

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 May 24, 2018.

ROLL

MAYOR MIKE THOMAS

COUNCILORS:

PAUL CASTO

PHIL CHESTER

GEOFF MCCONNELL

HECTOR SOLIS

CITY MANAGER:

MARIO GISBERT

CITY CLERK:

JO SMITH

CITY ATTORNEY:

AMY MYERS

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

Councilman Chester asked for a moment of silence for Ms. Bailey, a beloved teacher at Surfside Middle School who recently passed away. Councilman McConnell gave the invocation and led the Pledge of Allegiance.

Councilman Chester announced the upcoming Community Events.

The Minutes of the Regular Meeting of May 10, 2018 were read. **Councilman Casto made the motion to approve the Minutes as prepared. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</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. **Councilman Chester 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 McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**PRESENTATIONS**

**1 MR. STEVE MOSS, DISCUSSION OF SCHOOL RESOURCE OFFICERS (SROs).** Mr. Moss spoke of the School Board's plan for armed officers at every school for the student's safety. He said their safety was a priority and they were committed to have the same level of security at every school. He detailed their plans to harden the various schools and their entrances. They planned for single access points to every school.

**PUBLIC COMMENTS (REGULAR NON-PUBLIC HEARINGS AND CONSENT ITEMS)**

Mayor Thomas opened the Public Comments section of the meeting at 9:11 A.M. and invited comments.

1 Ms. Genese Hatcher, Wells St. Ms. Hatcher asked if Mr. Leonard could display maps of the FBO Districts where the signage would be allowed, related to the proposed Ordinance 1458.

2 Mr. Paul Dalton, 107 Manistee. Mr. Dalton thanked the Council for looking into the updated pay study and that he supported the pay raises. He recommended taking care of the Beach Police and moving every officer up one grade.

There were no further comments.

**CONSENT AGENDA**

None

**REGULAR AGENDA**

**ITEM 1 RESOLUTION 18-92, UPDATED PAY PLAN STUDY AND BUDGET AMENDMENT #29.** Ms. Myers read Resolution 18-92 by title. Mr. Michael Misrahi of Evergreen Solutions explained the compensation update and said certain classifications, Police and Fire, were behind in the market studies and were recommended for adjustment. He elaborated.

Councilman Casto said 178 employees were not included in the study, 63% of the total workforce. He said it was recommended that a full study be completed every three to five years, and he recommended moving forward today for a full study of all employees. Mr. Misrahi explained their process of using a representative of each department to extrapolate the other levels. He said they used a sample of forty positions to make a representation of the workforce and then all positions were reviewed for potential adjustments. This looked at the market specifically, and the impact of this study was normal compared to other entities. Councilman Casto questioned whether Mr. Misrahi recommended a full study now. Mr. Misrahi explained that would depend upon whether the City determined the employees were performing beyond their job descriptions. He continued that this study was the standard interim compensation study done between the full studies.

Mayor Thomas said this study had been made simple with the selections and that the City had many positions unfilled due to safety reasons, not salary. He said the entire County was raising their pay rates because they also had unfilled positions in Police and Fire. Councilman McConnell confirmed that every employee rate had been reviewed and only certain benchmarks had been outside of the boundaries. He said he understood this to mean that the Utilities Department had maintained their rates but Police and Fire were low. Mr. Misrahi spoke of the market climate where public safety salaries were high. Lengthy discussion ensued.

**Councilman Casto made the motion to approve the Evergreen study and include direction for the City Manager to negotiate a full study.** Councilman McConnell spoke of the \$500,000 annualized costs for the salary increases as well as the 3%, and that he thought this should be part of the budget process, not in the middle of the year. He said he could support doing the full study.

Mayor Thomas said the problem existed now in hiring Police and Fire. He recommended approving and implementing this study, and a full study later. He spoke of positions paid too much and raising salaries every year. He said it was a good study.

