

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 September 22, 2016.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

JOHN REICHARD  
PHIL CHESTER  
JOSIE STRANGE  
HECTOR SOLIS

CITY MANAGER:

MARIO GISBERT  
CITY CLERK:  
DIANE FOWLER  
CITY ATTORNEY:  
AMY E. MYERS

Mayor Thomas called the Regular Meeting to order at 9:00 A.M. with all of the Council, the City Manager, City Clerk and City Attorney present.

Councilman Reichard gave the Invocation and led the Pledge of Allegiance.

Minutes of the Special Meeting of August 25, 2016 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:**

|                             |            |
|-----------------------------|------------|
| <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> |

Mayor Thomas asked if there were any additions or deletions to the Agenda. Mr. Gisbert asked to add the *Gulf Power Undergrounding Agreement, Resolution 16-135*, to the Agenda. **Councilman Reichard made the motion to add Resolution 16-135 and approve the amended Agenda. Second was by Councilman Solis. 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> |

**PRESENTATIONS**

**1 "NATIONAL FALLEN FIREFIGHTERS MEMORIAL SERVICE WEEKEND" PROCLAMATION & PRESENTATION.** Councilman Reichard invited Battalion Chief Joe Cocco to the podium while he read the Proclamation declaring October 8 and 9, 2016 as the "National Fallen Firefighters Memorial Service Weekend" and asking that the flags be half-staff Sunday in that honor. The audience responded with applause.

Mayor Thomas asked Chief Cocco to remain at the podium while he said that this was probably Chief Cocco's last Council meeting. He read Chief Cocco's biography emphasizing his passion for Fire Prevention. He stated that the Chief had been a valued ambassador of Panama City Beach and the audience responded with applause. Chief Daly presented Chief Cocco with the "Chief's Bugle" traditionally passed onto the outgoing Chief, and the audience responded with a standing ovation. Chief Cocco invited his wife to join him at the podium as he thanked the members of his department and the City for this bugle. He said firefighting and fire prevention had always been his passion and related stories of the Fire Department when he joined the City. He closed by saying it had been his honor to serve the City and community.

**2 "FIRE PREVENTION WEEK" PROCLAMATION & PRESENTATION. (Not presented)**

**3 “DIAPER NEED AWARENESS WEEK” PROCLAMATION & PRESENTATION- JR LEAGUE OF PANAMA CITY.** Mayor Thomas read portions of the Proclamation declaring September 26 through October 2, 2016 as “Diaper Need Awareness Week”. He invited Ms. Christy Rogers of the Junior League of Panama City to the podium. Ms. Rogers explained the League operated a diaper bank and said she appreciated the City raising the awareness of the diaper need. The audience responded with applause.

**4 SEA OATS PLANTING PROJECT AT CITY PIER- JOHN MCMURRAY.** Mayor Thomas invited Mr. McMurray to the podium to explain that over the last few years, his organization had been responsible for planting all of the sea oats on the County property from Mexico Beach to the island, especially Rick Seltzer Park. Mr. McMurray explained that he used high school students to plant the sea oats. He said this would be free and the plants were donated from a grower in Dunnellon, Florida, about 1500 to 2000 plants. Councilwoman Strange said the sea oats at Rick Seltzer Park were well established now and Mr. McMurray agreed. He also complimented Mr. Bill Buskell for offering to charge \$8.00 per plate for the kids lunches ten years ago and still only charged \$8 each for the lunches. Mayor Thomas said in the future the seeds would be harvested but not on private property. Mr. McMurray said that would occur in the future in October. He also stated the grower in Dunnellon was licensed by FDEP and ten years ago, Mr. McMurray had asked FDEP if there were any problems with what little they were doing and had been told no. Mayor Thomas asked if the Council needed to do anything and Ms. Myers replied that she would bring something to them if needed.

