

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 January 14, 2016.

ROLL

MAYOR GAYLE F. OBERST

COUNCILORS:  
JOHN REICHARD  
RICK RUSSELL  
JOSIE STRANGE  
KEITH CURRY

CITY MANAGER:  
MARIO GISBERT  
CITY CLERK:  
DIANE FOWLER  
ASSISTANT CITY ATTORNEY:  
AMY MYERS

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

Pastor John Woodrow of the Gulfview United Methodist Church gave the invocation and Mayor Oberst led the pledge of allegiance.

Minutes of the October 8 and November 12, 2015 Regular Meetings were **approved as written per motion by Councilman Russell. Second was by Councilwoman Strange. The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Mayor asked if there were any additions or deletions to the Agenda. Councilman Curry asked to move **Consent Agenda Item #8, "Resolution 16-43, Bids- West Bay Sewer Lift Station and Forcemain Project"** to the Regular Agenda. There were no objections. **With nothing further, the Agenda was accepted as amended.**

#### CONSENT AGENDA

**1 RESOLUTION 16-33, BAY TOWN TROLLEY CONTRIBUTION AGREEMENT. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Bay Town Trolley related to the City's \$35,338 Contribution and Conditions for that Funding."**

**2 RESOLUTION 16-35, ACOM SOLUTIONS AGREEMENT, UPDATING ACCOUNTING SOFTWARE. "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with ACOM Solutions for the update of the City's existing Accounting Software."**

**3 RESOLUTION 16-36, SETTLEMENT AGREEMENT WITH SENSUS USA, INC. FOR REPLACEMENT WATER METERS. Replacement meters at no cost to the City. "A Resolution of the City of Panama City Beach, Florida, approving a Settlement Agreement with Sensus USA, Inc., for the replacement of water meters."**

**4 RESOLUTION 16-37, HOMBRE CIRCLE CULVERT CLEANING & DRAINAGE IMPROVEMENTS PROJECT, TASK ORDER #2016-01 TO THE MSA FOR MCNEIL CARROLL ENGINEERING, INC. STAFF RECOMMENDS APPROVAL of this proposal in the amount of \$15,000 and has sufficient funds in this Fiscal Year Stormwater Budget. "A Resolution of the City of Panama City Beach, Florida, approving Task Order #2016-01 to the Master Services Agreement with McNeil Carroll Engineering, Inc., related to the City's Hombre Circle Culvert Cleaning and Drainage Improvements Project in an amount of \$15,000."**

**5 RESOLUTION 16-38, GLADES SOUTH CHANNEL DRAINAGE IMPROVEMENTS PROJECT, TASK ORDER #2016-02 TO THE MSA FOR MCNEIL CARROLL ENGINEERING, INC. STAFF RECOMMENDS APPROVAL of this proposal in the amount of \$20,000 and has sufficient funds in this Fiscal Year Stormwater Budget.**

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***“A Resolution of the City of Panama City Beach, Florida, approving Task Order #2016-02 to the Master Services Agreement with McNeil Carroll Engineering, Inc., related to the City’s Glades South Channel Drainage Improvements Project in an amount of \$20,000.”***

**6 RESOLUTION 16-39, GLADES & HOMBRE OUTFALL IMPROVEMENTS NORTH OF US-98, TASK ORDER #2016-01 TO THE MSA WITH PREBLE-RISH, INC. STAFF RECOMMENDS APPROVAL of this proposal for a total project cost in the amount of \$90,400 and has sufficient funds in this Fiscal Year Stormwater Budget. “A Resolution of the City of Panama City Beach, Florida, approving Task Order #2016-01 to the Master Services Agreement with Preble-Rish, Inc., related to the City’s Glades and Hombre Outfall Improvements North of US-98 in an amount of \$90,400.”**

