

7/9/2019 - Minutes

1. Opening Prayer with Pastor Jesse Nelson of the Macedonia Missionary Baptist Church.
2. Pledge of Allegiance to the Flag.
3. Roll Call and Approval of Minutes for the June 20, 2019 Public Meeting with City Officials and June 25, 2019 City 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 June 20, 2019 Public Meeting with City Officials and June 25, 2019 City Commission Meeting. 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.
Commissioner Haligas moved to add items 9l and 9m to the agenda. 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. Audience Participation
Angela Nelson of 917 Lee Court discussed communications regarding MLK Recreation Center and Glenwood.
5. Mayor's Report
 - 5.a. Notice of Board Openings
Mayor Brudnicki gave notice of upcoming openings for the following boards:

Advisory Board on Handicapped Concerns
Public Employee Relations Committee
Supplemental Retirement Pension Fund Board
Downtown Improvement Board
The Board of Architects
Firefighter's Pension Fund Board
6. City Attorney
 - 6.a. Ratification of Extensions to the Declaration of State of Emergency

Commissioner Rader moved to ratify the Extensions to the Declaration of State of Emergency. 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 vacating two plats of Sweetbay pursuant to 117.101(2) and approving the replat and Resolution 20190709.1
Commissioner Nichols moved to approve vacating two plats of Sweetbay pursuant to 117.101(2) and approving the replat and Resolution 20190709.1. 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.
7. City Clerk
 - 7.a. Update on the Hurricane Disaster Relief Fund.
City Clerk-Treasurer TD Hachmeister gave an update on the Hurricane Disaster Relief Fund. The amount of cash in the fund is \$215,842.00, the total revenues received were \$225,967.00 and the

expenses to date are \$10,125.00.

Commissioner Nichols requested a meeting for the Hurricane Disaster Relief Fund Committee to discuss fundraising.

8. Consent Agenda

8.a. Back to School Fun Day and Closure of 9th Court from MLK to MacArthur Ave - 7/27/19 - Glenwood Community Center

8.b. St. Andrew Baptist Fam Jam - Bayview Avenue Closure from 15 Street to 17th Street - 7/27/19

Commissioner Rader moved to approve all items on the Consent Agenda. 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. City Manager

9.a. First reading of Ordinance 2688 alleyway vacation, Alley located between 301 Wilson Ave and 239 Wilson Ave.

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

ORDINANCE NO. 2688

AN ORDINANCE VACATING AND ABANDONING AN ALLEY RUNNING EAST AND WEST BETWEEN 301 WILSON AVE and 239 WILSON AVE, PANAMA CITY, FLORIDA, AS MORE PARTICULARLY HEREINAFTER DESCRIBED; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE SEVERABILITY OF ANY PART OF THIS ORDINANCE DECLARED INVALID; AND PROVIDING FOR AN EFFECTIVE DATE.

The following people spoke in favor of retaining the property for public access:

Lyn Schneider of 236 Wilson Avenue

Derek Thomas of 1100 West 10th Street

Randy Tillman of 308 Allen

Dr. Mike Rohan of 239 South Cove Terrace

Walter Henry of 614 Maple Avenue inquired about utilities on the property.

City Manager McQueen said this property is platted as 3rd Street. It has two adjoining properties owned by LaVela Cove Inc. He said there are no utilities; the street is unpaved and unmaintained.

The Commission determined that the property does not go to the water, the Park plan will be taken into consideration and more information will be reviewed before the next vote.

9.b. First reading of Ordinance 2689.1 amending the Future Land Use Map of the City to reflect a land use designation of Urban Residential for the property located at 2501 State Ave.

Commissioner Nichols asked several questions.

Does current zoning allow for the same density apartment complex to be built in that location?

City Planning Director Mike Lane said it is the same for either zoning classification.

Can a developer's agreement be made with the developer to agree to request certain requirements?

City Attorney Zimmerman said a development agreement is an option.

Why are the developers requesting UR2 if they can build the same thing with the current zoning?

Shawn McNeil of McNeil Carroll Engineering said UR2 allows for more options to the developer, including townhomes and single family homes. However, no developed set of plans exists at this time.

The following individuals spoke in opposition to this Ordinance:

Brenda Carson of 603 Windy Lane

Terry Carson of 603 Windy Lane

Phil Kirby of 612 Windy Lane

Tina Sain of 616 Windy Lane

Jim Brown of 707 Gabriel Street

Lloyd Kadlec of 903 Jeremy Lane

Walter Henry of 614 Maple Avenue suggested finding out what the developer truly intends.

Medhat Elmesky of the Board of Architects suggested working with an Urban Designer to develop a good design with the vision in advance.

Commissioner Nichols said that a maximum of 3 stories is in the new planning code and recommended having a dialogue with the developer.

Mayor Brudnicki said this project could have already started if this issue hadn't arisen.

Commissioner Haligas said it needs to be reviewed for the whole city and not just that area.

Commissioner Rader said he spoke with the developer and they were unsure of their plans at this time.