**5 HALF CENT SURTAX ON NOVEMBER BALLOT- COUNTY MANAGER BOB MAJKA.** Mayor Thomas welcomed County Manager Bob Majka to the podium to explain the ½ cent issue. Mr. Majka distributed copies of the ballot language as well as frequently asked questions. Copies were also available on the table for the public. He said the half cent sales tax was necessary for infrastructure needs. In December 2015, the County hosted a public presentation where they outlined the different needs and at that time, the County Commission directed him to prepare the ballot language and bring it back for consideration. The Commissioners discussed the matter in late Spring and this item will appear on the November ballot during the General Election.

He said the community as a whole had unmet infrastructure needs and with every year that passed there was more deterioration and more future expense. He said the legislature had created a transportation-specific sales tax but two concerns were (1) language that the County may share the revenue with municipalities and (2) it was not merely infrastructure specific. The County rejected the first as they wanted the municipalities to be partners in the community-wide initiative. He said they felt very strongly that the County had the responsibility to work with the municipalities and the opportunity to work across jurisdictional boundaries, successfully done in the past in the 911 system, fire protection, and the 800 MHz radio system. The County rejected the second was because the funds could have been used for additional personnel or expanding programs, not merely brick and mortar construction directly addressing the deficits. With the infrastructure surtax, there was language that the County would share the revenue with municipalities and specifically limited to expenditures on infrastructure projects. Mr. Majka said this would also be a source collected community-wide, not merely on the property owners. This new tax also would not apply to the items currently exempt from sales taxes and have a cap. The funds would also stay in Bay County and be reinvested in the community. These funds would be used for resurfacing roads, repairing bridges, and paving County roads to address stormwater projects. Mr. Majka said the City would be held accountable for spending the funds. One component of the project would also be a citizen oversight committee and a ten-year sunset for the tax.

Mr. Majka said every year One Million Dollars was budgeted for resurfacing but they had a \$5.5 Million Dollar need every year just in the unincorporated areas. Mr. Majka said the County now had a \$14 Million Dollar backlog.

He said the voters would decide on the November 8<sup>th</sup> ballot. The County also launched a website [www.bayhalfcent.com](http://www.bayhalfcent.com). Some municipalities also added the link to their websites.

Councilwoman Strange asked what division of funds would belong to the City as Panama City Beach generated a lot of money. Mr. Majka said the current discussion was to divide based on population but that there was a broader conversation to be had and he elaborated. Councilman Solis asked if there had been a breakdown of the impact to a resident versus a tourist. Mr. Majka said the tourist base would generate a majority of the

revenue. Councilman Reichard asked more details about the Citizens Oversight Committee. Mr. Majka replied that its makeup would be a decision by the City Council, members appointed by the Council and to set the City's priorities.

Mayor Thomas said over the years, no one had fought the County over the return of money back to the City. If the infrastructure funds were not raised by this surtax, the County would have no choice but to increase the Ad Valorem taxes. If that occurred, the City would receive nothing of the surtax and have no control over how any funds were spent. At least with this surtax, the City would receive a portion. Councilman Solis asked if the County would possibly reduce the Ad Valorem taxes due to this additional surtax and Mr. Majka said absolutely. He planned to submit a budget next year which would subtract the potential \$3 Million Dollars in revenue, equitable to a 2.5 milage decrease in property tax.

Councilman Chester asked the current transportation portion of the County's Budget. Mr. Majka replied approximately \$18 Million Dollars, and only \$1 Million Dollars for road resurfacing. Mr. Gisbert said the City's budget for resurfacing was \$500,000.

**6 CITY WELLNESS PROGRAM -MS. FOWLER.** Ms. Fowler said four vendors came with ideas of different programs for what could be done for the employees and the Department Heads added their input. She added that the favored vendor was Preventure which would entail very little administrative tasks and many benefits such as health screenings and challenges.

