

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 August 24, 2017.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:  
JOHN REICHARD  
JOSIE STRANGE  
PHIL CHESTER  
HECTOR SOLIS

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

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

Councilman Solis gave the invocation and led the Pledge of Allegiance.

The Mayor announced the upcoming Community Events.

The Minutes of the Regular Meeting of July 27, 2017 were **read and approved as written per motion by Councilwoman Strange. Second was by Councilman Chester.** Ms. Hatcher from the floor made comments about statements in the Minutes which were lies. The Mayor said she could get with Ms. Myers after the meeting. **The motion passed by unanimous roll call vote recorded as follows:**

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

Mayor Thomas asked if there were any additions or deletions to the Agenda. There were none. **Councilwoman Strange made the motion to approve the Agenda as prepared. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

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

The Mayor opened the Public Comments portion of the meeting at 9:05 A.M. and reminded that the speakers were limited to three minutes.

1 MR. FRANK SEWELL, 435 Hidden Island Drive. Mr. Sewell asked if Ordinance 1425 would affect the sizes of the kiosks signs at the City Pier.

2 MS. GENESE HATCHER, 203 South Wells St. Ms. Hatcher displayed her rental business sign and other nearby larger house signs and questioned the sizes being dependent upon the various zonings. She said a house sign was a house sign was a house sign.

With no further comments, the Public Comments were closed at 9:08 A.M.

#### **CONSENT AGENDA**

1 ***“NATIONAL DAYS OF PRAYER AND REMEMBRANCE” AND “PATRIOT DAY” PROCLAMATION.*** *“A Proclamation designating September 8-10, 2017 as “National Days of Prayer and Remembrance” and September 11, 2017 as “Patriot Day”, and directing that the flags be lowered to half-staff on September 11, 2017 with a moment of silence at 7:46 A.M.*

2        **RESOLUTION 17-129, BID AWARD- LANDSCAPE MAINTENANCE SERVICES, CITY MAIN CAMPUS.** “A Resolution of the City of Panama City Beach, Florida, approving an Agreement with GCC Landscape Management Co. in the annual amount of \$30,664 for Landscape Maintenance Services of the City’s Main Campus; and providing an immediately effective date.”

3        **RESOLUTION 17-130, SHADDAI SHRINE TEMPLE FALL CEREMONIAL PARADE ROAD USAGE.** “A Resolution of the City of Panama City Beach, Florida, authorizing careful traffic control and extraordinary use of a portion of Front Beach Road (US 98) to permit the Shaddai Shrine Temple Fall Ceremonial Parade on the morning of Saturday, October 14, 2017; and providing an immediately effective date.”

Ms. Smith read the Consent Agenda items by title. **Councilwoman Strange made the motion to approve the Consent Agenda. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

**REGULAR AGENDA- DISCUSSION/ACTION**

1        **ORDINANCE 1425, AMENDING LDC REGARDING OUTDOOR DISPLAYS, 2<sup>ND</sup> READING, PUBLIC HEARING AND ADOPTION.** Ms. Myers read Ordinance 1425 by title and clarified this only dealt with the merchandise itself. In response to the question from Mr. Sewell, she said there was a lease specific to the Pier Beachfront kiosks and any identified problems would be addressed by the lease. She said the definition within the Ordinance was premises which would include the City’s entire parcel on which the kiosks were placed. Mayor Thomas addressed the comments by Ms. Hatcher about home sign sizes and explained Code Enforcement personnel was being increased which would address those issues and everyone would follow the same rules. The City was behind in enforcement as one man could not do all the enforcement. The Mayor asked for Council questions or comments; there were none. He opened the Public Hearing at 9:12 A.M. Hearing no comments from the floor, the Public Hearing was closed at 9:12 A.M. **Councilman Reichard made the motion to approve Ordinance 1425. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