**Councilman Casto amended his original motion to approve the Evergreen Study, Resolution 18-92, with a second motion for a full study. Councilman Solis seconded the first motion to approve Resolution 18-92.** Councilman McConnell said annual recurring costs should be discussed during the budget process and not the middle of the year. **With no further questions or comments, the motion passed by majority roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Nay</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**Councilman Casto repeated his motion to direct the City Manager to negotiate with Evergreen for a full study for all employees. Councilman Chester seconded the motion.** Mayor Thomas asked Mr. Misrahi if he felt a full study should be completed this year, and Mr. Misrahi said not this fiscal year. He explained costs and the burden on the employees. Councilman Solis recommended delaying for a year as he did not see the need for a whole study now. Councilman McConnell said that he agreed with Councilman Solis. **With no further questions or comments, the motion failed by majority roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Nay</b>
<b>Councilman Solis</b>	<b>Nay</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Nay</b>

**ITEM 2 CASH OUT SICK LEAVE HOURS OPTION- DISCUSSION.** Mr. Gisbert said a few years ago, the Sick Leave Pool had been modified with the ceiling set at approximately \$3.2 Million Dollars. He mentioned his and Ms. White's discussions on the opportunity to buy out some of that debt, reducing that ceiling. He presented the three options to cash out hours from the Sick Leave Pool, 100 hours, 150 hours or 200 hours. He spoke of the Sick Leave Cap being reduced from 2080 hours to 500 hours to none. He added that this opportunity would only be for the vested employees and completely voluntary.

Councilman Solis said he would oppose this issue because Sick Leave was not meant as a bonus program. Mayor Thomas said the employees would collect those funds anyway. Councilman Solis mentioned an employee taking this option, cashing out some of their Sick Leave, and then applying to the Sick Leave Pool if an illness occurred. Mayor Thomas agreed but this would allow the City to get rid of some of that looming debt. Mr. Gisbert said there would be approximately 120 employees who qualified for this plan. Councilman Casto said he felt it was a good plan for the City.

Councilman Solis said he would support this plan with a caveat that if an employee elected this option and cashed out the number of hours, they would not be able to go to the Sick Leave Pool for those hours in the event of an illness. Mayor Thomas agreed. Mr. Gisbert said the Pool had limitations and a request must be approved by the Sick Leave Pool Committee.

Fire Chief Couch gave a personal example of his accumulated Sick Leave, incentives from the past to not call in sick. He said this payout would reduce the tax liabilities of the employees when they left plus reduce the City's larger payout in future years. Mr. Gisbert added that the City had stopped the problem from progressing, the payout of accumulated Sick Leave hours. Ms. Philput added that the maximum number of hours that could be used were 480 per year.

**Councilman Solis made the motion for a 150 hour payout with the provision that the employee could not borrow those hours previously paid out from the Sick Leave Pool at a later date. Second was by Councilman McConnell. The motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

**ITEM 3 RESOLUTION 18-93, RANKING HEALTH INSURANCE BROKER.** Ms. Myers read Resolution 18-93 by title. The Mayor asked if there were any questions or comments; there were none. **Councilman Chester made the motion to approve Resolution 18-93. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

**ITEM 4 RESOLUTION 18-94, WINDSTORM INSURANCE.** Ms. Myers read Resolution 18-94 by title. Mayor Thomas explained Hall Insurance Company was owned by his brother-in-law and nephew and he had no part in negotiations. Councilman McConnell asked the previous amount paid. Councilman Solis stated this will be a significant savings for the City. Ms. Philput stated the total previous cost was \$78,000.00. **Councilman McConnell made the motion to approve Resolution 18-94. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

**ITEM 5 RESOLUTION 18-95, UPDATING HAND ARENDALL HARRISON SALE LLC ENGAGEMENT.** Ms. Myers read Resolution 18-95 by title, updating the compensation for other members of her firm and making it in line with Panama City and the School Board. The Mayor stated Ms. Myers and Mr. Cole Davis had done an excellent job for the City. Ms. Myers requested this be implemented on June 1, 2018. Councilman McConnell said he also felt this change should be part of the overall budget review. **Councilman Casto made the motion to approve Resolution 18-95. Second was by Councilman Chester and the motion passed by majority roll call vote recorded as follows:**