**7 RESOLUTION 16-40, 2016 PCB MARDI GRAS & MUSIC FESTIVAL BOURBON STREET PARTY AND PARADE ROAD CLOSURES. “A Resolution authorizing temporary closure of portions of certain roads internal to Pier Park to permit the PCB Mardi Gras & Music Festival Bourbon Street Party on February 5 and 6, 2016; authorizing the temporary closure of portions of Front Beach Road on Saturday, February 6, 2016 to permit the Mardi Gras at the Beach Parade; and providing an immediately effective date.”**

**8 RESOLUTION 16-43, BIDS- WEST BAY SEWER LIFT STATION AND FORCEMAIN PROJECT. Moved to Regular Agenda.**

**9 ORDER 01-CU-16 AND FINDING OF FACTS FOR THE APPROVAL OF THE REQUEST FROM CONTINENTAL GROUP INC. FOR HEIGHT INCREASE BASED ON INCENTIVES. After receiving testimony and reviewing the exhibits produced during the Public Hearing on December 10, 2015, the City Council orders that the subject request is hereby APPROVED and the captioned maximum building height for the Development shall be increased from 150’ to 220’ WITH CONDITIONS, as more particularly stated in the body of the Order.**

Ms. Fowler read the amended Consent Agenda. Mayor Oberst invited public comment: there was none. **Councilman Curry made the motion to approve the amended Consent Agenda. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

#### **REGULAR AGENDA**

**1. ITEM NO. 1 BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD.** Mayor Oberst said this item would be removed from the Agenda due to illness and would be at the February 11<sup>th</sup> meeting as usual. There were no objections.

The Mayor reminded the audience about the Three Minute Speaking Rule and that forms were on the table for those who wished to speak.

**2. ITEM NO. 2 ORDINANCE 1372, CAPITAL IMPROVEMENTS UPDATE, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** The Public Hearing was opened at 6:08 P.M. Ms. Myers read Ordinance 1372 by title. Mr. Leonard said the Planning Board recommended approval six to zero (6-0) at their November 9, 2015 meeting. The Mayor explained that this was something done every year to update the City’s Capital Improvement Projects.

Councilman Curry questioned if Item #17, the Power Line Road, was actually the Back Back Beach Road and why no money was noted but yet Item #19, the Loop Road, had the \$2.8 Million Dollars allocated for this year. Mr. Leonard explained #19 was taken from the FDOT 5-Year Work Program and not necessarily the Loop Road. It was noted as the West Bay Parkway in the FDOT plans. He continued that he had not allocated any funds for the Loop Road until action was taken by Council. He confirmed the \$2.8 Million Dollars were FDOT funds, not City funds. The Mayor asked if there were any other comments or questions; there were none.

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**Councilwoman Strange made the motion to approve Ordinance 1372. Second was by Councilman Reichard. The Mayor called for comments. There were none. The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Public Hearing was closed at 6:12 P.M.

**3. ITEM NO. 3 ORDINANCE 1373, BENNETT PLEDGER ANNEXATION, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** The Mayor opened the Public Hearing at 6:12 P.M. Ms. Myers read Ordinance 1373 by title. The Mayor called for comments or questions.

Mr. Robert Carroll, McNeil Carroll Engineering, representing the owners, said he was available if any questions.

Mr. Leonard said the Planning Board recommended approval by the vote of six to zero (6-0) at the November 9, 2015, meeting. **Councilman Russell made the motion to approve Ordinance 1373. Second was by Councilman Reichard. The Mayor called for comments and there were none. The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Public Hearing was closed at 6:13 P.M.

**4. ITEM NO. 4 ORDINANCE 1374, BENNETT PLEDGER COMP PLAN AMENDMENT, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** The Mayor opened the Public Hearing at 6:13 P.M. Ms. Myers read Ordinance 1374 by title. The Mayor called for comments or questions from the Council or the audience and there were none. **Councilwoman Strange made the motion to approve Ordinance 1374. Second was by Councilman Curry. The Mayor again called for comments and there were none. The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Public Hearing was closed at 6:15 P.M.