Councilman Chester said he would like to examine the four vendors himself before making any motion. Ms. Fowler said she had the information. Councilman Chester asked if there was a Staff recommendation and Ms. Fowler replied Preventure but reminded that the City would still have to issue a bid. Councilman Chester asked if this would allow better rates or discounts on the City insurance. Mr. Gisbert said it would not give a discount on the health insurance but the goal was to have healthier employees. Ms. Fowler said Preventure had a guaranteed rate for employee participation. She mentioned challenges offered by Preventure which she felt would be more attractive to the employees. She said this company also stood out among the vendors. Ms. Fowler also discussed the City of Panama City and their increased employee participation partly due to leadership involvement and group challenges. Councilwoman Strange asked if the past programs in the City cost Fifty-Six Thousand Dollars per year. Ms. Fowler responded that the City in the past did not have such programs and Mr. Gisbert said past expenses were minimal because it had been minimal participation for free flu shots and health screenings. He added that two to three lives had been saved through the life screenings and the blood pressure screenings.

Councilman Solis asked if this would be paid through the General Fund. Mr. Gisbert said the City had been self-insured for the past 3 ½ years and in that time, there were over Two Million Dollars in the health-specific savings account and the funds would come from this account. He said the City would not be able to contract with any vendor without going through the bid process. Councilman Solis said he preferred the RFQ to be heavily participation oriented. Ms. Fowler said she would include an employee participation guarantee in the RFQ.

Mayor Thomas said in the past, the City gave money for healthy people but it was an unsuccessful program and the City did not follow through for end results. He said this wellness program would come back to the next Council meeting.

**7 POLICE/FIRE FITNESS ASSESSMENT.** Chief Whitman said he wanted Council's approval to move forward with a physical fitness assessment test for new recruits. In the Civil Service Rules, one section said Council approval must be obtained before he could move forward with requiring the testing. He said he had been working on this matter for a year to ensure its legality. He continued that this was a job-related task and he would require his current full-time sworn officers to take the program and detailed what physical tests would be given. Chief Whitman said the physical assessments were discontinued when Chief Sullivan left in 1997. He said he wanted to start in January with the new hires. For the current officers, he said he would be the first to take the test. If his current officers failed the first time, they would have six months to make up the test and if not passed the second time they would be terminated because they would not be fit for duty.

Councilman Solis said he was surprised the City did not already have such a program and he was pleased there would be a remedial period for any officer who did not pass the first time. Chief Whitman said he believed all his sworn officers could pass the test the first time. He said his officers have already been advised so that they could

begin training and the equipment was available at the station. Councilman Reichard made the motion to approve Chief Whitman moving forward with this program. Second was by Councilwoman Strange. 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 |

Chief Daly said the Fire Department always had an agility test before being hired, and when he became Chief, the Department did the testing annually. He said they combined with Panama City and Bay County now to do the physical testing for anyone who wanted a job in Fire Services. Chief Daly said he would also test all his full-time employees and explained their testing. Councilwoman Strange made the motion to ratify Chief Daly's program. Second was by Councilman Reichard. 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 |

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

Mr. Neal Morgan said he would make his comments about the half cent surtax at the end of the meeting.

Councilman Reichard asked about Consent Item #4, the CRA Segment 2 Construction contract, and the project timetable. Ms. Myers said if the Council wanted to discuss the contract it should be moved to the Regular Agenda. Councilman Reichard said he would like the timetable for the public. Mr. Gisbert said until a contractor was under contract, he could not give specifics. The contractor would be given the project and the time to complete, and they would determine where to start, when to start and how long it would take. Ms. Myers said with this many questions, it should be moved to the Regular Agenda.

#### **CONSENT AGENDA**

**1 "NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH" PROCLAMATION.** "A Proclamation designating October, 2016 as "National Disability Employment Awareness Month" in Panama City Beach."

**2 RESOLUTION 16-123, TECO FRANCHISE FEES.** "A Resolution of the City of Panama City Beach, Florida, amending the City's Franchise Agreement with Peoples Gas System (TECO) to increase the Franchise Rate from 3% to 6%, and providing an effective date."

**3 RESOLUTION 16-133, BID AWARD- LYNDELL LANE SIDEWALK PROJECT.** "A Resolution of the City of Panama City Beach, Florida, approving and authorizing execution of an Agreement with BCL Civil Contractors, Inc., for the construction of the Lyndell Lane Sidewalk Project in the amount of \$244,444."