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

2        **RESOLUTION 17-122, PIER BEACHFRONT LEASE RENEWAL AND MODIFICATION.** Ms. Myers read Resolution 17-122 by title and explained that this Resolution extended the lease for three years, allowed rent payments by the 20<sup>th</sup> of the month, and clarified the tenant’s duty to keep the kiosks in good repair. She said the lease could not be extended at the end of this term and must be rebid at the end of three years. Mayor Thomas said it was a good lease and the tenant had done well. He asked if there were any questions or comments from Council; there were none. **Councilman Chester made the motion to approve Resolution 17-122. Second was by Councilman Reichard and the motion passed by unanimous roll call vote recorded as follows:**

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

**3 RESOLUTION 17-128, BUDGET AMENDMENT #50 FOR YEAR END HOUSEKEEPING.** Ms. Myers read Resolution 17-128 by title and explained the Budget Amendment reallocated funds amongst Departments to address shortfalls, excesses, and construction timing issues. The Mayor asked if there were any questions and there were none. **Councilman Solis made the motion to approve Resolution 17-128. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**4 RESOLUTION 17-131, BID AWARD- SEWER CONTINUING SERVICES.** Ms. Myers read Resolution 17-131 by title. Councilman Reichard asked Mr. Shortt for more details. Mr. Shortt explained this was an ongoing program beginning in 2011, replacing the clay pipes originally installed fifty years ago with liners. He said it was expensive and for the three years being considered, it would total approximately Four Million Dollars to do all of the work, and as work was done, other areas would be identified. The contract was for one year initially with two one-year renewals if Staff was satisfied with the contractor's work. The contractor would also honor the prices over the three years. Mr. Shortt said Staff was recommending that the Council approve the unit pricing today, not the work itself. During the Utilities Budget Workshop, he said they planned to budget Two Million Dollars for next year and issue a Work Authorization using these prices for the most critical areas. Councilman Solis asked about warranty and Mr. Shortt said any problems with the liners were known almost immediately. He said once the liner was there, it basically formed a new pipe inside the old clay pipe and the life expectancy for the new pipe was another fifty years. He identified areas in Colony Club, Woodlawn subdivision, Bay Point, and some of Front Beach Road not addressed by the CRA Segment 2 as most critical. He added most of the City neighborhoods had PVC pipes which did not have the leaks such as in the clay pipes. **Councilman Reichard made the motion to approve Resolution 17-131. Second was by Councilwoman Strange and the motion passed by unanimous roll call vote recorded as follows:**

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

**5 APPROVE ADDITION OF ONE FULL-TIME WASTEWATER TREATMENT PLANT OPERATOR AND ELIMINATE A PERMANENT PART-TIME POSTION.** Mr. Shortt explained the creation of the Permanent Part-time position and that employee was leaving for personal reasons. He said finding a licensed Operator to only work part-time was difficult and the position needed to be filled which realistically must be Full-time. Mayor Thomas asked if there were any questions and there were none. **Councilman Reichard made the motion to approve Staff's recommendation. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

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

**PUBLIC COMMENTS-LIMITED TO THREE MINUTES**

Mayor Thomas said the Council was going to do things differently and Counsel was going to bring back a Resolution at the next meeting concerning comments. He explained that public comments would be limited to the same three minutes, and anyone could address the City's business if they were a City resident, own a business within the City, or have a water/sewer problem which needed to be addressed during the meeting.

1 MS GENESE HATCHER, 203 S. Wells St. Ms. Hatcher disputed the comments in the Minutes, stating her homes were the safest in the County. She wanted the records changed and if a neighbor said that, she wanted a Public Records Request for that information. She commented about her rental homes being required to obtain the sprinkler system and outside staircase within 20 days. She explained her problems.