The developer said it is Hurricane Relief dollars coming from the government and nine counties are receiving awards to create affordable housing. Commissioner Rader said he is doing his due diligence. The Ordinance was read as a first reading by title only, as shown below:

ORDINANCE NO. 2689.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF URBAN RESIDENTIAL FOR PARCELS OF PROPERTY LOCATED AT 2501 STATE AVE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.c. First reading of Ordinance 2689.2 amending the Zoning Map of the City to reflect a zoning designation of Urban Residential - 2 (UR-2) for the property located at 2501 State Ave.

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

ORDINANCE NO. 2689.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 2501 STATE AVE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 5.13 ACRES, URBAN RESIDENTIAL-2 UR-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.d. First reading of Ordinance 2691.1 amending the Future Land Use Map of the City to reflect a land use designation of Public Institutional for the property located at 3200- 3206 W 22nd Ct.

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

ORDINANCE NO. 2691.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF PUBLIC INSTITUTIONAL FOR PARCELS OF PROPERTY LOCATED AT 3200-3206 W 22ND CT, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.e. First reading of Ordinance 2691.2 amending the Zoning Map of the City to reflect a zoning designation of Public Institutional (P/I) for the property located at 3200-3206 W 22nd Ct.

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

ORDINANCE NO. 2691.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 3200-3206 W 22nd CT, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY .879 ACRES, PUBLIC INSTITUTIONAL P/I, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.f. First reading of Ordinance 2692.1 amending the Future Land Use Map of the City to reflect a land use designation of General Commercial for the property located at 433 N MacArthur.

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

ORDINANCE NO. 2692.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF GENERAL COMMERCIAL FOR PARCELS OF PROPERTY LOCATED AT 433 N MACARTHUR AVE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.g. First reading of Ordinance 2692.2 amending the Zoning Map of the City to reflect a zoning designation of General Commercial – 1 (GC-1) for the property located at 433 N MacArthur.

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

ORDINANCE NO. 2692.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 433 N MACARTHUR AVE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY .395 ACRES, GENERAL COMMERCIAL - 1 GC-1, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.h. Vehicle Maintenance Facility Update

City Manager McQueen gave an update on the options for the Vehicle Maintenance Facility. The City could repair the existing building or build a new building on the same campus but in a different location.

Commissioner Nichols moved to direct staff to proceed with moving the Vehicle Maintenance Facility to another location on the same campus. 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.i. Approval of the Liberty Falls PUD Master Plan and Developer Reimbursement Agreement..

Commissioner Brown moved to approve the Liberty PUD Master Plan and Developer Reimbursement 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.

- 9.j. History of Body Altering Ordinance 2057

City Manager McQueen gave a history of the Body Altering Ordinance 2057. The Commission discussed a possibility of editing the ordinance. The Commission directed staff to move forward with some edits for the ordinance.

- 9.k. Uniform Crime Report discussion with Panama City Police Chief Ervin.

Panama City Police Chief Ervin explained that the Uniform Crime Report shows certain types of crimes that happen each year. Panama City had an 11.2 % reduction in type 1 offenses with a 29 1/2 % reduction in violent crimes.

The Commission took an eight minute break and reconvened.

- 9.l. First reading of Ordinance 2690.1 amending the Future Land Use Map of the City to reflect a land use designation of Residential for the property located at 1701 Tyndall Dr.

The following individuals spoke in opposition to the sale and rezoning of the property located at 1701 Tyndall Dr.
Sharon Sudduth Dubuque

Suzanne Sudduth Kennedy
Gloria Sudduth Kessler
Derek Thomas of 1100 West 10th Street
Dr. Mike Rohan of 239 South Cove Terrace

Walter P. Henry of 614 Maple Avenue discussed the utilities on the property.

Dr. Mike Rohan of 239 South Cove Terrace asked why this was not on the publicized agenda.

Commissioner Haligas said when it was discovered there were additional family members that wished to be heard regarding this property, she wanted them to have time to be prepared so it was not on the agenda. The family said they were ready and they are in town for a limited time so the item was added to this agenda.

Commissioner Haligas thanked the Sudduth Family for coming. She explained she spoke with many people including other Sudduth Family members and found that most was in agreement of the sale and rezoning.

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

ORDINANCE NO. 2690.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF RESIDENTIAL FOR PARCELS OF PROPERTY LOCATED AT 1701 TYNDALL DR, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.m. First reading of Ordinance 2690.2 amending the Zoning Map of the City to reflect a zoning designation of Residential - 1 (R-1) for the property located at 1701 Tyndall Dr.

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

ORDINANCE NO. 2690.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1701 TYNDALL DR, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY .361 ACRES, RESIDENTIAL-1 R-1, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Brudnicki read a statement from JR Sudduth, Jr., Gaye Sudduth and immediate relatives in favor of the sale and rezoning of the property at 1701 Tyndall Dr.

10. Adjournment.

There being no further business, the meeting adjourned at 10:21am.