**4\* RESOLUTION 16-132, BID AWARD- CRA FRONT BEACH ROAD SEGMENT 2 REDEVELOPMENT PROJECT.** Moved to Regular Agenda.

**5\* RESOLUTION 16-136, KEYSTONE FIELD SERVICES, RELOCATION CONSULTING SERVICES AGREEMENT, CRA HIGHWAY 79/ FBR SEGMENT 3.** "A Resolution of the City of Panama City Beach, Florida, approving an Agreement with Keystone Field Services, Inc., for relocation consulting services in the basic amount of \$17,500, and providing an immediately effective date."

**6 RESOLUTION 16-137, APPOINTMENT OF CODE ENFORCEMENT HEARING OFFICER.** "BE IT RESOLVED by the City Council of the City of Panama City Beach, Florida, that Russ Ramey be appointed to fill the position of Hearing Officer, in accordance with the provisions of Chapter 25, City Code of Ordinances."



**7 RESOLUTION 16-138, LAND PURCHASE FROM DOJOLE, INC., TO EXPAND LIFT STATION 74.** "A Resolution of the City of Panama City Beach, Florida, approving the purchase of vacant land for \$170,000 from Dojole, Inc., and providing an immediately effective date."

**8\* RESOLUTION 16-139, ATKINS NORTH AMERICA TASK ORDER 16, SUPPLEMENTAL AGREEMENT 16, POST DESIGN SERVICES, CRA FRONT BEACH ROAD SEGMENT 2.** "A Resolution of the City of Panama City Beach, Florida, approving and authorizing execution of a Task Order with Atkins North America, Inc., for Post Design Services for the Front Beach Road Segment 2 Project, in the amount of \$86,458."

**9 RESOLUTION 16-140, AMENDMENT TO BLUE CROSS BLUE SHIELD ADMINISTRATIVE SERVICES AGREEMENT.** "A Resolution approving and authorizing execution of an Amendment to the Administrative Services Agreement with Blue Cross Blue Shield of Florida, and providing an effective date."

Ms. Fowler read each item on the amended Consent Agenda by title. Mayor Thomas said each item with an asterisk was a CRA item. **Councilman Chester made the motion to approve the amended Consent Agenda. Second was by Councilman Solis 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

**1\* RESOLUTION 16-124, ADOPTION OF THE AMENDMENT TO THE 2015-2016 CRA AGENCY BUDGET AND ADOPTION OF THE PROPOSED 2016-2017 CRA AGENCY BUDGET.** Ms. Myers read Resolution 16-124 by title. Mr. Gisbert explained this was the adoption of the amended and proposed CRA Budgets as discussed during the prior Workshop. Ms. White was available if any questions. There were none. **Councilman Solis made the motion to approve Resolution 16-124. 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> |

**2 RESOLUTION 16-129, AMENDING FISCAL YEAR 2015-2016 CITY BUDGET.** Ms. Myers read Resolution 16-129 by title. The Mayor asked if there were any questions and there were none. **Councilman Solis made the motion to approve Resolution 16-129. 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> |

**3 RESOLUTION 16-130, ESTABLISHING FISCAL YEAR 2016-2017 CITY BUDGET.** Ms. Myers read Resolution 16-130 by title. The Mayor asked if there were any questions. There were none. **Councilman Reichard made the motion to approve Resolution 16-130. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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|-----------------------------|------------|
| <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> |

**4 RESOLUTION 16-121, AMENDMENTS TO AARON BESSANT PARK OPERATIONAL POLICIES.** Ms. Myers said this Resolution represented the Council's intent to amend the Operational Standards. She stated this was not exactly what Council had requested but rather offered an alternative recommendation which she felt was legally safer for the City to avoid any constitutional problems in the future. She had had further conversations with Mr. Gisbert and Chief Whitman, and she asked the Council to consider a further amendment to protect the City. Ms. Myers continued that while the City anticipated that Spring Break 2017 would be the same as Spring Break 2016, it was unknown at this time. She said the Chief was still preparing for a Spring Break that might look like 2015 but which could be adjusted. With all of the resources he had ready, Ms. Myers asked the Council to consider whether to remove the Blackout dates at all or if lifted, for weekends only. The three events discussed last meeting were for weekends only so she felt this was a fair compromise and legally safest.

