

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 April 28, 2016.

City Manager Mario Gisbert welcomed the audience and asked Councilman-Elect Phil Chester and his wife Andrea to come to the podium to take his Oath of Office which was administered by Pastor Rick Young. After acceptance of the Oath, Councilman Chester took his seat for Ward 2 at the dais.

Mr. Gisbert then called Councilman-Elect Hector Solis and his wife Traci to the podium to take his Oath of Office which was administered by Sheriff Frank McKeithen. After acceptance of the Oath, Councilman Solis took his seat for Ward 4 at the dais.

To conclude the swearing in of new officers, Mr. Gisbert asked Mayor-Elect Mike Thomas and his wife Carmella to the podium to take his Oath of Office which was administered by Pastor Rick Young. After acceptance of the Oath, Mayor Thomas took his seat at the dais, and called the Regular Meeting to order at 2:05 P.M. The Clerk called the roll with all of the Council present.

Pastor Rick Young of the Woodstock Church gave the invocation and Councilman Reichard led the pledge of allegiance.

The Minutes of the March 10th, March 24th and April 14th, 2016 Regular Meetings were read and approved as written per **motion by Councilwoman Strange. Second was by Councilman Chester.** The Mayor called for comments; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

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

CONSENT AGENDA

- 1 RESOLUTION 16-76, SUPER TUESDAY ELECTION RESULTS.** Staff recommends approval of the results of the April 19, 2016 election.
- 2 RESOLUTION 16-73, BIDS- TORO HEAVY DUTY WORKMAN UTILITY VEHICLE, PARKS PURCHASE.** Staff recommends approval of execution of the contract for the purchase from Jerry Pate Turf & Irrigation in the amount of \$20,448.36.
- 3 RESOLUTION 16-74, JEEPIN BEACH JAM PARADE ROAD CLOSURES.** Staff recommends temporary road closure of portions of Powell Adams Drive, South Pier Park Drive, L. C. Hilton Drive and Front Beach Road, on Saturday, May 14, 2016.
- 4 RESOLUTION 16-75, BIDS- LANDSCAPE MAINTENANCE SERVICES CONTRACT.** Staff recommends approval and execution of a 3-year Agreement with Grass Cutters Lawn & Landscaping of PC, Inc., in the annual amount of \$59,000.

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

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

REGULAR AGENDA

1 ITEM NO. 1. ORDINANCE 1383, AMENDING & READOPTING CHAPTER 8 REGARDING BUILDINGS AND BUILDING REGULATIONS, 2ND READING, PUBLIC HEARING AND ADOPTION. The Public Hearing was opened at 2:09 P.M. Ms. Myers read Ordinance 1383 by title. Mr. Leonard said the purpose of the revision was to clean up and update Chapter 8 and most significantly adopted local amendments for building codes for floodplain management which were more stringent standards for floodplain and stormwater. Technical amendments were new to the Chapter as they previously existed in the City's Land Development Code. When the new Floodplain Management Ordinance was adopted at the last Council meeting, it repealed those Codes and this Ordinance readopted them as technical amendments in order to satisfy the Building Code. The Mayor called for public comments and there were none. **Councilwoman Strange made the motion to approve Ordinance 1383. Second was by Councilman Reichard. The motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

The Public Hearing was closed at 2:19 P.M.

2 ITEM NO. 2. APPOINTMENT OF VICE-MAYOR. Mayor Thomas opened the floor for a motion for the appointment of Vice-Mayor. **Councilman Solis made a motion to appoint Councilwoman Strange. The motion was seconded by Councilman Chester.**

Councilman Reichard asked for discussion about the duties of Vice-Mayor. He said he felt a very important part of what the Vice-Mayor was required to do was to be present at public functions when the Mayor was not able to attend. He expressed concern that in the past this has not been something Councilwoman Strange had cared to do. Councilwoman Strange answered that she was semi-retired and would be able perform the duties. Councilman Solis said he made the appointment because he felt she had represented the citizens outstandingly and was liked by the public. Councilman Chester further added that he would like to see more representation at events when possible, not just by one Council member but all. He also commended Councilman Reichard for his record as the previous Vice-Mayor in attending public events but felt Councilwoman Strange needed to be given the opportunity. With no further comments, **the motion passed by majority roll call vote recorded as follows:**

