

5/21/2021 - Minutes

1. Opening Prayer with Nevin Zimmerman of First Presbyterian Church.
2. Pledge of Allegiance to the Flag.
3. Roll Call.

Interim City Clerk Brandy Waldron called the roll with the following members present: Mayor Greg Brudnicki, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, and Mike Nichols.

4. City Attorney

City Attorney Nevin Zimmerman announced Attorney Mike Burke was representing the City Commission, Attorney David Theriaque was representing City staff, Attorney Terrell Arline was representing appellant David Chapman and Attorney Gary Hunter was representing Suzuki Motor of America, Inc., the applicant.

- 4.a. David Chapman Appeal of Approval of Development Order for Suzuki Motor Test Center.

Attorney Burke explained that the proceeding was a Quasi-Judicial Hearing to hear an appeal by David Chapman of the Conditional Development Order approved by the Planning Board for the Suzuki Motor Test Center – Phase I. The Commissioners will make a determination based upon the facts presented. He noted that a Court Reporter would be transcribing the Hearing.

- 4.b. Ex-parte communication disclosure by City Commissioners.

The Commissioners each disclosed their ex-parte communications regarding this matter.

- 4.c. Identification of Parties; Swearing of witnesses; Introduction of Record.

Attorney Burke swore in the witnesses. Documents introduced into the record were named.

- 4.d. Appellant's Case-in-Chief; presentation of witnesses and other evidence (15 minutes).

Attorney Terrell Arline presented the appellant's case on behalf of David Chapman. Witnesses David Chapman and Sean McNeil, PE, McNeil Carroll Engineering, Inc., testified.

- 4.e. Applicant's Response; presentation of witnesses and other evidence (15 minutes).

Attorney Gary Hunter presented the applicant's case on behalf of Suzuki Motor of America, Inc. Witness Brittany Trumbull, PE, Anchor CEI, Inc., testified.

- 4.f. Staff's Response; presentation of witnesses and other evidence (15 minutes).

Attorney David Theriaque presented the City staff response. Mike Lane, Planning Director, was introduced as an expert witness.

- 4.g. Public Participation. Please do not be repetitive of another speaker. Each speaker is allotted 3 minutes. Speakers may not yield time to another speaker.

Joe Sorci, 2361 Foxworth Drive, Panama City; Julia Arafa, 2108 W. 33rd Street, Panama City; Mary

Marie Clemo, 3424 Robinson Bayou Circle, Panama City; and Scott Tolbert, 2236 W. 33rd Street, Panama City; addressed the Commission.

4.h. Rebuttal by Appellant (5 minutes)

Attorney Arline stated he had nothing further.

4.i. Deliberation and action by the City Commission.

The Commission discussed the facts presented during the Hearing.

Commissioner Rader moved to affirm the Planning Board decision to approve the Conditional Development Order for applicant Suzuki Motor of America, Inc, which was seconded by Commissioner Haligas.

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

5. Adjournment.

There being no further business, the meeting was adjourned at 11:47 a.m.