Councilman McConnell	Nay
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

**ITEM 6\* RESOLUTION 18-96, MOONRAKER ROW PURCHASE AGREEMENT, CRA ALF COLEMAN ROADWAY IMPROVEMENTS.** Ms. Myers read Resolution 18-96 by title. The Mayor asked if there were any questions or comments; there were none. **Councilman Chester made the motion to approve Resolution 18-96. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

**ITEM 7 ORDINANCE 1450, AMENDING LDC RELATED TO PUD MASTER PLAN AMENDMENT AND INVALIDATION PROCESS, 1<sup>ST</sup> READING.** Ms. Myers read Ordinance 1450 by title. The Mayor asked if there were any questions or comments; there were none. **Councilman Chester made the motion to approve Ordinance 1450. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Aye

**ITEM 8 ORDINANCE 1455, AMENDING LDC RELATED TO COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS, 1<sup>ST</sup> READING.** Ms. Myers read Ordinance 1455 by title and explained this proposed Ordinance would prohibit three or more commercial vehicles in a single-family residentially zoned neighborhood. **Councilman McConnell made the motion to approve Ordinance 1455. Second was by Councilman Solis and the motion passed by majority roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Nay
Mayor Thomas	Aye

**ITEM 9 ORDINANCE 1458, AMENDING LDC RELATED TO TRANSIENT RESIDENTIAL RENTAL SIGNAGE, 1<sup>ST</sup> READING.** Ms. Myers read Ordinance 1458 by title. Mr. Leonard explained the FBO districts were mainly Front Beach Road, South Thomas, Beach Boulevard, Oleander on the Gulf, Middle Beach and Powell Adams. Ms. Myers explained that under the proposed Ordinance if the underlined zoning of the property was residential, a small sign was allowed; if the underlined zoning of the property was commercial, a bigger sign was allowed. Councilman Solis suggested amending the Ordinance to require the size of transient residential rental signs be uniform in all underlying zoning. **Councilman McConnell made the motion to approve Ordinance 1458 with the language of uniformity. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 10 ORDINANCE 1457, AMENDING LDC RELATED TO LANDSCAPING REQUIREMENTS FOR VEHICULAR USE AREAS OF NONCONFORMING USES, 1<sup>ST</sup> READING.** Ms. Myers read Ordinance 1457 by title. The Mayor asked if there were any questions or comments; there were none. **Councilman Solis made the motion to approve Ordinance 1457. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 11 ORDINANCE 1456, AMENDING LDC RELATED TO CONDITIONAL USES TERMINATION, 1<sup>ST</sup> READING.** Ms. Myers read Ordinance 1456 by title and explained the LDC provided that a Conditional Use was deemed abandoned if not used and acted upon within a year of its approval. This Amendment would provide that a Conditional Use may be abandoned if it was discontinued for a certain period. Mayor Thomas asked Mr. Leonard to give an example. Mr. Leonard explained an example would be the newest Miracle Strip Park which was now coming back with a new amusement. It was abandoned long enough that in the future, Planning and Zoning would need to look at setbacks and heights of new amusements for compliance and not causing a nuisance to surrounding properties. **Councilman Chester made the motion to approve Ordinance 1456. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 12 RESOLUTION 18-97, WORKORDER 2018-2 RELATED TO ANNUAL UPDATE AND PREPARATION OF FIRE ASSESSMENT RESOLUTION AND ROLL, AND BUDGET AMENDMENTS #25 AND #26.** Ms. Myers read Resolution 18-97 by title and explained the three parts. The Mayor asked if there were any questions or comments; there were none. **Councilman Solis made the motion to approve Resolution 18-97. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