2 MR. BURNIE THOMPSON, 8317 Front Beach Road. Mayor Thomas said this section of the meeting were for people within the three criteria. He stated he would meet with Mr. Thompson at any time. Mr. Thompson said he wanted to ask about Public Records Requests and the Mayor stated he was not a resident of the City. Mr. Thompson asked Ms. Myers which Statute would deny him the opportunity to address the Council. Ms. Myers replied that the Statute only allowed Public Comment on matters before the Council for consideration and there was not a Public Records Policy before the Council for consideration. Mayor Thomas said he could check with him at any time other than a City Council meeting time.

3 MR. TIM SOWELL, 611 Poinsettia Drive. Mr. Sowell commented about the article reporting the City being the 22<sup>nd</sup> most dangerous City in the U.S. He said this year, the island had five shootings and more than in the past. He said the City continued to become more violent and explained his reasoning.

There were no further comments from the floor. Mayor Thomas said this report was inaccurate. Councilman Solis asked Chief Whitman to address the article. Chief Whitman spoke of the writer using old statistics from 2015 and not accounting for the number of the City's visitors. She applied the 2015 statistics against the City's population of 12,995, not the numbers of tourists per day averaging an additional 44,000. Chief Whitman explained with the addition of the visitors, the crime statistics were drastically lower. He said the writer was doing the study prior to the Council enacting the new Ordinances.

In response to the question from Councilman Solis about the new Ordinances, Chief Whitman said his officers were now able to respond quicker to situations, be more proactive, and with full staff able to catch more criminals. He said most of the crimes were drug related but that was worldwide. Chief Whitman said Myrtle Beach was mentioned in the same article with the same problem as their visitors were not added into the statistics.

Councilman Solis said the article also reported was that property values were declining and no one wanted to come to the City. He stated that property values in the last two years had risen 15%-20%. The Mayor asked if there were other questions for the Chief and there were none.

Mayor Thomas asked Mr. Leonard to explain the circumstances surrounding Ms. Hatcher's homes and various comments. Mr. Leonard said the two buildings were permitted as single-family dwellings but then the occupancy was converted to short-term rental. Then the Fire Department and Fire Codes apply upon that conversion. He said Chief Daly and Captain Jordan had been working on the timing for when the requirements would happen. He said there were others with the same situation since VRBO was relatively new. Now many homes were being converted to short-term rentals, and when that occurred, Fire Codes and Building Codes would apply to the structures, such as exit lights, fire suppression systems, and all the life safety requirements that did not apply to single-family homes.

Councilwoman Strange asked if Ms. Hatcher converted to short-term occupancy right after construction why it took 2.5 years to address the structures, and if the Department was that far behind. Mr. Leonard said yes, the Department was behind but he remembered conversations with Captain Jordan at that time that he wanted to see if they were being rented short-term and have a plan for when the new requirements would apply. The conversations started not long after the CO was issued for the two buildings. Councilwoman Strange asked if there were over 300 homes in the City which had converted to short-term rental and Mr. Leonard replied no, not within City limits. Ms. Hatcher said within the County. Mayor Thomas said there was State law which the City had not been enforcing for a while and were now catching up after being behind. Mr. Leonard said the Fire Department had also been understaffed regarding inspections as there had been only one Fire Inspector. Now there was two which still was not enough.

Councilman Solis said several of the Council members attended the Florida League of Cities Conference last week, and one of the classes was for vacation rentals. He said the number one topic was the conversion of homes to short-term rentals and the cities losing control. Destin was there asking for help and our City was not unique with these problems.

Councilman Reichard commented about the upcoming parade season and the barriers for crowd control. He said the TDC was buying 100 new barriers each year, stored at Pier Park for use with these parades. He spoke of the City insisting that parades use the barriers for safety reasons. He mentioned kids running in front of the vehicles. Mayor Thomas said he and Councilman Chester would speak to the TDC.

Mayor Thomas said the property values were doing very well in the City and businesses were picking up, and people felt more comfortable on the beach compared to past years.

With nothing further, the meeting was adjourned at 9:50 A.M.

READ AND APPROVED this 14th of September, 2017.

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

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Mayor

ATTEST:

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City Clerk