**5. ITEM NO. 5 ORDINANCE 1375, BENNETT PLEDGER ZONING, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** The Mayor opened another Public Hearing at 6:15 P.M. Ms. Myers read Ordinance 1375 by title. The Mayor called for comments or questions from the Council or the audience and there were none. **Councilman Reichard made the motion to approve Ordinance 1375. Second was by Councilman Russell. The Mayor again called for comments and there were none. The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Public Hearing was closed at 6:16 P.M.

**6. ITEM NO. 6 ORDINANCE 1377, PARKING ON FRONT BEACH ROAD SHOULDER-DEFINING AFTER DARK, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** The Mayor opened the Public Hearing at 6:16 P.M. Ms. Myers read Ordinance 1377 by title. The Mayor called for comments or questions from the Council or the audience and there were none.

**Councilman Curry made the motion to approve Ordinance 1377. Second was by Councilman Russell.** The Mayor again called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Public Hearing was closed at 6:17 P.M.

**7. ITEM NO. 7 ORDINANCE 1378, REQUIRING ID ON PERSON FOR IMMEDIATE PRESENTATION IF POSSESSING ALCOHOL, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** The Mayor opened another Public Hearing at 6:17 P.M. Ms. Myers read Ordinance 1378 by title. The Mayor called for comments or questions from the Council. Councilwoman Strange asked if March should be included in this Ordinance and Ms. Myers replied this requirement was all year. The Mayor called for further questions or comments and there were none. **Councilwoman Strange made the motion to approve Ordinance 1378. Second was by Councilman Curry.** The Mayor again called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Public Hearing was closed at 6:19 P.M.

**8. ITEM NO. 8 RESOLUTION 16-31, WORKERS COMP POLICY.** Ms. Myers read Resolution 16-31 by title. Mr. Gisbert said he added two minor changes, adding other facilities which could provide services and clarifying Department Heads. He distributed copies of the revised version with the changes highlighted. Mayor Oberst asked why this was being done. Mr. Gisbert explained that this policy should be updated annually or every two years to keep up with changes in State and Federal laws. He said this document could be supplied to the employees and in the event of an accident, they would know what to do. This new version streamlined the information. Ms. Myers added that the City's personnel policy was last comprehensively updated in 2010 so having Ms. Fowler on staff allowed the ability for these new policies. The Mayor asked if there were any questions or comments from the Council or audience and there were none. **Councilman Reichard made the motion to approve Resolution 16-31. Second was by Councilman Russell.** The Mayor again called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

**9. ITEM NO. 9 RESOLUTION 16-32, DRUG AND ALCOHOL POLICY.** Ms. Myers read Resolution 16-32 by title. Mr. Gisbert said with Ms. Fowler on Staff, this allowed the City to update the rules and regulations. He explained the City previously drug tested every new employee but now only those employees who were in safety-sensitive positions. He said it outlined the restrictions and would bring the City up to the current State and Federal standards. Mr. Gisbert said it had been created with input from Counsel and the League of Cities and would keep the City in compliance with a "Drug-Free Workplace". Ms. Myers added that this policy had last been updated in 2005, and was long overdue for an update.

Councilwoman Strange asked what specifically had been wrong with the old policy. Ms. Myers said the old policy allowed for drug testing for every employee and State law required limiting the testing to only those in safety-sensitive positions. She said this also defined the safety-sensitive positions. This also pertained to those employees requiring a CDL license. Ms. Myers said that was already a long-standing City policy.

Councilman Reichard asked if a CDL was required to drive a City pickup truck. Ms. Fowler said no. Councilman Reichard said he thought if safety related, then every employee driving a City vehicle should be included. Mr. Gisbert said the drug testing helped with the Workers Comp and insurance.

Councilwoman Strange asked what triggered a drug test. Ms. Myers said it would be triggered if there was reasonable suspicion, or a new applicant for a safety-sensitive position. She said the circumstances were limited. Ms. Fowler said the employee would only be tested when they first applied for the position and anything after that would be based upon a trigger such as an accident. Mr. Gisbert said it would not be a random test. Councilwoman Strange said she did not want this used as retaliation. Ms. Fowler said there were specific criteria outlined to meet suspicion of drug use and Ms. Myers elaborated. Mr. Gisbert said he appreciated Ms. Fowler's work in updating this policy, as well as that of Ms. Myers.

