changing the extension to three years. Second was by Councilman Chester 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

DELEGATIONS

Mayor Thomas opened the Delegations portion of the meeting at 7:40 P.M. and invited public comment.

1 Mr. Gary Beck, 2601 Beech Street. Mr. Beck spoke of his water problems and his inventions.

2 Ms. Colleen Swab. Ms. Swab spoke of the "Colleen's Christmas Foundation" and the three hundred Christmas baskets which would be distributed Monday. She stated that baskets had been provided to the Police and Fire Departments for the last three years. Councilwoman Strange said she had worked with Ms. Swab for years and it was a good thing she was doing.

3 Mr. Burnie Thompson, 301 Lullwater. Mr. Thompson questioned why amend the Charter to allow the City Manager to live outside of City limits, ban wooden loungers, and Councilman Solis's staircase. He submitted for the record a copy of the Property Appraiser's information about the home of Mayor Thomas and his fence.

4 Mr. Frank Sewell, Hidden Pines. Mr. Sewell asked about requiring a Brokers' License to handle short-term rentals.

Mayor Thomas closed the Delegations portion of the meeting at 7:50 P.M. Regarding Councilman Solis, when the house was purchased, it was not a law requiring the stairs. He conformed to the other regulations.

Councilman Reichard said it had been his suggestion to amend the Charter concerning the City Manager's residency because it was not fair that he was the only City employee required to live in City limits.

Ms. Myers stated that she had been working with Staff to update the website with more information about the Fire Assessment.

Mr. Gisbert reported the job vacancies and bids posted on the City website.

Councilman Solis thanked Ms. Swab for her work with the Christmas baskets, spoke of the FDOT extension of the turnlane at Pier Park which should help the traffic congestion. In answer to Mr. Sewell, he should speak with Mr. Leonard to find out information about handling the short-term rentals.

Councilwoman Strange, Councilman Chester and Councilman Reichard all wished everyone a Merry Christmas.

Mayor Thomas spoke of problems involving the Building Department, problems with inspections, buildings and things not done correctly. He said mistakes caused a hardship on the people and it was not right. He said in the past there had not been the will of the Council to make changes or to give the City Manager direction to make changes. He suggested directing the City Manager to review the entire process and make any changes he deemed necessary. Councilman Reichard said that was an excellent idea. Councilwoman Strange asked why Mr. Gisbert would need the Council's authority. Mayor Thomas responded that the City Manager had been told what not to do and he felt the City Manager had not received the Council's support. Councilman Chester asked for information to be brought back to the Council.

The meeting was adjourned at 8:03 P.M.

READ AND APPROVED this 11th of January, 2018.

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

Mayor

ATTEST:

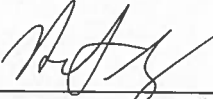
City Clerk

BALLOT

Council selection for TDC Non-Collector seat. 4 year term thru 12/31/21.

Jeffrey DiBenedictis
Marlin (Skip) Stoltz
Gary Walsingham (current member)

Choice:

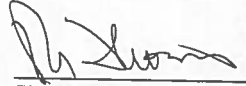

Signature 12/14/17

BALLOT

Council selection for TDC Non-Collector seat. 4 year term thru 12/31/21.

Jeffrey DiBenedictis
Marlin (Skip) Stoltz
Gary Walsingham (current member)

Choice:


Signature 12/14/17

BALLOT


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Marlin (Skip) Stoltz
Gary Walsingham (current member)

Gary Walsingham

Choice:

Gary Walsingham


Signature 12/14/17

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Gary Walsingham (current member)

Choice:

Jeffrey DiBenedictis


Signature 12/14/17

BALLOT

Council selection for TDC Non-Collector seat. 4 year term thru 12/31/21.

Jeffrey DiBenedictis
Marlin (Skip) Stoltz
Gary Walsingham (current member)

DiBenedictis

Choice:

J. DiBenedictis


Signature 12/14/17