Councilman Reichard asked to hear Chief Whitman's Spring Break plan. Chief Whitman explained that the Department was still planning for a Spring Break like 2015 and hoping that it would be like 2016. He said his job was to plan for the worst and hope for the best. He said he felt it was too early to remove the Blackout dates with only one year under the new standards. He said he could adjust his manpower if the Park had a City event and weekends only, but if it was a week-long event, he did not have that manpower available. He also had stressed his concerns with Mr. Rowe, to have one more Spring Break before opening the Park more. Councilman Reichard asked if he would agree with City events and Chief Whitman responded yes because of the process and City Manager's final approval. If a questionable decision, the event could come before the Council for approval. He suggested limiting Spring Break 2017 for weekends only for City events, and if another successful Spring Break occurred, then reconsider lifting the ban completely. Ms. Myers asked the Chief if he had any problems with the three proposed shows, the boat show, UNwineD, and the car show; Chief Whitman said he was fine with those events.

Mr. Rowe said he was not sure if only Friday through Sunday would work for the car show as typically they came in earlier in the week for multiple days. He said generally they would come in on Monday and stay through the entire week. With restricted to only weekends, this may make it difficult for the car show to be a viable event. He suggested for that particular event making it longer rather than merely the weekend. Ms. Myers said from the City's perspective she wanted to ensure that the City would have control over these events as much as possible when using Aaron Bessant Park. The Mayor said the Council asked for only these three events. He said these were family-friendly events which would help change the image of the beach. Ms. Myers said this would be done in two steps: one motion would be to approve the Resolution as written and a second motion would direct the City Manager for Spring Break 2017 to approve only these three events as requested by the City Council. Ms. Myers read Resolution 16-121 by title. **Councilman Reichard made the motion to approve the Resolution 16-121. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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|-----------------------------|------------|
| <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> |

Councilman Chester asked how long the blackout periods had been in effect. Ms. Myers replied since the Park was established. The Mayor explained the reasons the blackout periods were established was because Spring Break at that time was so big that the Police Department did not want large concerts in the Park taxing manpower for safety reasons. Both Chief Whitman and the Council at that time thought the City was already running at capacity without adding additional concerts. **Councilman Reichard made the motion to support the three events requested by the City and presented by Mr. Rowe. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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|-----------------------------|------------|
| <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> |

**5 RESOLUTION 16-131, EXTENDING LOW SPEED VEHICLE (LSV) REGISTRATION MORATORIUM.** Ms. Myers read Resolution 16-131 by title and explained this would maintain the status quo for the moratorium. She said in May, the Council adopted the Resolution creating the moratorium on the LSV's registration and the next month, the Council adopted an Ordinance placing a moratorium on the issuance of permits for the development of land where LSVs would be rented. The expiration dates of those two matters did not run concurrently so the purpose of this Resolution was to extend the registration moratorium to sync with the expiration of the Ordinance. She added in her attorney's report, she would give a schedule for this matter. The Mayor asked if there were any questions and there were none. **Councilwoman Strange made the motion to approve Resolution 16-131. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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|-----------------------------|------------|
| <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> |

**6\* RESOLUTION 16-135, GULF POWER UNDERGROUNDING AGREEMENT, FRONT BEACH ROAD CRA SEGMENT 2.** Mr. Gisbert said this Agreement was basically the undergrounding work for Segment 2, from South Thomas Drive to R. Jackson Blvd. along Front Beach Road. He said it was approximately Two Million Dollars and would release Gulf Power to purchase the equipment for the undergrounding along the roadway. Ms. Myers read Resolution 16-135 by title. She stated it would supersede the earlier Agreement adopted by the Council for the same project. The price increased slightly due to the passage of time and revised Exhibit C related to the landowners and lighting. She said it had been reviewed by Staff and Special Counsel Shef Wright, and came with Staff's recommendation. The Mayor asked if there were any comments; there were none. **Councilman Chester made the motion to approve Resolution 16-135. Second was by Councilman Solis 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> |

