

## 8/13/2019 - Minutes

1. Opening Prayer with Pastor Jay Rosario of the Panama City Seventh-day Adventist Church.
2. Pledge of Allegiance to the Flag.
3. Roll Call and Approval of Minutes for the July 23, 2019 City Commission Meeting and the 2019 Goals Session.  
City Clerk Darlene Hachmeister called the roll with the following members present: Mayor Greg Brudnicki, Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader and Mike Nichols. Also present: City Clerk-Treasurer TD Hachmeister, City Manager Mark McQueen and City Attorney Nevin Zimmerman.  
Commissioner Rader moved to approve the minutes for the July 23, 2019 City Commission Meeting and the August 1, 2019 Goals Session. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.  
Commissioner Nichols moved to postpone agenda items 8b and 8c. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.  
Agenda item 7a was moved to item 4d.
4. Mayor's Report
  - 4.a. Steven Pupa 20 year service recognition plaque  
Mayor Brudnicki presented Steven Pupa with a plaque recognizing him for 20 years service with the City.
  - 4.b. Chief Scott Ervin 20 year service recognition plaque.  
Mayor Brudnicki presented Chief Ervin with a plaque recognizing him for 20 years service with the City.
  - 4.c. Appointment of Mayor Pro Tempore.  
  
Commissioner Rader moved to appoint Commissioner Jenna Haligas as Mayor Pro Tempore. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.
  - 4.d.  
  
Mayor Brudnicki gave notice of upcoming openings for the following boards:  
  
Advisory Board on Handicapped Concerns  
Infrastructure Surtax Committee  
Planning Board  
Public Employee Relations Committee  
Supplemental Retirement Pension Fund Board  
Downtown Improvement Board  
The Board of Architects  
Firefighter's Pension Fund Board
5. Audience Participation  
Dr. Rufus Wood of the NAACP thanked the Commission for helping with the success of the backpack program.  
  
James Haden of 1612 Fortune Avenue discussed the cemetery as a trash pickup location.

6. City Attorney

- 6.a. Ratification of Extensions of 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 Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.
- 6.b. Consideration of New Market Tax Credits Consulting Agreement with Davis Business Advisory Services, LLC  
Commissioner Brown moved to approve the New Market Tax Credits Consulting Agreement with Davis Business Advisory Services, LLC. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.
- 6.c. First reading of ordinance 2699 an ordinance amending ordinance 2057; which amends Chapter 7 Business License and Business Regulations, Section 7-2 Body Altering Establishments by removing schools and parks from the distance limitation and any reference to schools and parks

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

ORDINANCE NO. 2699

AN ORDINANCE AMENDING ORDINANCE 2057; WHICH AMENDS CHAPTER 7 BUSINESS LICENSES AND BUSINESS REGULATIONS, SECTION 7-2 BODY ALTERING ESTABLISHMENTS BY REMOVING SCHOOLS AND PARKS FROM THE DISTANCE LIMITATION AND ANY REFERENCE TO SCHOOLS AND PARKS; AUTHORIZING CODIFICATION; REPEALING ORDINANCES IN CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 6.d. Consideration of Resolution 20190813.3 FDOT Grant Funded Improvements for Lindenwood Drive  
Commissioner Rader moved to approve Resolution 20190813.3 FDOT Grant Funded Improvements for Lindenwood Drive. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20190813.3

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY AUTHORIZING THE STAFF TO ENTER INTO THE STATE-FUNDED GRANT AGREEMENT, AND ACCEPT THE GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE UTILITY AND PAVING IMPROVEMENTS FOR LINDENWOOD DRIVE.

7. City Clerk

- 7.a. Notification of Board Openings.  
Item was moved to 4d.

8. Unfinished Business

- 8.a. Final reading of Ordinance 2688 platted street right-of-way vacation, located between 301 Wilson Ave and 239 Wilson Ave.  
City Attorney Zimmerman read the precedent ruling stating the City cannot sell the property. Lynne Schneider of 236 Wilson Avenue presented petitions requesting the property be used as a green space.  
Catherine Shores of 1914 Dewitt Street discussed the ways the City disposes of properties. Commissioner Nichols discussed not being able to sell the property and vacating it.