Councilman Reichard asked Mr. Shortt if he thought employees driving a pickup truck should be exempt. Mr. Shortt said that was a tough answer but it would be a policy question. If the CDL triggered the test, anything less would be something that the City would have to determine. Ms. Fowler said it was not merely the CDL that would trigger the test; anyone who drove a City vehicle would be tested if there was an accident or a reasonable suspicion. A CDL was a DOT requirement for large vehicles. Discussion ensued. Mr. Shortt said historically if any employee was in an accident, they were tested.

Mayor Oberst said with her long experience with grants, the City should not be signing that there were adequate and up to date drug and alcohol policies without this revised policy.

Councilman Curry asked if there were requirements for self-disclosure. Ms. Fowler said it was discussed with every employee during the new hire orientation, along with an employee assistance program that was designed for that problem. Mr. Gisbert said this would not mean that the employee would be fired but rather would be helped by the City. Mayor Oberst said the City had done so in the past.

Mayor Oberst said an employee would have to be in one of the safety-sensitive positions in order to be tested and Ms. Fowler added that there was an appeal process in the document, which protected the employee as well. With nothing further, **Councilman Curry made the motion to approve Resolution 16-32. Second was by Councilman Reichard.** The Mayor called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

**10. ITEM NO. 10 RESOLUTION 16-34, BUDGET AMENDMENT #8 FOR RECEIPT OF 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) AWARD AND RADIO PURCHASES, PUBLIC HEARING.** The Public Hearing was opened at 6:37 P.M. Ms. Myers read Resolution 16-34 by title. Mr. Gisbert said these radios would be compatible with the County's planned new system and radios. The Mayor called for questions or comments and there were none. **Councilman Russell made the motion to approve Resolution 16-34. Second was by Councilwoman Strange.** The Mayor again called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Public Hearing was closed at 6:40 P.M.

**11. ITEM NO. 11 RESOLUTION 16-41, ENGINEERING SERVICES FOR MINOR ROADWAY, SIDEWALK, AND MULTI-USE TRAIL FACILITIES RANKINGS.** Ms. Myers read Resolution 16-41 by title. Mr. Gisbert said the City had a number of continuing contracts for Stormwater, Surveying, etc., and this was a tool to pre-qualify the engineering firms to do small projects such as the sidewalks at Lyndell, extending Gayle's Trails, etc. and permit a rotation of firms for smaller jobs. Staff's recommendation was to continue to use these three firms and negotiate new Master Service Agreements (MSAs).

Councilman Reichard asked about the ranking order. Ms. Myers explained the intention was to award two contracts and Staff would attempt to work with the first two, and work with the third firm if firms one or two could not come to an agreement. She said the rankings were included in the packet in their entirety but Staff did not anticipate having to go beyond Firm #3.

Councilwoman Strange asked if Staff had a wish list for projects. Mr. Gisbert said typically, they were projects approved in the Budget and Staff would start to work through the lists once the Agreements were negotiated. Mayor Oberst said it was now policy to create the MSAs more often because in the past, they had only been negotiated every ten years. **Councilman Russell made the motion to approve Resolution 16-41. Second was by Councilwoman Strange.** The Mayor called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

**12. ITEM NO. 12 RESOLUTION 16-42, BUDGET AMENDMENT #9 FOR PERFORMANCE BASED PAY RAISES, PUBLIC HEARING.** Mayor Oberst opened the Public Hearing at 6:55 P.M. Ms. Myers read Resolution 16-42 by title. Mr. Gisbert explained the Step program which had been approved by Council, and then the recent Thirty Cents across-the-board pay raise approved and given in December, 2015. The next portion of the raises were planned for the Thirty-Five Cents to be used for the performance evaluation-based increases, and that was approved by the Council. He said the process was adopted which detailed that if someone received a raise within twelve months, they were frozen at that rate, and the new people given the next pay increase. Mr. Gisbert explained the process and how the budget for the entire merit raise system was calculated, the evaluations, the funds divided by Department, etc. He said it was a well-thought out system to distribute the thirty-five cents following the pay plan and budget. He said if the Council approved this Resolution, the pay increases could be effective today.