**ITEM 13\* RESOLUTION 18-98, RANKING TRANSPORTATION ENGINEERING AND DESIGN FIRMS FOR FRONT BEACH ROAD CRA PROJECTS.** Ms. Myers read Resolution 18-98 by title. The Mayor asked if there were any questions or comments; there were none. **Councilman Solis made the motion to approve Resolution 18-98. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

<b>Councilman McConnell</b>	<b>Aye</b>
<b>Councilman Solis</b>	<b>Aye</b>
<b>Councilman Casto</b>	<b>Aye</b>
<b>Councilman Chester</b>	<b>Aye</b>
<b>Mayor Thomas</b>	<b>Aye</b>

### DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 10:30 A.M.

1 Ms. Sherie Crim, 17680 Front Beach Road. Ms. Crim spoke about House Bill 631 and people parking on sidewalks.

2 Mr. Tim Sowell, 611 Poinsettia Drive. Mr. Sowell said a business owner stated that they were intimidated to speak due to the possibility of losing business. He asked the Council to follow the same rules as the citizens.

3 Mr. Burnie Thompson, beach resident. Mr. Thompson asked the Mayor to walk through the metal detectors like the citizens. Mayor Thomas explained he was late for the meeting.

4 Mr. Matthew Bush, 170 Crane Street. Mr. Bush suggested some language about natural disasters in the proposed Ordinance about boarding up your property. He spoke of rules concerning maximum rental deposits on motorcycles with Harley Davidson charging larger amounts and being allowed to rent even though they were not within 500' of Front Beach Road.

5 Ms. Genese Hatcher, 203 S Wells Street. Ms. Hatcher spoke of being treated differently than Councilman Solis. She stated that the City needed to act like a business.

6 Mr. Paul Dalton, 107 Manistee. Mr. Dalton thanked the Council for the heartfelt discussion about raises.

The Delegations portion of the meeting was closed at 10:45 A.M.

### COUNCIL COMMENTS

Mayor Thomas addressed the House Bill 631 and the lawsuit in Walton County that should set a precedence for the entire state. Ms. Myers explained our beaches were renourished and public. Mayor Thomas stated no one should feel intimidated to talk. The Council will direct Staff to look at the business practices Mr. Bush mentioned. Ms. Hatcher built two houses that slept 32 people each and had put them down as residential properties that allowed less restrictions on building. Upon completion that was not the case, and they were not residential units which was why the Planning and Building Department cited her.

Councilman Solis stated the inspections were completed and the report forwarded to the Fire Inspectors. He spoke of our beach being different and that renourishment should continue with strategies in place regarding the new legislation. He spoke of other citizens intimidated which prevented them from attending meetings and speaking. He addressed how the motorcycles were driven during Bike Week, not weaving in and out nor driving between lanes. Councilman Solis spoke of the lack of enforcement and drivers treating the scooters as toys. He also mentioned removing incentives in building height. Mayor Thomas agreed, having heard similar comments, and he directed the City Manager to set up meetings with staff and the individual Council members.

Councilman McConnell also observed the bikes during Bike Week and spoke of behind the scenes work in addressing some of the noise concerns. He spoke of being available after each meeting for any discussions. Regarding the scanning now at the meeting, Councilman McConnell spoke of the current environment with school shootings and various issues in our culture. He stated that he had asked for the scans because the City did not have a safety plan for our audience and this action was a good thing.

Councilman Casto had no comments.

Councilman Chester mentioned school safety and that Mr. Moss had spoken earlier in the meeting with the School Board's plans.

Ms. Myers had no report.

Mr. Gisbert stated the City website included jobs and bid opportunities. There were lots for sale in Bid-A-Wee.

The meeting was adjourned at 11:05 A.M.

READ AND APPROVED this 14<sup>th</sup> of June, 2018.

**\*Items noted with an asterisk are taken both by the City Council and the Panama City Beach 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.**

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Mayor

ATTEST:

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City Clerk

DRAFT