

MINUTES
CITY OF PANAMA CITY
CITY COMMISSION MEETING
MARCH 12, 2019 8:00 AM

1. Opening Prayer with Panama City Police Chaplain Zach Sutton, Pastor of Catalyst Church.

2. Pledge Of Allegiance To The Flag.

3. Roll Call And Approval Of Minutes for the February 26, 2019 Commission Meeting.

City Clerk Darlene Hachmeister called the roll with the following members present: Mayor Greg Brudnicki, Commissioners Billy Rader, Mike Nichols, Jenna Haligas and Kenneth E. Brown. Also present: City Manager Mark McQueen and City Attorney Nevin Zimmerman.

Commissioner Rader moved to approve the minutes for the City Commission Meeting of February 26, 2019. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

4. Mayor's Report

4.a. Recognition of Lillie Robinson, School Crossing Guard.

Mayor Brudnicki presented Ms. Lillie Robinson with a plaque and flowers recognizing her commitment to the City of Panama City for over 30 years.

4.b. Appointment to the Panama City Board of Adjustment.

Commissioner Rader moved to appoint Mr. Bubba McCants to the Panama City Board of Adjustment. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

4.c. Notice of appointment to the Handicapped Advisory Committee.

Mayor Brudnicki announced an available position on the Handicapped Advisory Committee.

4.d. Notice of appointments to the Public Employees Relations Commission.

Mayor Brudnicki announced available positions on the Public Employees Relations Commission.

Mayor Brudnicki read a letter from St. Joe announcing a public meeting at the Panama City Center for the Arts from 4:00pm to 6:00pm on March 28, 2019. They also stated they will launch a website called www.pcmarinahotel.com.

Mayor Brudnicki stated he had been in Tallahassee working on a task force to correct the designation of the storm category for Hurricane Michael.

5. Commissioner Haligas

5.a. This item was removed from the agenda.

6. City Attorney

6.a. Response to Request for Bids - Sale of Sudduth Park Overflow Property, 1701 Tyndall Drive.

City Attorney Zimmerman explained that the City received one potential bid for this property of \$175,000.00 and that the property would need rezoning if it were to be used for residential purposes. He explained that if Staff was asked to negotiate a contract and if the contract is approved he will prepare a Resolution.

Walter P. Henry of 614 Maple Avenue discussed the sewer main at 1701 Tyndall Drive.
City Attorney Zimmerman said the sewer line has been identified and will not be relocated.

Dr. Mike Rohan of 239 South Cove Terrace spoke in opposition to selling the property and discussed the Comprehensive Plan.

Diane Bateman of 603 East Second Place spoke in opposition to selling the property.

Jimmy Ciesielski of 1208 Cherry Street spoke in opposition to selling the property.

Commissioner Haligas discussed a survey she took online regarding 1701 Tyndall Drive with a majority of responders in favor of the sale. She also said she talked with individuals in the vicinity and said the majority was in favor of repurposing Sudduth Park. She then quoted Dr. Rohan from a previous meeting noting his historical opposition to parks. She said there is a park project all across the City in progress and will improve the quality of life. She pointed out all the parks and properties available to view the waterfront. In conclusion she read quotes from the original donating family, the Sudduth Family, in support of the property sale.

Commissioner Rader made the motion to direct Staff to negotiate a contract for the sale of 1701 Tyndall Drive.

City Attorney Zimmerman explained the property is waterfront property but has not been utilized as a water access due to a property elevation drop. He also explained that the Comprehensive Plan allows for sale of waterfront access if there is a finding of an overriding public need to sell the property.

Commissioner Haligas said she would like to have all the funds directed to improvements of Sudduth Park.

Dr. Mike Rohan of 239 South Cove said he spoke against playground equipment at the park in the past on behalf of an elderly neighbor who was opposed. He discussed other uses for Sudduth Park.

Derek Thomas of 1100 West 10th Street said he enjoys going to water frontage to look at water and discussed tar balls in the water by his home.