**7 CITY MANAGER REPORT.** In answer to Councilman Reichard's questions concerning Segment 2 construction timelines, Mr. Gisbert explained the bid process with guidelines and specifications, requiring a lump sum amount and completion within twenty-four months. Every contractor would respond in the same manner but without a schedule which would be developed afterwards. He said there would be public information and notification of the land owners along the project. None of that would occur until the project was released and the contract issued. Mr. Gisbert said he could not say where the contractor would begin until the contract was issued. Councilman Reichard asked when the project would start and Mr. Gisbert replied as soon as the contract was approved within a month, and be completed within twenty-four months. Councilman Reichard said his concern was the miniature golf course that had been neglected for a year. He said he would encourage GAC to take the hill down and encouraged the City to salvage sago palms, great stones, and other materials on the golf course. Mayor Thomas said he asked Mr. Gisbert a few days ago to send Staff over there to see what could be salvaged prior to signing the contract. He agreed the golf course looked horrible and in his opinion, the City should have taken down the hill before letting the contract. In future, when buying property the buildings should be removed immediately and not become an eyesore.

**8\* RESOLUTION 16-132, BID AWARD- CRA FRONT BEACH ROAD SEGMENT 2 REDEVELOPMENT PROJECT.** Ms. Myers read Resolution 16-132 by title. The Mayor asked if there were any further questions and there were none. **Councilman Reichard made the motion to approve Resolution 16-132. 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> |

**9 PUBLIC COMMENTS.**

**GENESE HATCHER.** Ms. Hatcher said she was appalled at the amount of money the City was spending for road construction and sidewalks. She said the City also blacked out days, prevented people from coming here, and shut the City down for people making money. She reminded that this was a tourist City. She said during March, she lost \$250,000 which meant the City lost the taxes on that revenue. Ms. Hatcher said the City needed to bring more other than a car show which would not bring the level of money that the Spring Breakers used to bring. She said she did not want the drinking on the beach or the violence, but the City did not have to go to the extreme to block dates and prevent people from coming in March. Ms. Hatcher said she did not see next March being better than this March. She said she did not feel the Council was listening to what was happening in the City. She urged the City to listen to the people.

**NEAL MORGAN,** 17721 Front Beach Road. Col. Morgan said the half cent surtax was a complicated topic and needed to be explained. He urged the residents to vote yes. He also recognized Officer Wurst and stated that he appreciated his service and the excellent report taken about the beach equipment situation. He distributed copies of the report for the record. Colonel Morgan also said the draft Minutes did not record his comments about the Beach Service incident on his property. He urged the City to write the letter advising the vendor not to move the equipment to his property. He also identified a nearby beach service working without a permit.

**BURNIE THOMPSON,** 8317 Front Beach Road. Mr. Thompson asked for the informational speakers to remain at the meeting to be available for any questions by the audience. He distributed a copy of the Beaches Chamber magazine which noted the 9 A.M. meeting times for future Council meetings. He also questioned why the latest Council meetings had not yet been uploaded onto the website.

**JACOB LASSITER,** Bay County resident. Mr. Lassiter asked the Council to move as fast as possible to prevent the businesses remaining in limbo for another three months. He also questioned bringing a wine festival in March after alcohol had been banned on the sandy beach and asked if this was family-friendly. He also stated that landlords added their Ad Valorem taxes into the rent charged for their properties.

Councilman Reichard explained the CRA funds, the \$14.2 Million Dollars used for Segment 2, that were taxes paid to the County being returned to the City to improve the Front Beach Road corridor. He said this was not an additional cost but rather the City getting back the money that belonged to the City. The money was not coming out of the General Fund nor the 1% Gross Receipts Tax.

