

The Special 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, conducted at the Helen Blackburn Auditorium at the J. R. Arnold High School on May 12, 2015.

ROLL

MAYOR GAYLE F. OBERST

COUNCILORS:
JOHN REICHARD
RICK RUSSELL
JOSIE STRANGE
KEITH CURRY

CITY MANAGER:
MARIO GISBERT
CITY CLERK:
HOLLY J. WHITE
ASSISTANT CITY ATTORNEY:
AMY MYERS

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

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

Prior to the Agenda business, the Mayor thanked the Bay County School System and Arnold High School for the use of the auditorium for these meetings. She gave a special thanks to the students who helped set up the room and who would be cleaning the room once the meeting was over. The meeting needed to conclude by 8:30 P.M. in consideration of those students and due to the large number of people who might wish to speak, the Three Minute Speaking Rule would be strictly enforced.

The Mayor asked if there were any additions or deletions to the Agenda. **Hearing none, the Agenda was accepted as prepared.**

The Minutes of the White Sandy Beach Special Events Workshop of November 12, 2014 and Regular Meeting of April 9, 2015 were **read and approved as written per motion by Councilwoman Strange. Second was by Councilman Russell and the motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

CONSENT AGENDA

ITEM 1 RESOLUTION 15-92, STATE TRAFFIC SIGNAL MAINTENANCE & COMPENSATION AGREEMENT FOR FISCAL YEAR 2015-2016. *The City has an Agreement with FDOT to participate in the State's reimbursement program for the traffic signals within City limits with their Fiscal Year starting July 1, 2015 through June 30, 2016. "BE IT RESOLVED that the appropriate Officers of the City are authorized but not required to execute and deliver on behalf of the City that certain State Traffic Signal Maintenance and Compensation Agreement, between the City and FDOT, providing for the FDOT's general reimbursement of the City's maintenance costs at the unit costs set forth in Exhibit B, in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution of such agreement shall be conclusive evidence of such approval."*

ITEM 2 RESOLUTION 15-98, GULF POWER COMPANY STORM STAGING SITE AGREEMENT FOR FRANK BROWN PARK. *"BE IT RESOLVED that the appropriate officers of the City are authorized but not required to execute and deliver on behalf of the City that certain Agreement between the City and Gulf Power Company, relating to the use of Frank Brown Park as a staging area for GPC personnel and equipment in the event of a storm, for a period beginning May 1, 2015 and ending December 31, 2016, in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may*

be approved by the City Manager, whose execution of such agreement shall be conclusive evidence of such approval.”

Ms. White presented the Consent Agenda. The Mayor asked for comments from the audience. Hearing none, **Councilwoman Strange made the motion to approve the Consent Agenda. Second was by Councilman Reichard.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

REGULAR AGENDA

1 ITEM NO. 1 “NATIONAL POLICE WEEK” AND “PEACE OFFICERS MEMORIAL DAY” PROCLAMATION AND PRESENTATION. Mayor Oberst welcomed Deputy Chief Chad Lindsey to the stage as she read the Proclamation designating May 10-16, 2015 as “National Police Week” and May 15, 2015 as “Peace Officers Memorial Day”. He thanked the Mayor and asked for a moment of silence for the recent officers who had been slain. He thanked his men and women who served the City with pride. The audience rose and applauded.

2 ITEM NO. 2 “CHILD HUNGER AWARENESS MONTH” PROCLAMATION AND PRESENTATION. Mayor Oberst welcomed Ric and Bobbie Brigman to the stage as she read the Proclamation designating May as “Child Hunger Awareness Month”. Ms. Brigman thanked the Mayor and explained how many children who went hungry during the summer.