Judy Stapleton of 542 South Bonita Avenue said she would like more waterfront parks but understands this is a financially difficult time for our City.

On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

6.b. Consideration of Subgrant Agreement DR-4399 Hurricane Michael.

City Attorney Zimmerman explained the master agreement between the Florida Emergency Management Division and Panama City. He said the flow of funds comes from FEMA to the State and from the State to the City. He said if FEMA found something not done properly, they would ask the State for reimbursement and the State would request reimbursement from the City. This will be the master agreement and there would be subsequent smaller agreements. The recommendation is to approve the agreement and allowing the City Manager to approve subsequent agreements with ratification from the Commission.

Commissioner Nichols asked if the City has checks and balances in place to try and ensure there would be little to no clawbacks from FEMA.

Madeline Stoddart of Hagerty Consulting said this is a standard contract between the State and a City that outlines the rules and regulations that govern what would be clawed back if that were to happen. She said it outlines the rules the City has to follow to avoid a clawback.

City Manager McQueen said one of the reasons Hagerty was selected is because they have not had clawbacks in the past and would work to minimize the possibility of a clawback.

Commissioner Nichols moved to approve the agreement. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

6.c. Status Report of Truesdell Club House and St. Andrews Civic Club Management.

City Attorney Zimmerman explained the ownership of and the right to manage the clubhouse. He said the clubhouse did not have insurance that would cover repairs. He said it is possible to terminate management by the St. Andrews Civic Club.

Commissioner Nichols said they had a verbal agreement with the Civic Club to maintain the building but no written lease agreement or contract.

Alvin Peters of the St. Andrews Civic Club said they are a viable organization and that they had insurance on the building but did not have a wind policy. He said the Mens Club became the St. Andrews Civic Club when it became inclusive of women. He said there is a 2004 letter from Mike Johnson outlining management responsibilities.

Commissioner Nichols moved to direct City Manager McQueen to work out the details of Truesdell Club. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

6.d. Legal services for State Legislative and Governmental Engagement.

City Attorney Zimmerman recommended three different engagement agreements with Dean, Mead, Egerton, Bloodworth, Capouano and Bozarth, P.A. for \$20,000.00 each.

City Manager McQueen also recommends approval.

Commissioner Nichols moved to approve the three legal agreements. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

7. Consent Agenda

- 7.a.** Bay County Chamber Block Party on April 11, 2019 assembling at 12:00 noon for an event from 5:00pm to 7:30pm. Requesting a road closure for 5th St from Mercer Ave to Beach Dr.
- 7.b.** Bay High Prom on April 6, 2019 setting up at 7:00am for an event from 6:00pm to 1:00am. Requesting a road closure for Harrison Avenue from 4th Street to Oak Avenue.
- 7.c.** Chelsea Renfroe and Alex Tucker Wedding on April 6, 2019 assembling at 3:00pm for an event from 5:30pm to 7:00pm at the Oaks by the Bay Park.
- 7.d.** Sea Doo Training on March 13, 2019 from 8:00am to 4:00pm at Carl Gray Park.
- 7.e.** Temporary Road Closure request from Harrison Avenue to Grace Avenue for Deep South Crane Service to repair damages to the First Baptist Church on March 14, 2019 from 7:00am to 5:00pm.

- 7.f. Consideration to award purchase of one CNG knuckle boom truck to Houston Freightliner in the amount of \$195,307.
- 7.g. Consideration to award purchase of one CNG container truck to Houston Freightliner in the amount of \$161,625.

City Manager McQueen requested separate discussion of item 7b.

Commissioner Brown moved to approve all items on the Consent Agenda except item 7b. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

City Manager McQueen recommends approval of item 7b with the understanding that there will be a fully integrated security plan with agreement of the Police Department and Sheriff's Department.

Commissioner Rader moved to approve item 7b with the addition of a security plan. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

Diane Bateman of 603 East 2nd Place confirmed the dates and times Harrison Avenue would be closed.