Councilman Reichard	Nay
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

3 ITEM NO. 3. TWO APPOINTMENTS FOR THE TDC. Mayor Thomas recollected that this was for two government positions and called for recommendations. **Councilwoman Strange made the motion to appoint Councilman Chester for the first seat. Second was by Councilman Solis.** The Mayor called for comments or additional nominations; there were none. **The motion passed by unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

Councilman Reichard made the motion to appoint Mayor Thomas for the second seat. Second was by Councilman Solis. The motion passed by unanimous roll call vote recorded as follows:

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

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4 ITEM NO. 4. ONE APPOINTMENT TO THE TPO (Transportation Planning Organization). Councilwoman Strange made the motion to appoint Councilman Solis. Second was by Councilman Chester. The Mayor called for any additional nominations; hearing none, he called for roll. **The motion passed by the unanimous roll call vote recorded as follows:**

Councilman Reichard	Aye
Councilman Chester	Aye
Councilwoman Strange	Aye
Councilman Solis	Aye
Mayor Thomas	Aye

5 ITEM NO. 5. CITY MANAGER'S DUTIES. Councilwoman Strange called for this item to be on the agenda due to the election of new Council and new Mayor. She stated she would like to see the City Manager in the office more and more available to the public. She also called to see Mr. Gisbert's employee evaluation as it has been requested several times in the past. All City employees had to complete an evaluation and the Council has yet to see one for the City Manager. Finally, she said she would like any questionable items within the permitting process brought to the Council for discussion, especially items that were a "hot topic" or in the news.

Mayor Thomas stated the duties of City Manager were outlined in the Charter and he did not feel a public meeting was the appropriate place to discuss items that the Council may want handled differently. He added that if he heard that people were not able to meet with Mr. Gisbert, that he would personally ask him where he had been and if the Mayor felt he was somewhere that he should not be, then he would speak with him. He continued that personally, he did not know that he wanted Mr. Gisbert in the office more as he expected the City Manager to be out covering the City.

Councilman Reichard stated that the permitting process was also outlined in the City Code and so new that the City Manager has had to take lead but felt that it should transfer more to the Department Heads in the future.

Councilman Solis asked to hear more about the employee appraisal process for employees in the top tiers. Mr. Gisbert explained the appraisal systems for the employees and Department Heads. He further explained that the evaluation form for his position would be one that the Council would have to develop, using the form developed for the Department Heads or the Council could have the Clerk search for other options.

Mayor Thomas gave his opinion on evaluations and paperwork and concluded the discussion on City Manager duties.

6 ITEM NO. 6. CITY MANAGER UPDATE. Mr. Gisbert asked Ms. White to present the updated revenue information for the City from March. Ms. White explained that financial updates were normally done quarterly, however with the new Council and changes with Spring Break, Mr. Gisbert asked her to provide an update now. The numbers were current through the close of business yesterday (April 27, 2016).

Ms. White presented slides of the eight (8) revenue accounts in the City's General Fund. The eight accounts combined had a total budgeted revenue of \$18,000,975. The total budget for General revenue was \$22,000,134, making up 86% of the overall General Fund.

1. Local Option Gas Tax. Taxes were generated through the sales of motor fuel in the County and distributed based on transportation expenditures over a period of years. This line item represented approximately Two Hundred Twenty Thousand Dollars (\$220,000). It was basically flat from last year and if remained flat this year, the budget prediction would be met.

2. Franchise Fees – Electricity. This was a large line item and accounted for almost Three Million Dollars (\$3,000,000) of the General Fund budget. There has been a small decrease for the last few months but the line item remained basically flat for the year so far. If it continued to stay flat for the year, it would come in slightly under budget.

3. Utility Tax – Electricity. This was based on an actual percentage of the services provided. It was down about the same amount as the Franchise Fees and was a Three point Two Million Dollar (\$3,200,000) line item. If this line continued to remain flat, it would come in slightly under budget.

4. Local Communication Services. Fees charged on telecommunications, cable, etc., flow through from the State and were slightly less than One Million Dollars (\$1,000,000). It was the one line item that had steadily decreased over the past several years, attributed to more people getting cell phones versus traditional land line services. This line item was on track.

5. Building Permits. This line item varied based on construction activity on the beach. For the year, this item was well ahead of the Four Hundred Fifteen Thousand Dollar (\$415,000) budget and if the line continued to remain flat, it would approach Six Hundred Thousand Dollars (\$600,000), well over budget.