3 ITEM NO. 3 RESOLUTION 15-93, BUDGET AMENDMENT #22 FOR TDC/CVB CONTRIBUTIONS FOR CHEMICALS AND PARKING LOT IMPROVEMENTS AT AARON BESSANT PARK, PUBLIC HEARING. Mayor Oberst opened the Public Hearing at 6:15 P.M. Ms. Myers read Resolution 15-93 by title. Mr. Gisbert explained this was to record the funds received from the TDC for use at Aaron Bessant Park. The Mayor asked if there were any questions or comments from the audience; there were none. **Councilman Russell made the motion to approve Resolution 15-93. Second was by Councilwoman Strange.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

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

4 ITEM NO. 4 RESOLUTION 15-94, VERIZON WIRELESS SMALL CELL LEASE AGREEMENT FOR FRANK BROWN PARK. Ms. Myers read Resolution 15-94 by title. Mr. Gisbert explained this would expand the service in Frank Brown Park and Verizon would be paying for the work. He also emphasized this would not be for WiFi. In response to a question from the audience, he said there would not be new towers built in the Park. With nothing further, **Councilwoman Strange made the motion to approve Resolution 15-94. Second was by Councilman Curry.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

5 ITEM NO. 5* RESOLUTION 15-95, CRA 2015 TIGER DISCRETIONARY GRANT APPLICATION, FRONT BEACH ROAD SEGMENT 2. Mayor Oberst explained this item noted with an asterisk was one in which the City Council was also acting as the Panama City Beach Community Redevelopment Agency and voting as both. Ms. Myers read Resolution 15-95 by title. Mr. Gisbert explained this was the annual TIGER Grant Application that was submitted every year. The Mayor asked if there were any questions or comments. There were none. **Councilman Curry made the motion to approve Resolution 15-95. Second was by Councilwoman Strange.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

6 ITEM NO. 6 RESOLUTION 15-96, WEST BAY SCHOOL BOARD SIGN EASEMENT AND AMEND BUFFER AGREEMENT. Ms. Myers read Resolution 15-96 by title and explained the two parts of the Resolution needed for the reopening of the West Bay Elementary School. The Mayor asked if there were any questions and there were none. **Councilman Reichard made the motion to approve Resolution 15-96. Second was by Councilwoman Strange.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

7 ITEM NO. 7 RESOLUTION 15-97, BUDGET AMENDMENT #26 FOR REPLACEMENT POLICE VEHICLE, PUBLIC HEARING. Mayor Oberst opened the Public Hearing at 6:23 P.M. Ms. Myers read Resolution 15-97 by title. Ms. White explained this money would come out of Reserves to replace the vehicle. The Mayor asked if there were any questions or comments from the audience; there were none. **Councilman Russell made the motion to approve Resolution 15-97. Second was by Councilwoman Strange.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

The Public Hearing was closed at 6:25 P.M.

8 ITEM NO. 8 ORDINANCE 1343, WOODSTOCK CHURCH SMALL SCALE COMP PLAN AMENDMENT, 1ST READING. Ms. Myers read Ordinance 1343 by title and explained the Planning Board considered the matter at their March meeting and recommended approval five to zero (5-0). She said the map of the area was in the Agenda packet and Mr. Robert Carroll submitted the request for the applicant. She added that the Public Hearing would be held at the May 26, 2015 Council meeting. The Mayor asked if there were any questions; there were none. **Councilman Curry made the motion to approve Ordinance 1343. Second was by Councilwoman Strange.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

9 ITEM NO. 9 ORDINANCE 1344, WOODSTOCK CHURCH REZONING, 1ST READING. Ms. Myers read Ordinance 1344 by title and explained that the Planning Board had heard the request at their March 2015 meeting and recommended approval five to zero (5-0). The Mayor asked if there were any questions or comments; there were none. **Councilman Russell made the motion to approve Ordinance 1344. Second was by Councilwoman Strange.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

10 ITEM NO. 10 QUARTERLY GENERAL FUND UPDATE. Ms. White explained the graphs at length as they were displayed for the audience. She explained that the 1% Business Tax Receipts were up 17% since October 1st and Mr. Gisbert added that the offseason had been up 20% each month, showing the positive effect of the TDC focusing on the offseason. He continued that revenue had grown double digits since the start of the fiscal year and Ms. White said year-to-date was up almost 12%.