Commissioner Haligas stated she was not comfortable with this item being on the agenda at this time.

Brett Connell of 230 Wilson Avenue said this is a lot not an alley.

Commissioner Nichols said this is a platted street.

Robbie Hughes of 111 West 23rd Street discussed the size of the property.

Walter P. Henry of 614 Maple Avenue spoke in opposition to the property vacation.

Commissioner Nichols moved to approve Ordinance 2688. On a roll call vote Commissioners Kenneth E. Brown, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": Jenna Haligas and Billy Rader. The City Clerk certified the motion passed by a 3-2 vote. The Ordinance was read as a final reading by title only, as shown below:

ORDINANCE NO. 2688

AN ORDINANCE VACATING AND ABANDONING A PLATTED STREET RIGHT-OF-WAY RUNNING EAST AND WEST BETWEEN 301 WILSON AVE AND 9 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.

8.b. Final 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.  
This item was postponed.

8.c. Final 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.  
This item was postponed.

#### 9. Consent Agenda

9.a. Krewe of St Andrews - Fall Fish Fry - St Andrews Marina Pavilion - September 7 - 10-4

9.b. Getaway Night - First Baptist Church - Grace Ave Street Closure - September 21 - All Day

9.c. Consideration of Temporary Closure of the Alleyway behind 370 Massalina Drive due to demolition and construction repair.

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

#### 10. City Manager

10.a. First reading of Ordinance 2693.1, voluntary annexation of 2.31 acres of property located at 123 S East Ave.

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

ORDINANCE NO. 2693.1

AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 2.31 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 123 S EAST 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.  
Commissioner Nichols stepped out of the Commission Chambers at 9:17am.

10.b. First reading of Ordinance 2693.2 amending the Future Land Use Map of the City to reflect a land use designation of Industry for the property located at 123 S East Ave.

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

ORDINANCE NO. 2693.2

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF INDUSTRY FOR A PARCEL OF PROPERTY LOCATED AT 123 S EAST AVE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.c. First reading of Ordinance 2693.3 amending the Zoning Map of the City to reflect a zoning designation of Heavy Industrial (HI) for the property located at 123 S East Ave.

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

ORDINANCE 2693.3

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 123 S EAST AVE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 2.31 ACRES, HEAVY INDUSTRIAL, HI, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.d. First reading of Ordinance 2694.1 amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 1020 Horizon Dr.

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

ORDINANCE NO. 2694.1

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 1020 HORIZON DR, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.e. First reading of Ordinance 2694.2 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use 2 MU-2 for the property located at 1020 Horizon Dr.

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

ORDINANCE NO. 2694.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1020 HORIZON DR, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY .23 ACRES, MIXED USE 2, MU-2 PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.f. First reading of Ordinance 2695.1, voluntary annexation of 21.4 acres of property located at 5441 Nehi Rd.

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

ORDINANCE NO. 2695.1

AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 21.4 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 5441 NEHI RD, 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.g. Transmittal Hearing of Ordinance 2695.2 amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 5441 Nehi Rd.

City Attorney Zimmerman explained that this is a First Reading and a Transmittal Hearing.

Commissioner Rader moved to approve the Transmittal Hearing of Ordinance 2695.2. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader and Mayor Brudnicki voted "YEA". "NAYS": None. Commissioner Mike Nichols was not present. The City Clerk certified the motion passed by a 4-0 vote.

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

ORDINANCE NO. 2695.2

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 5441 NEHI RD, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.h. First reading of Ordinance 2695.3 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use-3, MU-3 for the property located at 5441 Nehi Rd.

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

ORDINANCE NO. 2695.3

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 5441 NEHI RD, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 21.4 ACRES, MIXED USE-3, MU-3, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.i. First reading of Ordinance 2696.1, voluntary annexation of 22 acres of property located at 5539 Nehi Rd.

