

## 8/10/2021 - Minutes

1. Opening Prayer with Pastor David Hecht of First Baptist Church, Panama City.
2. Pledge of Allegiance to the Flag.
3. Roll Call and Approval of Minutes for the July 27, 2021 City Commission Meeting.

City Clerk Jan Smith called the roll with the following members present: Mayor Greg Brudnicki, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, and Josh Street. Also present: City Manager Mark McQueen and City Attorney Nevin Zimmerman.

Commissioner Rader moved to approve the minutes for the July 27, 2021 City Commission Meeting as presented. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg 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 the retirement of Glen Boutte, Streets/Maintenance Department.

Mayor Brudnicki recognized Glen Boutte, Streets/Maintenance Department, for his retirement following almost 37 years of service.

- 4.b. First Notice of upcoming appointments to the Downtown Improvement Board.

Mayor Brudnicki announced two upcoming positions on the Downtown Improvement Board.

- 4.c. Community Announcements.

The following events were announced: Saturday, August 14, 2021, Millville Cemetery Cleanup Day, 8:00 a.m. to 2:00 p.m. and Thursday, August 19, 2021, Finger Painting, 5:30 to 7:00 p.m., at Oakland Terrace Park.

### 5. Audience Participation

Demetrice Roulhac, 813 9th Court, Panama City; Walter P. Henry, 614 Maple Avenue, Panama City; and Gregory Dossie, PO Box 35894, Panama City; addressed the Commission.

### 6. City Attorney

- 6.a. Consideration of approval of contract with Daniel Lauber to conduct a study and draft amendments to Panama City's Unified Land Development Code to provide for community residences for people with disabilities, recovery communities, and other congregate living arrangements in accord with the Fair Housing Act.

Attorney Mike Burke provided a brief overview of the purpose of the review of the Unified Land Development Code. He stated the total estimated cost for Phase I and Phase II of the proposed study would be approximately \$29,050.00.

Commissioner Haligas moved to approve the contract with Daniel Lauber to conduct a study and draft amendments to Panama City's Unified Land Development Code. On a roll call vote, Commissioners

Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

## 7. Unfinished Business

- 7.a. Final reading of Ordinance 3009.1, amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 2923 and 2925 Stanford Road, Panama City, FL.
- 7.b. Final reading of Ordinance 3009.2, amending the Zoning Map of the City to reflect a zoning designation of Urban Mixed Use 2, MU-2, for the property located at 2923 and 2925 Stanford Road, Panama City, FL.

City Attorney Zimmerman explained that the proceeding was a quasi-judicial hearing regarding property located at 2923 and 2925 Stanford Road.

The Commissioners each disclosed their ex-parte communications regarding the matter before them.

Scott Bowman and Jennifer Bowman, 2705 Woodmere Drive, Panama City, property owners, addressed the Commission.

Edward Bell, 720 Kirkland Avenue, Panama City; Rob Hughes, 533 Bunkers Cove, Road, Panama City; Walter P. Henry, 614 Maple Avenue, Panama City; Delbert Summey, 2827 Jamedon Drive, Panama City; Bill Self, 2915 Marron Drive, Panama City; Gene Simmons, 2925 Marron Drive, Panama City; addressed the Commission.

Commissioner Rader moved to deny Ordinance 3009.1 to amend the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 2923 and 2925 Stanford Road, Panama City, FL. The motion did not receive a second.

A brief discussion followed among the Commission regarding the matter.

Planning Director Mike Lane discussed various possible options for action on this matter.

Commissioner Rader rescinded his motion to deny.

Commissioner Rader moved to defer action on Items 7.a. and 7.b. and to continue the Public Hearing until August 24, 2021. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

## 8. Consent Agenda

- 8.a. Award Bid PC21-047, for the purchase and delivery of landscaping and playground mulch to Earthworks of NW FL.
- 8.b. Award Bid PC21-052 for the purchase and delivery of hardscape products including benches, trash receptacles, bicycle racks, as well as relevant mounting hardware from Leisure Craft, Inc., not to exceed \$108,635.00.
- 8.c. Approve emergency rehabilitation of Lift Station 23, located at 2512 W 21st Street., by B&L Utilities in the amount of \$48,390.00.
- 8.d. Ratify striping contract with Emerald Coast Striping, LLC, in the amount of \$26,205.00.