6. Business Tax Receipts, the 1%. This was the single biggest line item in the Budget projected at Ten Million Dollars (\$10,000,000). She said April would reflect the month of March (Spring Break). For the first six months of the year, it was in the +10% to +12% range for every month and then April it was down 21%. In the TDC meeting this morning, the Bed Tax was reported to be down 41% for the whole island. The Two Hundred Thousand Dollar (\$200,000) decrease for the City in the overall scheme of things should not affect the Budget greatly. If the City continued to track flat, it would be Eighty-Five Thousand Dollars (\$85,000) under the budget projection. Ms. White predicted that revenue will be up during the summer and the budgeted numbers should be met without a problem.

On the other side, Ms. White looked at the overtime during the months of March and April for the Police, Fire and Street Departments and the City was One Hundred Forty Thousand Dollars (\$140,000) less in overtime expenditures this year compared to the same two months last year. That was just salaries; not factoring in benefits, FICA, retirement, etc., another 30%. Almost all of the Gross Receipts money the City was down was made up in fact that expenditures were down as well. Ms. White said net to the bottom line of the Budget, there should not be any significant issues in being down from the April collection. She reported the Gross Receipts were up 4.2% during the first seven months even with the decline. If the City stayed at the +4% each month, it would come in over the budgeted numbers.

7. State Revenue Sharing. The smallest line item came in from the State. Twenty-Five Thousand Dollars (\$25,000) and currently tracking ahead.

8. Half Cent Sales Tax. Revenue flows through from the State based on population figures and this line item had been up every month. Total line item was a little over a Million Dollars.

The net amount for the year, if the trend continued to remain flat would be a decrease of Seven Thousand Dollars (\$7,000) for the year. With a budget of \$23 - \$24 Million, Ms. White said she felt the Seven Thousand Dollar (\$7,000) deficit was pretty insignificant.

The Mayor acknowledged the good job that Ms. White did in letting everyone know where they stood. Councilman Reichard complimented Mr. Gisbert, Chief Daly, and Chief Whitman in the cost reduction of manpower as a result of the decreased Spring Break visitors.

Mr. Gisbert then asked Chief Daly and Deputy Chief Couch to present the City's ISO reclassification. Chief Daly explained that a city's fire insurance was rated by the Insurance Service Office (ISO) and the community was rated on fire protection. Three factors went into the rating, water supply, communications, and fire service. Currently Panama City Beach was a 4, Panama City was a 3, Lynn Haven was a 3, and Bay County was a 5. Chief Daly then gave the floor to Deputy Chief Couch who headed up the project.

Deputy Chief Couch explained that Panama City Beach was currently a Class Four. The process took about eight months and after gathering information and completing the process, the City's classification dropped to a classification of two. He did not know what the percentage of savings would be for the residents and business owners but it should be significant. There were a little over one thousand Fire Stations in the United States that were at a Class 2. There were less than five hundred that were a Class 1. DC Couch further reported the items that deducted points from the Department were manpower and more inspectors. He said overall it was a huge positive for the City, its residents and business owners. The City should receive its full new classification August 1st and the trickle down of savings should be around the same time. The Council and audience applauded the good work of the Fire Department.

Mr. Gisbert's gave an update regarding the RGP (Regional General Permit) Meeting yesterday with the St. Joe Company in reference to the Colony Club Exit Road. A pre-application was done for the road and meetings were held with FDEP, Fish & Wildlife, and the Corp. of Engineers. The wetland permit was only available through the St. Joe Company as they had the regional permit for all land north of Back Beach Road. It should take about 30 days and they were working on drawings and comments to be able to place the project out for bid.

Mayor Thomas commented on the Colony Club Road Project, that he did not desire to stop the project. However he felt it was just a patch. Discussion continued about the safety of the traffic patterns.

Mr. Gisbert also reported the Loop Road construction had started. One of the procedures in the process would be to name the road. The road going north and south was already named North Pier Park, but the portion going east and west needed a name. He suggested Bay Parkway and asked the Council to give thought to that. The decision was made for ideas to be brought back to the next Council meeting.

Mayor Thomas asked that each Councilperson speak briefly about items on their agendas in an effort for them to work together to see what can be changed for the City.