Councilman Reichard said this was a success in giving raises based on merit as opposed to raises given across-the-board. Mr. Gisbert agreed. Councilman Reichard said this would be a successful first step with the determination of who received a raise being made by the Department Heads.

Councilwoman Strange asked if this pay increase would be retroactive to January 1<sup>st</sup>. Mr. Gisbert replied no and explained why it could only be implemented today as it would take two weeks to input the data for all of the City employees. Mayor Oberst asked when last year's raises were given and Mr. Gisbert replied February, 2015, and they were not retroactive. Only a handful of people were given retroactive raises due to promotions and not having the pay plan study. Councilwoman Strange questioned the list of people receiving promotions last year.

Mayor Oberst said the Council had done an outstanding job in the country going through a recession yet our employees receiving raises in comparison to the County laying off 150 people. At the December meeting, the agreement was that if an employee had received a raise in the past year, they would only get the thirty cents per hour, which were the 27 employees. She said she did not feel it fair to the rest of the employees to make them wait another year for an increase, other than the thirty cents. She said she thought this was the best the Council could do. She added that the Council would do the evaluations for the City Manager, City Clerk and Counsel, and that it was only fair for them to be given direction and treated just like the rest of the employees. Councilwoman Strange asked if Ms. Fowler could research to ensure only 27 people received promotions last year. Mr. Gisbert explained the pay revisions last year after the pay plan study and that he felt most employees were where they should be, and with the evaluations, it was rewarding those employees for doing a great job. He added that during the pay study, the employees were asking for evaluations. He added that of the 63 employees not receiving a merit raise, 27 were because they received a promotion and the balance were new hires.

Mayor Oberst said next year, it would be easier. Mr. Gisbert said now, the City would be able to budget the raises to do the performance evaluations since the process was in place. Councilman Reichard complimented the City Manager and City Clerk for the good job.

**Councilman Reichard made the motion to approve Resolution 16-42. Second was by Councilman Curry.** The Mayor called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

The Public Hearing was closed at 7:16 P.M.

**13. ITEM NO. 13 RESOLUTION 16-44, STORMWATER UTILITY EASEMENTS PURCHASE, LOREN SMITH.** Ms. Myers read Resolution 16-44 by title and explained the City needed two Stormwater Easements as part of the Gulf Highlands Mitigation Project. The City offered Mr. Smith the appraised value of the land and the owner accepted the offer. Mayor Oberst explained this was at Pompanos which would help the stormwater problem in Gulf Highlands and possibly the Glades. The Mayor asked if there were any questions or comments and there were none. **Councilwoman Strange made the motion to approve Resolution 16-44. Second was by Councilman Russell.** The Mayor again called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

**14. ITEM NO. 13A RESOLUTION 16-43, BIDS- WEST BAY SEWER LIFT STATION AND FORCEMAIN PROJECT.** Ms. Myers read Resolution 16-43 by title. Councilman Curry asked Mr. Shortt what data about future growth in the area supported the expenditure. Mr. Shortt said this particular lift station would primarily serve just the current West Bay community and the long four mile pipeline to reach from the City system to there. Over time in the future, new development would be able to connect to the line and pay Impact Fees to help absorb the cost. Mr. Shortt said the City provided water service, and if the City did not provide sewer service, the County could reduce the City's franchise area and they provide service for that area. He said only about Four Hundred Feet (400') of sewer line would go to the school and about Four Hundred Feet (400') to the Fire Station and church. Regarding the restaurant, they would be required to build their own pumping station and run the pipes to the City's lines. Mr. Shortt said this was creating the infrastructure and then new developers would have to come to that line and pay the Impact Fees to make the connections.