Commissioner Haligas moved to approve the Consent Agenda as presented. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

## 9. City Manager

### 9.a. Fire Assessment Public Hearing and adoption of Resolution 20210810.1.

The City's special counsel, Mark Lawson, opened the Public Hearing with an overview regarding the Fire Assessment. He noted the annual report in agenda for the record. He explained that this is an annual assessment which will fund approximately 51% of the FY22 Fire Department budget with the remainder being funded by the General Fund which is mostly derived from property taxes or other legally available revenue. The Uniform Method of Collection will be utilized to collect the assessment along with property taxes this November on the same bill as taxes (this is called the uniform method of collection). The amounts of each assessment have been noticed and indexed per the City's ordinance in conformance with mailed notices sent last year. The published notice followed the approach from the City's ordinance (which is similar to the same general law index used to inform of slight annual changes in rates similar to that used for independent fire control districts) and also approved by the Bay County Circuit Court for this and other municipal assessments. It was discussed that Hardship Deferral Program remains available and, even though few property owners have become involved, City staff was actively working to out-reach to possibly eligible persons.

Jerry Prater, 944 Agnes Scott Circle, Panama City; Michelle Clay, 803 E. 10th Street, Panama City; and Walter P. Henry, 614 Maple Avenue, Panama City; addressed the Commission. The public hearing was closed.

Although there was consensus agreement to continue this annual non-ad valorem assessment, Commissioner Haligas moved to adopt Resolution 20210810.1 to impose the Fire Assessment for FY 2022 as presented, but with a revision to delete the proposed 5.63% indexed increase this year. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, and Josh Street voted "YEA". Commissioner Billy Rader and Mayor Greg Brudnicki voted "NAY". The City Clerk certified the motion passed by a 3-2 vote (with direction to amend and cause the execution of the Annual Assessment Resolution accordingly).

### 9.b. Nuisance Abatement Assessment Public Hearing and adoption of Resolution 20210810.2.

Attorney Mark Lawson explained that the Nuisance Abatement Special Assessment is a one-time non-ad valorem assessment that allows the City to recover the cost of nuisance abatements pursuant to the City's Code of Ordinances and Florida law. The cost of abatement for each property assessed had originally been placed as a lien on the property. The existing lien on the property was released and the special assessment will now be added to the property tax bill. Each parcel's assessment was calculated based upon the actual cost to improve the property and allowable administration costs.

Interest and penalties were not included in the total assessment costs. He noted for the record that a mailed notice was sent to the property owner of record and that the Public Hearing Notice had been published.

Edward Bell, 720 Kirkland Avenue, Panama City, addressed the Commission.

Commissioner Rader moved to adopt Resolution 20210810.2 to impose the Nuisance Abatement Assessment for FY 2022. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

Commissioner Haligas left the meeting at 9:47 a.m.

- 9.c. Consideration to approve award of Bid PC21-045 "Panama City Police Department Conference Room Remodel" to Anderson Construction in the amount of \$118,798.00.

Commissioner Brown moved to approve award of Bid PC21-045 "Panama City Police Department Conference Room Remodel" to Anderson Construction in the amount of \$118,798.00. On a roll call vote, Commissioners Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 4-0 vote.

- 9.d. Consideration of approval of Cohen Carnaggio Reynolds (CCR), for Part 1 Architectural and Engineering Services (A/E) in the amount of \$56,000.00 for the Martin Luther King Recreational Center (MLK Rec. Center) facility.

Commissioner Brown moved approve Cohen Carnaggio Reynolds (CCR), for Phase 1 Architectural and Engineering Services (A/E) in the amount of \$56,000.00 for the Martin Luther King Recreational Center (MLK Rec. Center) facility. On a roll call vote, Commissioners Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 4-0 vote.

- 9.e. Consideration of approval of Quina Grundhoefer Architects (QGA), for Part 1 Architectural and Engineering Services (A/E) in the amount of \$38,080.00 for the St. Andrews School Revitalization Project.

Commissioner Brown moved approve Quina Grundhoefer Architects (QGA), for Phase 1 Architectural and Engineering Services (A/E) in the amount of \$38,080.00 for the St. Andrews School Revitalization Project. On a roll call vote, Commissioners Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 4-0 vote.

Commissioner Haligas returned to the meeting at 9:50 a.m.

- 9.f. Consideration to adopt Resolution No. 20210810.4 to approve Utility Work by Highway Contractor Agreement (At Utility Expense) and to ratify the execution of the Agreement with FDOT by City Manager.

Commissioner Brown moved to adopt Resolution 20210810.4 to approve Utility Work by Highway Contractor Agreement (at Utility expense) and to ratify the execution of the Agreement with FDOT by City Manager. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.g. Consideration of approval of Sanitary Outfall Removal/Reuse Feasibility Study.

Walter P. Henry, 614 Maple Avenue, Panama City, addressed the Commission.

Commissioner Brown moved to approve Task Order No. 1 with Panhandle Engineering, Inc., to perform a Sanitary Outfall Removal/Reuse Feasibility Study in the amount of \$472,490.00. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.h. Consideration of Resolution 20210810.3 adopting the Compensation Plan for the City of Panama City and modifying its Policy and Procedure Manual.