11 ITEM NO. 11A ARTHUR CULLEN (CITIZENS UNITED FOR PANAMA CITY BEACH) PRESENTATION. Mr. Arthur Cullen representing Citizens United for Panama City Beach, gave a lengthy powerpoint presentation which among other things suggested alternatives to the impacts of banning alcohol on the beach.

12 ITEM NO. 11B ALLIANCE FOR A NEW PANAMA CITY BEACH PRESENTATION. Mr. Darrell Sellers, Mr. Hector Solis, and Mr. Wes Pittman representing the Alliance for a New Panama City Beach, gave a lengthy powerpoint presentation which among other things largely supported a ban of alcohol on the beach.

Mayor Oberst announced that no public comments would be taken on Ordinances 1347, 1348, and 1349, and the Spring Break resolution until the Public Hearing on June 11th.

13 ITEM NO. 12 ORDINANCE 1347, HOURS OF ALCOHOL SALES. Ms. Myers said this proposed Ordinance had been written for Spring Break only and she read Ordinance 1347 by title. She said the time period could be extended by Resolution if the Council so directed. The Mayor asked the Council members if there were any questions; there were none. **Councilwoman Strange made the motion to approve Ordinance 1347. Second was by Councilman Curry.** The Mayor called for Council comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

14 ITEM NO. 13 ORDINANCE 1348, PROHIBITING DRINKING IN COMMERCIAL PARKING LOTS. Ms. Myers read Ordinance 1348 by title. Mayor Oberst asked about all parking lots and Ms. Myers responded that this addressed commercial parking lots year round. Councilman Reichard questioned if this would prohibit an event like the classic car show. Ms. Myers explained that drinking in commercial parking lots would be permitted if the parking lot was under the control and management of the business.

Councilwoman Strange asked about drinking on the public beach accesses. Ms. Myers said that was already prohibited. Councilman Reichard asked why not only Spring Break so as not to penalize locals or the good visitors. Ms. Myers replied that year round had been the direction from the last meeting. Councilwoman Strange said she had no problem restricting this to Spring Break. Councilman Reichard said he thought it a good idea to only prohibit during Spring Break.

Councilman Reichard made the motion to approve Ordinance 1348 with the timeframe of only Spring Break as decided by Council. Second was by Councilwoman Strange. The Mayor called for Council comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Special Meeting
May 12, 2015

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

Ms. Myers read Ordinance 1348 with an amended title to address its application during Spring Break only. **Councilman Reichard made the motion to approve amended Ordinance 1348. Second was by Councilwoman Strange.** The Mayor called for Council comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

15 ITEM NO. 14 ORDINANCE 1349, PROHIBITING PARKING IN THE RIGHT-OF-WAY AFTER DARK. Ms. Myers read Ordinance 1349 by title. Councilman Reichard said he thought this was a good idea for Spring Break but felt it needed more research about golf cart parking on the south side at Bid-A-Wee for their private beach. He suggested this be tabled in order to have answers not only for the Bid-A-Wee folks but also those people along Front Beach Road. Ms. Myers said since this Ordinance applied after dark, it should allow the Bid-A-Wee residents to take their golf carts to the beach. Councilman Curry said there were numerous problems of parking in the right-of-ways at night. Discussion ensued concerning parking during Thunder Beach. **Councilman Curry made the motion to approve Ordinance 1349. Second was by Councilwoman Strange.** The Mayor called for Council comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

16 ITEM NO. 15 PROPOSED SPRING BREAK RESOLUTION- DISCUSSION. Ms. Myers asked for more direction from the Council to define the duration of Spring Break. Attached to the memo was a listing of 2016 College Spring Break schedules and she asked what period the Council wanted to designate as Spring Break. Mayor Oberst said from the survey of the listing, the largest numbers of colleges on Spring Break would be the weeks beginning March 5 and March 12, 2016. She said personally, she would prefer the period designated as the month of March. Ms. Myers added that it could always be extended by Resolution. Councilman Reichard said 93% of the colleges were out during March with only small percentages in February or April. **Councilman Reichard made the motion to declare the month of March for Spring Break.** Councilman Curry disagreed and said if colleges were out, it was Spring Break. He said this listing had Spring Break listed from February 12 to April 9, 2016, and the Resolution should encompass the entire time colleges were out. **Councilman Reichard repeated his motion for Spring Break to be designated for the month of March. Second was by Councilman Russell.** The Mayor called for Council comments; there were none. **The motion passed by majority roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Nay
Councilman Curry	Nay
Councilman Reichard	Aye
Mayor Oberst	Aye