Councilman Reichard said the West Bay Elementary reopened this year and Mr. Shortt said they had wanted to expand and needed the sewer capacity to do so. Mr. Gisbert added that the school contacted the City early when Staff was talking about this project, and once this line was laid, the school can abandon their existing septic tank system and erect new buildings on top of that land to expand. He continued that the school might not have been able to reopen if Mr. Shortt had not been able to figure out how they could connect to a City system. He said this was a good public/public partnership to allow the school to expand. Councilman Curry said he wanted the reasons for the expansion on record and if Mr. Shortt felt confident in the future growth, he would concur. Mr. Shortt replied affirmatively, and added that the school would not pay an Impact Fee as they were exempt.

Councilman Reichard asked how far south from West Bay would this new line service. Mr. Shortt explained the new lift station would only service the immediate area close to the school and reminded that anyone who wanted to connect to the new line would have to run their own pipe to the new lift station. He said this was merely the core infrastructure to serve that area. At the Mayor's request, he explained Revenue Certificates for different projects, which were a version of public/private partnerships. Mr. Shortt said normally the City would wait and let development come to the City, but because of the distance, there was no one who would make that long connection to reach the City or alternatively, they would only use a pipe big enough to serve themselves and not the full area. He said this would not be big enough to accommodate the St. Joe Sector Plan and what they would ultimately need, only the initial starting point to serve that area.

Councilwoman Strange asked, referring to the St. Joe Sector Plan, would they have to build a larger line or the City be required to do so. Mr. Shortt explained that St. Joe would have to do so, building their own pumping stations, and then connect to this line. They would build all the infrastructure.

Mr. Gisbert said this was similar to Turtle Cove, where the City extended sewer out to Wild Heron, and St. Joe built the series of lift stations and pipes. Mr. Shortt there were eight or nine Revenue Certificates outstanding, which were in various stages of expiring. The Mayor asked if there were any other questions for Staff and there were none. **Councilman Curry made the motion to approve Resolution 16-43. Second was by Councilman Reichard.** The Mayor again called for comments and there were none. **The motion passed by unanimous roll call vote recorded as follows:**

<b>Councilwoman Strange</b>	<b>Aye</b>
<b>Councilman Curry</b>	<b>Aye</b>
<b>Councilman Reichard</b>	<b>Aye</b>
<b>Councilman Russell</b>	<b>Aye</b>
<b>Mayor Oberst</b>	<b>Aye</b>

**15. ITEM NO. 14 CITY MANAGER UPDATE.** Mr. Gisbert said the new Fiscal Year was starting well, and he reported the TDC was 30% above last year. He said the City was high-teens year over year which proved the shoulder season was growing. November was spectacular with 13% growth. However, this in turn put pressure on Police and Fire whereas they used to have a short breathing spell in the off-season. Now it seemed something was occurring every weekend. He also thanked the Council for the raises.

At the request of the Mayor, he reported that the new buildings were going quite well, with night work occurring. He said they still anticipated opening the new Police Station in April and the Public Works building one or two months later. The parking lot component will not be completed until the old buildings were destroyed. He said the buildings were on schedule and both buildings were Nine Million Dollars out of the City’s funds with no debt. Mayor Oberst said that was wonderful.

Councilwoman Strange asked about the portable special event signs posted at Frank Brown Park and questioned if permanent signs could be erected since events were occurring now almost every weekend. Mr. Gisbert said he wanted to come back to Council soon with plans to erect a new digital sign at the entrance to the Park. She questioned about an overhead sign and Mr. Gisbert replied that would be FDOT’s jurisdiction. Mr. Gisbert said there were thoughts of moving the current entrance slightly east and installing a traffic light. Moving the entrance would put the light closer to the existing traffic light but in conversations with FDOT, they stated they would warrant the new light. Mr. Gisbert said funds were already being set aside in the budget for the project, about One Million Dollars to reconfigure the front entrance. He also started conversations with Simon Properties for a public/private partnership. Councilwoman Strange questioned the distance from the Nautilus traffic light to the Open Sands subdivision and if it was the same, and Mr. Gisbert said it was a shorter distance. Mayor Oberst reminded that FDOT would determine the traffic lights. Discussion ensued concerning the volume of traffic at the Frank Brown Park entrance. Mr. Gisbert also outlined the potential roadway location and the parcels increased value with a new traffic light. He said there were many benefits with the new plans and would bring back some recommendations in the future.