Councilman Solis added that many times it seemed the Council merely nodded to items on the Agenda without discussion. Speaking for himself, he said he spent quite a bit of time at City Hall discussing various items with the City Manager in preparation for this meeting. The Council did the due diligence to know these issues prior to the meeting. He also said he would take calls prior to the meeting to explain any issues. He said this Council was pushing the CRA forward now after sitting for a year in order to increase property values for everybody. Regarding Spring Break activities, he understood the losses but reminded that after Spring Break, 500-600 of the residents appeared at the Council meetings to make their voices heard. The Council heard those speakers and acted upon their recommendations. Councilman Solis also reported that the July revenue was up 9.3% and brought the City to a year to year increase of 5.33%.

Ms. Hatcher asked to reply to Councilman Solis. Mayor Thomas said she had asked her questions and Councilman Solis answered her comments.

Councilman Chester asked for contractors working for the City to have their vehicles marked especially in the Colony Club improvements.

Councilwoman Strange said she wanted to hear more from Ms. Hatcher and offered her time to allow Ms. Hatcher to speak. **Councilwoman Strange made the motion to allow Ms. Hatcher to speak.** Councilman Solis said he had no problem.



Councilman Reichard said he did not like the language of the motion as it would seem a nay vote would appear that they opposed her being allowed to speak. The Mayor said the Council allowed anyone to speak, whether a resident of the City or not. Unfortunately, prior meetings for several years evolved into argument matches and this forum stopped the arguments from happening and he thought it was the right thing to do. **Second was by Councilman Solis 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> |

Prior to Ms. Hatcher speaking, Councilman Reichard said the four of the five Council members were not against Ms. Hatcher speaking nor Mr. Thompson speaking. Mayor Thomas said he was following the process and Ms. Hatcher said processes were meant to be broken. She said she thought the City should be a more open environment with community input. She said she felt the City was losing a tremendous amount of money in March and it should be re-examined by the people. She urged everyone to work together to make the City better, increase the rental status and bring people here with money. Ms. Hatcher said the rentals for the other months of the year increased tremendously but for March, she only had one week for her six rental homes. She said other rental owners were struggling but they were not here to speak. She asked the Council to talk with people who had rental properties because the City could not continue to lose rental revenue. She said in the past, she had not rented to car show people nor horse show people but rather young people who brought money. She said laws were available and the laws for March should have been no different for the other months.

**10 CITY ATTORNEY REPORT.** Ms. Myers said the moratorium for Low Speed Vehicles (LSVs) would end December 23<sup>rd</sup> and she did not plan to ask the Council for an extension. She anticipated meeting with Staff on the regulatory standards as to the cap and the LDC standards for the use of land on a schedule that would allow adoption in December. She said there would be four more meetings on this issue, (1) Staff and the industry to go over the draft agreement for their feedback, (2) submit to the Planning Board for their recommendation, (3) the November 10<sup>th</sup> Council meeting for First Reading, and (4), the December 8<sup>th</sup> Council meeting for 2<sup>nd</sup> Reading. This would allow four opportunities for the industry to comment and three for the public.


**11 CITY MANAGER REPORT.** Mr. Gisbert announced that the Arnold High Homecoming Parade would be held Friday, October 7<sup>th</sup>, and the road closure was in front of each Councilor. The Homecoming Parade would start at 12:30 and it was a formality to close the City roads. **Councilman Reichard made the motion to approve the road closure for the AHS Homecoming Parade. Second was by Councilwoman Strange 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> |

With nothing further, the meeting was adjourned at 10:50 A.M.  
 READ AND APPROVED this 27th of October, 2016.

**Action on items noted with an asterisk (\*) are taken by both the City Council and the City of Panama City Beach Community Redevelopment Agency, jointly and concurrently.**

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

  
 \_\_\_\_\_  
 Mayor

ATTEST:  
  
 \_\_\_\_\_  
 City Clerk