Edward Bell, 720 Kirkland Avenue, Panama City, addressed the Commission.

Commissioner Rader moved to approve the Employee Pay Schedule as presented and adopt Resolution 20210810.3. On a roll call vote, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Josh Street, and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The City Clerk certified the motion passed by a 5-0 vote.

- 9.i. Announce Budget Workshop to be held on Wednesday, August 25, 2021 at 9:00 a.m., Room 10, City Hall, 501 Harrison Avenue.

City Manager McQueen announced the Budget Workshop on Wednesday, August 25, 2021 at 9:00 a.m., Room 10, City Hall, 501 Harrison Avenue.

The meeting was briefly recessed at 10:02 a.m.

The meeting was reconvened at 10:10 a.m.

- 9.j. Presentation of St. Andrews Parking Study.

Rick Hall, Hall Planning & Engineering, reviewed the findings and recommendations for parking in the downtown St. Andrews area. Recommendations include adoption of paid parking, de-regulation of current parking requirements, and paving the City parking lots on 12th and 13th Streets.

The Commission discussed various options for the St. Andrews neighborhood.

Rob Hughes, 533 Bunkers Cove, Road, Panama City; Edward Bell, 720 Kirkland Avenue, Panama City; addressed the Commission.

- 9.k. Presentation of context classification of City streets.

Rick Hall, Hall Planning & Engineering, explained standard street design guidance based on Context Classification areas and Functional Classification of streets as applied to the City.

## 10. City Manager - First Readings

- 10.a. First reading of Ordinance 3012.1, voluntary annexation of .505 acres of property located at 2931 N Jenks Avenue.

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3012.1

AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 0.505 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 2931 N JENKS AVENUE BAY COUNTY, FLORIDA, INTO THE CITY, AS FURTHER DEFINED HEREINAFTER, AMENDING THE WARDS AND BOUNDARIES OF THE CITY TO INCLUDE SAID LAND AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.b. First reading of Ordinance 3012.2, amending the Future Land Use Map of the City to reflect a land use designation of Residential for the property located at 2931 N Jenks Avenue.

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3012.2

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF RESIDENTIAL USE FOR A PARCEL OF PROPERTY LOCATED AT 2931 JENKS AVENUE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.c. First reading of Ordinance 3012.3, amending the Zoning Map of the City to reflect a zoning designation of Residential 1, R-1, for the property located at 2931 N Jenks Avenue.

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3012.3

AN ORDINANCE ZONING PARCELS OF PROPERTY LOCATED AT 2931 N JENKS AVENUE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 0.505 ACRES, RESIDENTIAL1, R-1, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.d. Transmittal Hearing of Ordinance 3013.1, amending the Future Land Use Map of the City to reflect a land use designation of Urban Residential for the property located at 1912, 1918, 1924, and 2002 Wilson Avenue, Panama City, FL.

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3013.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF URBAN RESIDENTIAL FOR A PARCEL OF PROPERTY LOCATED AT 1912, 1918, 1924, 2002 WILSON AVENUE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.e. First reading of Ordinance 3013.2 amending the Zoning Map of the City to reflect a zoning designation of Urban Residential 2, UR-2, for the property located at 1912, 1918, 1924, and 2002 Wilson Avenue, Panama City, FL.

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3013.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1912, 1918, 1924, 2002 WILSON AVENUE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 15 ACRES, URBAN RESIDENTIAL-2, UR-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.f. First reading of Ordinance 3014.1, amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 1814 St Andrews Boulevard, Panama City, FL.

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3014.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF MIXED USE FOR A PARCEL OF PROPERTY LOCATED AT 1814 ST ANDREWS BLVD, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.g. First Reading of Ordinance 3014.2 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use 2, MU-2, for the property located at 1814 St Andrews Boulevard, Panama City, FL.

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3014.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1814 ST ANDREWS BLVD, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 1.377 ACRES, MIXED USE-2, MU-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.h. First reading of Ordinance 3015, a proposal to change and modify the City's Unified Land Development Code (ULDC) to adopt Panama City Neighborhood Plans, Appendix A: Zoning Recommendations.

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3015

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF PANAMA CITY, FLORIDA; AMENDING SEC. 104 -ZONING DISTRICTS; PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.i. First reading of Ordinance 3016 to Adopt Modification to the Panama City Unified Land Development Code Sec. 104-66 Gateway Overlay (GO) (Formerly known as the Tourist Corridor Overlay).

The Ordinance was read by the title only as shown below:

ORDINANCE NO. 3016

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF PANAMA CITY, FLORIDA; AMENDING SEC. 104-66 GATEWAY OVERLAY (GO) (FORMERLY KNOWN AS THE TOURIST CORRIDOR OVERLAY); PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

11. Adjournment.

There being no further business, the meeting was adjourned at 11:09 a.m.