**FLOOR ITEMS**

**ITEM 1 HECTOR SOLIS.** Regarding Spring Break last year, Mr. Solis said the Council had made bold steps with needed Ordinances. Moving into a year now with the new Ordinances, he mentioned blogs already stating they would be tested to see if enforced. He asked if extra meetings could be planned for March, specifically to monitor Spring Break and if there were issues. He urged the City to be proactive. He said the kids would broadcast if the existing Ordinances were not being enforced. He also asked for the City to provide the Law Enforcement plan as he had already spoken with the County.

Councilman Reichard reminded that numerous meetings had been held with the public in 2014 to receive input, with the idea that the 2015 Spring Break would be immediately reviewed afterwards. With the circumstances of the 2015 Spring Break, the City was not able to review as planned because of the various reactionary factions. He elaborated. The Mayor said the City Manager knew what was occurring with our law enforcement and fire/rescue, and if there was a need for a special meeting, it could be scheduled. Councilwoman Strange said she had no problem meeting weekly in March. Mr. Gisbert explained that the Police Department met every day, reviewing the prior day’s activities, and they keep him informed. He said if the Police Department or the Fire Department needed something, he was immediately available and then in turn would contact the Council members. He reminded that he contacted the Councilors on a Saturday and the Special Meeting was held on a Saturday.



Mr. Solis said he wanted a public forum for input at the weekly meetings. He made comments about non-enforcement of existing Ordinances last year and if the Council held weekly meetings, this would allow the public to monitor the number of arrests as Spring Break was occurring.

Mayor Oberst said the Police Department and the Fire Department were overrun during Spring Break, and to ask Chief Whitman to come to meetings during Spring Break would be almost impossible. She suggested waiting to see if additional meetings were needed. She added if he had a special interest in the law enforcement plan, he could contact Chief Whitman.

Councilman Curry said many Council members had been on the streets during Spring Break and he was very proud of the City's law enforcement. He was offended hearing statements that the laws were not being enforced. Deputy Chief Lindsey reported that the enforcement numbers were public record and he would invite Mr. Solis to come see him and he could provide those numbers. He said he took exception to someone saying that he or any other member of the force was not enforcing the laws; he said there were other methods of enforcing the laws without arresting someone. They first tried to educate the kids before putting them in jail at the officer's discretion, the same as any law. Councilman Curry said the City's officers and the Fire/Rescue had done an awesome job and he thanked them. D.C. Lindsey said the Beach Police responded to ten thousand calls during Spring Break.

Councilman Russell said he also rode the beach last Spring Break and he assured the public that the City would be proactive for the 2016 Spring Break. Mr. Gisbert will be able to supply Mr. Solis with any information concerning the enforcement.

Mr. Phil Chester said the citizens and tourists need to be safe. He said he put his trust in the Beach Police and wanted to have a safe Spring Break.

#### ANNOUNCEMENTS

Mayor Oberst said an Arbor Day celebration would be held at the Conservation Park on January 16<sup>th</sup> at 10 A. M. and flyers were on the table. The Bay County Audubon Society was having a bird watching walk in the Conservation Park on February 10<sup>th</sup> and March 16<sup>th</sup> and flyers were on the table. She added that some of the Conservation Park trails were being stabilized, about 4.5 miles, and the public was cautioned to be careful in those areas. Flyers were on the table. Mr. Gisbert said the Conservation Park would be having controlled burns and some would be occurring in the upcoming weeks.

With nothing further, the meeting was adjourned at 8:05 P.M.

READ AND APPROVED this 11th of February, 2016.

NO VIDEO IS AVAILABLE FOR THIS MEETING DUE TO EQUIPMENT PROBLEMS.

**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