Councilman Solis expressed his gratitude for meeting the Department Heads and time with Mr. Gisbert and Ms. White going over the budget. He commended the previous Council for the good job they did with the budget and looking out for the City. Priorities - #1 – Colony Club Road Project. #2 – Expansion of Highway 98 and to put pressure on the State to move forward. Completion of the Loop Road from North Pier Park Road to Nautilus – maybe some funds could be shifted there. #3 – Citizens did not feel they received the same opportunities as tourists. Explore the options of more practice fields for locals. #4 – Heal from Spring Break and more involvement in the Warrior Beach Retreat.

Councilman Strange echoed Councilman Solis's view on the Veteran's idea. She felt it could be an untapped market and that people would come and visit during this very patriotic time. She too has heard complaints from citizens about the ballfields/recreation over the years and the lack of places for locals to play. Her other concern was pertaining to golf cart crossings as brought up in previous Council meetings; for example Colony Club having a trail they could take to Pier Park North, then cross to Pier Park. She concurred with the other items Councilman Solis brought forth.

Councilman Reichard recapped numbers of representatives for Bay County regarding issues on transportation. The top two concerns he heard during the election was Spring Break and traffic. FDOT funding was not currently scheduled until the year 2040. A plea was made on behalf of the City yesterday about the crisis regarding Back Beach Road which currently stood at number 6 on the priority list. Conversation continued on how to move it up the priority list. Relating to Code Enforcement, he commented that the Council may need to redirect codes and planning and improve on guidance, to take a more proactive stand to have the City look its best every day. For Nuisance Properties, label them as so, and if they do not comply, close them down. For Issues of law enforcement by having to continually deal with nuisance calls and noncompliance, not just for Spring Break but year round. Regarding Recreation, he felt there was a lot being done for locals and for a small fee, they got a lot.

Councilman Chester agreed with all priorities of the other Council Members. Colony Club was at the top of his list. Parks & Recreation was number two and then an unmentioned area – Flooding Issues.

Mayor Thomas said he felt this City and County had done a horrible job with Code Enforcement. Parking stood out to him. Sign Ordinance – consistency for all. He felt that the Police Department should be trained in Code Enforcement and if they passed by something, they should write tickets for noncompliance. He said he felt everyone needed to follow the same rules – Code Enforcement was a priority for him. Scooters/Golf Cart issues – traffic/safety issues. Service calls to Police/Fire/EMS – False Alarm charges, excessive calls for security/police calls – explore options.

Mayor Thomas asked the Council members to think about the things they agreed upon and get with Ms. Myers and Mr. Gisbert and over the next few weeks start to work on various issues

FLOOR ITEMS

ITEM 1 CLANT SEAY. Mr. Seay came with a packet and photographs regarding the sparse attendance at Frank Brown Park for the horse show last weekend. He spoke of animal cruelty and First Amendment rights. He plead for the City to pass an ordinance preventing Big Lick (chains and big platform shoes on the horses), an ordinance that would support the lines of the animal cruelty statute that was currently in place.

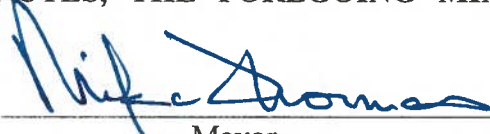
ITEM 2 80TH ANNIVERSARY. Mr. Dan Rowe, TDC Director, came forth to give additional information about the celebration on Monday for Panama City Beach's 80th anniversary at the County Pier. It was also in support of National Tourism Appreciation Month/National Tourism Week. 11 A.M. – 3 P. M. – Monday, May 2nd, 2016.

ITEM 3 BERNIE THOMPSON. Mr. Bernie Thompson of 8317 Front Beach Road came before the Council to request that for any future economic projects brought forth by EDA/TDC that questions asked to the companies be made public versus private. He commented that over the years, citizens had become frustrated with failed projects. Mayor Thomas replied that the City did not give tax breaks nor tax incentives. He further clarified that the City would not be awarding money to projects, such as the Red Pine Project. Councilman Reichard commented that the City supported the EDA for Thirty-Five Thousand Dollars (\$35,000.00) per year but that was the level of our participation. Mr. Thompson thanked the Mayor and Council for the clarification.

Mayor Thomas asked for any final comments. Hearing none he adjourned the City Council meeting at 3:30 P.M., to be immediately followed by the Law Enforcement Trust Fund meeting.

READ AND APPROVED this 12th of May, 2016.

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