8. City Manager

- 8.a. First reading of Ordinance 2677 amending the Zoning Map of the City to reflect a zoning designation of Planned Unit Development, located in the northern portion of the City of Panama City, on the eastern side of Star Avenue, 5900 Star Ave.

The Ordinance was read as a first reading by title only, as shown below:

ORDINANCE NO. 2677

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 5900 STAR AVENUE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 943 ACRES, PLANNED UNIT DEVELOPMENT (PUD), PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 8.b. First reading of Ordinance 2675 amending the Land Development Regulations.

The Ordinance was read as a first reading by title only, as shown below:

ORDINANCE NO. 2675

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF PANAMA CITY, FLORIDA; PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 8.c. Consideration of Approval of Additive Change Order 1 to Mott MacDonald in the amount of \$148,800.00 for the St Andrews WWTF Improvements Phase 1.

Commissioner Rader moved to approve the additive Change Order 1 to Mott MacDonald in the amount of \$148,800.00 for the St Andrews WWTF Improvements Phase 1. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

- 8.d. Consideration of Approval of Additive Change Order 1 to Mott MacDonald in the amount of \$42,920.00 for the Baker Ct. Utility Improvements Project.

Commissioner Nichols moved to approve the additive Change Order 1 to Mott MacDonald in the amount of \$42,920.00 for the Baker Ct. Utility Improvements Project. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

- 8.e.** Consideration of Approval of Change Order 7 to Marshall Brothers Construction and Engineering in the amount of \$146,362.00 for the Phase I Improvements of the St. Andrews WWTF.

Commissioner Nichols moved to approve the additive Change Order 7 to Marshall Brothers Construction and Engineering in the amount of \$146,362.00 for the Phase I Improvements of the St. Andrews WWTF. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

- 8.f.** Consideration of Approval of Task Order with Mott MacDonald in the amount of \$98,000.00 for the design of the Environmental Lab Building at the St Andrews WWTF.

Commissioner Nichols moved to approve the Task Order with Mott MacDonald in the amount of \$98,000.00 for the design of the Environmental Lab Building at the St Andrews WWTF. On a roll call vote Commissioners Billy Rader, Mike Nichols, Jenna Haligas, Kenneth E. Brown and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

9. Audience Participation

City Manager McQueen said the Private Property Debris Removal program has begun and the City plans to have the Commercial Property Debris Removal program as well. He said the current debris pickup will continue until May 10, 2019 and that Code Enforcement would begin educating owners on April 10, 2019 and would begin enforcing the Code one year post Hurricane Michael. He said he is pursuing grant opportunities and charitable organizations for recovery assistance.

Angela Sullivan of 2809 West 15th Street requested a list of contacts and guidelines for contacting State Government officials. Mayor Brudnicki said he would ask the Public Information Officer to add this information to the City website.

Walter P. Henry of 614 Maple Avenue discussed notifying the local funeral homes about police escorts.

Diane Bateman of 603 East 2nd Place discussed the right of way on personal property and AT&T.

Public Works Director Neil Fravel recommended getting a surveyor to locate property pins.

Frank DePinto of 1400 Gulf Avenue #4 discussed the Panama City Marina resurfacing.

Dr. Rufus Wood of 1911 East 10th Street said he would like to see discussions about different schools be more equitable, regarding Oscar Patterson, Oakland Terrace and Bay High.

Commissioner Haligas said the entire school system must be considered.

Walter P. Henry of 614 Maple Avenue discussed right of ways lines and markers.

Susanna Russell of 324 Beach Drive discussed failing Seawalls, Sudduth Park, infrastructure, Code Enforcement and the Panama City Marina director.

Derek Thomas of 1100 W. 10th Street discussed the benefits of planting with woodchips and tar balls in the water.

10. Adjournment

There being no further business, the meeting adjourned at 9:58am.