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

ORDINANCE NO. 2696.1

AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 22 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 5539 NEHI RD, 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.j. Transmittal Hearing of Ordinance 2696.2 amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 5539 Nehi Rd.

City Attorney Zimmerman explained that this is a First Reading and a Transmittal Hearing.

Commissioner Rader moved to approve the Transmittal Hearing of Ordinance 2696.2. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader and Mayor Brudnicki voted "YEA". "NAYS": None. Commissioner Mike Nichols was not present. The City Clerk certified the motion passed by a 4-0 vote.

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

ORDINANCE NO. 2696.2

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 5539 NEHI RD, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.k. First reading of Ordinance 2696.3 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use-3, MU-3 for the property located at 5539 Nehi Rd.

Commissioner Nichols returned to the Commission Chambers at 9:27am.

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

ORDINANCE NO. 2696.3

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 5539 NEHI RD, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 22 ACRES, MIXED USE-3, MU-3, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.l. First reading of Ordinance 2698, revising Chapter 108, Parking and Loading Section of the New Unified Land Development Code.

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

ORDINANCE NO. 2698

AN ORDINANCE AMENDING CHAPTER 108 – PARKING AND LOADING SECTION OF THE NEW UNIFIED LAND DEVELOPMENT CODE. PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.m. Consideration of Approval of Change Order 1 with Dewberry in the amount of \$62,125 to provide C.E.I. services to the City of Panama City for the Wastewater Relocation Dash 2 Project  
Commissioner Rader moved to approve Change Order 1 with Dewberry in the amount of \$62,125 to provide C.E.I. services to the City of Panama City for the Wastewater Relocation Dash 2 Project. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.
- 10.n. Consideration of Approval of Change Order 1 with Dewberry in the amount of \$62,125 to provide C.E.I. services to the City of Panama City for the Water Relocation Dash 2 Project  
Commissioner Brown moved to approve Change Order 1 with Dewberry in the amount of \$62,125 to provide C.E.I. services to the City of Panama City for the Water Relocation Dash 2 Project. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.
- 10.o. Consideration to award contract for City Hall Security Service to TriCorps in the approximate amount of \$34,000 per year.  
Commissioner Brown moved to approve awarding the contract for City Hall Security Service to TriCorps in the approximate amount of \$34,000 per year. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.
- 10.p. Consideration of policy allowing employee hiring incentives  
Commissioner Rader moved to approve the policy allowing employee hiring incentives. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.
- 10.q. Consideration of engaging an additional code enforcement magistrate  
Commissioner Nichols moved to approve engaging an additional code enforcement magistrate. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

- 10.r. Consideration of approval of contract with Partners in Performance and accompanying Budget Amendment Resolution 20190813.1 in the amount of \$226,181.60 for security consulting and infrastructure for server replacement  
Commissioner Brown moved to approve contract with Partners in Performance and accompanying Budget Amendment Resolution 20190813.1 in the amount of \$226,181.60 for security consulting and infrastructure for server replacement. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.  
The Resolution was read by title only as shown below:

RESOLUTION NO. 20190813.1

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2018-2019 BUDGET FOR IT SECURITY CONSULTING AND CLOUD BASED SERVICES.

- 10.s. Consideration of Joint Participation between State of Florida Department of Transportation and City of Panama City for Landscape Improvements along MLK Blvd from US 231 to SR 30A  
Commissioner Brown moved to approve Joint Participation between State of Florida Department of Transportation and City of Panama City for Landscape Improvements along MLK Blvd from US 231 to SR 30A and the accompanying Resolution 20190813.2. On a roll call vote Commissioners Jenna Haligas, Kenneth E. Brown, Billy Rader, Mike Nichols and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.  
The Resolution was read by title only as shown below:

RESOLUTION NO. 20190813.2

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY AUTHORIZING THE STAFF TO APPLY FOR AND ACCEPT A BEAUTIFICATION GRANT, AND ENTER INTO A BEAUTIFICATION GRANT, LANDSCAPE CONSTRUCTION, AND MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION.

11. Adjournment.  
There being no further business, the meeting adjourned at 9:52am.