17 ITEM NO. 16 POLICY POINT CONSIDERATIONS, SPRING BREAK 2016, ALCOHOL ON THE SANDY BEACH. Mayor Oberst said Mr. Gisbert and Ms. Myers needed direction of how to draft the Ordinance. She read the different options listed that had been tabled from the last meeting. **Councilman Curry made the motion to ban alcohol on the beach during Spring Break. Second was by Councilwoman Strange.** The Mayor called for comments.

Councilman Reichard said he did not want to penalize those who were not doing anything wrong. He mentioned the controlled environments behind the clubs, condos and hotels where the areas were fenced and people checked. He said it would be a fair compromise to prohibit drinking in other areas of the beach that were unsupervised. The Mayor asked for comments from the audience.

Mr. Randy Ward, resident of 8727 Thomas Drive, said hot zones fencing was against Florida State Law regarding beach renourishment.

Mr. Patrick Rietkerk, resident of 3648 Oakbrook Lane, asked not to take away the rights of the citizens to enjoy the beach.

Ms. Sue Allen, Beach Boulevard, mentioned the beach accesses closed by the clubs making the drunks go into the neighborhoods. She said the businesses should have police on the beaches and urged the Council to ban alcohol February 16 through April 16, 2016.

Jacob, a recent college graduate, said banning the alcohol here would send the problems elsewhere. He urged the Council to solve the problems here and not ban alcohol on the beach.

Mr. Stan Anderson, resident of 101 Kensington Circle, read a prepared statement in support of banning alcohol on the beach.

Mr. Bobby Seay, resident of 611 Poinsettia Court, mentioned the dollars spent on security at his condominium during Spring Break and drinking on the beach was a privilege, not a right, and that privilege had been abused. He recommended bold strong action to make the City safe.

Mr. Steve Taylor, resident of 3424 Hillcrest drive, supported banning alcohol on the beach during Spring Break.

Mr. John Latham, resident of 8727 Thomas Drive, mentioned freedom of choice and said it was absurd to shut down lawful businesses and legislate legal behavior.

A young lady said she did not believe banning alcohol on the beach would solve the problems and recommended instead personal consumption and banning coolers.

Ms. Linda Preston reminded the Council that they represented everyone, not merely some of the people. She said her business did not condone the Spring Break activities that had occurred this year.

With no further comments, **the motion passed by unanimous roll call vote recorded as follows:**

Councilman Russell	Aye
Councilwoman Strange	Aye
Councilman Curry	Aye
Councilman Reichard	Aye
Mayor Oberst	Aye

18 ITEM NO. 17 CITY MANAGER UPDATE. Mr. Gisbert said during the TDC meeting and discussion about the new sports arena, mention had been made to upgrade Frank Brown Park during Phase 1 and bring in Spring training as early as next year. The Mayor reminded that Frank Brown Park would remain a City park.

ANNOUNCEMENTS

Mayor Oberst said flags would be half-staff on May 15th in honor of Peace Officers Memorial Day; City Hall offices would be closed for Memorial Day on May 25th; and the next Special meeting would be Tuesday, May 26th here at 6 P.M.

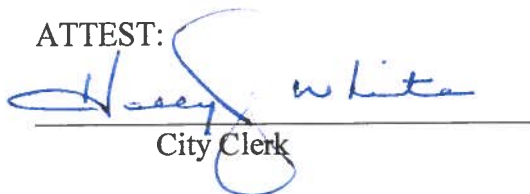
With nothing further, the meeting was adjourned at 9:00 P.M.

READ AND APPROVED this 26th of May, 2015.

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

Special Meeting
May 12, 2015