

**MINUTES
CITY OF PANAMA CITY
CITY COMMISSION MEETING
SEPTEMBER 9, 2019 5:01 PM**

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1. Opening Prayer with Father Kevin McQuone, of St. John the Evangelist Catholic Church.

2. Pledge Of Allegiance To The Flag.

3. Roll Call And Approval Of Minutes for the August 29, 2019 City Commission Meeting.

City Clerk-Treasurer T.D. 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 August 27, 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 Nichols moved to remove items 8a and 8b from 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.

Mayor Brudnicki announced the Public Hearing. This Public Hearing is for the Discussion and Adoption of the Tentative Millage Rates and Tentative Budgets for the City of Panama City and the Panama City Downtown Improvement District for Fiscal Year 2020. This is to serve as the first Public Hearing under the TRIM Act.

4. Audience Participation

There was no Audience Participation at this time.

5. Public Hearing

City Manager McQueen explained the tentative millage rates of 5.5469 mills for the City and 3.0000 mills for the Downtown Improvement Board.

Nick Beninate Chairman of the Downtown Improvement Board asked that the Commission maintain the current Millage for the DIB.

Commissioner Nichols said he would like to meet with the DIB and Commissioner Haligas thanked the DIB for their participation in improving downtown.

Nick Beninate of the DIB invited the Commission to attend the next DIB meeting on Wednesday at 8:30am.

Vic Vermillion of 433 Bunkers Cove Road and the Commission discussed the possible change in the City millage rates.

Commissioner Nichols moved to approve the millage rates of 5.5469 mills for the City and 3 mills for the DIB. 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 Brown moved to approve the Budget for the City as presented by Brandy Waldron, City Budget Director. 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. Mayor's Report

6.a. Appointments to the Board of Architects.

Commissioner Nichols moved to reappoint Michael Hunnicutt, Richard Dodd and Fred Beauchemin to the Board of Architects. 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. Notice of appointment to the Firefighters' Pension Trust Fund Board.

Mayor Brudnicki gave notice of an upcoming opening for the Firefighters' Pension Trust Fund Board.

7. City Attorney

7.a. Ratification of Extensions to the Declaration of State of Emergency.

Commissioner Rader moved to approve the Ratification 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.

7.b. Consideration of Extension of the one year deadline for Temporary Residential Units and Resolution 20190909.2.

Commissioner Rader moved to approve Resolution 20190909.2 extending the one year deadline for Temporary Residential Units. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20190909.2

A RESOLUTION OF THE CITY OF PANAMA CITY, FLORIDA, PROVIDING FOR THE EXTENSION OF THE ONE (1) YEAR FROM THE DATE OF THE DECLARED EMERGENCY AS REQUIRED BY ORDINANCE 2673 TO NOW BE TWENTY-FOUR (24) MONTHS.

8. Unfinished Business

8.a. APPLICANT HAS WITHDRAWN THIS REQUEST: 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 Avenue. This item is canceled as the applicant has withdrawn their request.

8.b. APPLICANT HAS WITHDRAWN THIS REQUEST: Final reading of Ordinance 2689.2 amending the Zoning Map of the City to reflect a zoning designation of Urban Residential for the property located at 2501 State Avenue. This item has been canceled as the applicant has withdrawn their request.

8.c. Final Adoption Hearing of Ordinance 2697 to Adopt the proposed text amendment which remedies a scrivener error in the City of Panama City's (City) Comprehensive Plan, FLUE policy 1.1.1.(11)(a).

Commissioner Rader moved to approve Final Adoption Hearing of Ordinance 2697. 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. The Ordinance was read as a final reading by title only, as shown below:

ORDINANCE NO. 2697

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY COMPREHENSIVE PLAN, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 8.d. Final Reading of Ordinance 2703 amending Ordinance 2634 which amends Chapter 22 Traffic and Vehicles - Article IV. Stopping, Standing and Parking - Section 22 - 179 Fire and Safety Lanes within Shopping Centers and Malls.

Commissioner Nichols moved to approve Ordinance 2703. 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. The Ordinance was read as a final reading by title only, as shown below:

ORDINANCE NO. 2703

AN ORDINANCE AMENDING ORDINANCE 2634; WHICH AMENDS CHAPTER 22 TRAFFIC AND VEHICLES – ARTICLE IV. STOPPING, STANDING, AND PARKING – SECTION 22-179 FIRE AND SAFETY LANES WITHIN SHOPPING CENTERS AND MALLS; ADDING A DEFINITION FOR "AUTHORITY HAVING JURISDICTION"; PROVIDING THE AUTHORITY HAVING JURISDICTION WITH THE AUTHORITY TO CREATE LOADING ZONES; AUTHORIZING CODIFICATION; REPEALING ORDINANCES IN CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

9. Consent Agenda

- 9.a. Consideration to award purchase of 624 Roll Out Carts for Solid Waste to Wastequip in the amount of \$33,942.63.
- 9.b. Healthy Start Walk to Remember on September 28, 2019 from 9:00am to 12:00 noon at the Oaks by the Bay Park.
- 9.c. "Jazz-by-the-Bay" Jazz Festival on October 4 & 5, 2019 from 12:00 noon to 9:00pm at the Oaks by the Bay Park.
- 9.d. Witches of St. Andrews Annual Charity Bike Ride - Road Closure - Beck Avenue 11th to 15th on October 26, 2019 from 10:00am to 11:00am.
- 9.e. 2019 Veterans Day Parade - South on Harrison Ave from 13th St. to the Marina Civic Center on November 11, 2019 from 9:30am to 11:30am.

Commissioner Nichols asked to discuss item 9d separately.

Commissioner Rader moved to approve all Consent Agenda Items except item 9d. 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.d. Witches of St. Andrews Annual Charity Bike Ride - Road Closure - Beck Avenue 11th to 15th on October 26, 2019 from 10:00am to 11:00am.

The Commission discussed a possible handbook policy change, event police enforcement, event insurance and deposits.

Commissioner Nichols moved to approve item 9d from 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.

10. City Manager

- 10.a.** First reading of Ordinance 2700.1 amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 1000 Arthur Ave and 2307 W 11th St.

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

ORDINANCE NO. 2700.1

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 1000 ARTHUR AVE AND 2307 W 11th ST, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.b.** First reading of Ordinance 2700.2 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use 3 MU-3 for the property located at 1000 Arthur Ave and 2307 W 11th St.

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

ORDINANCE NO. 2700.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1000 ARTHUR AVE and 2307 W 11th ST, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY .526 ACRES, MIXED USE 3, MU-3 PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.c.** First reading of Ordinance 2701.1, voluntary annexation of 5.098 acres of property located at 1318 St Andrews Blvd.

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

ORDINANCE NO. 2701.1

AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 5.098 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 1318 ST ANDREWS BLVD, 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.d.** First reading of Ordinance 2701.2 amending the Future Land Use Map of the City to reflect a land use designation of General Commercial for the property located at 1318 St Andrews Blvd.

The following individuals spoke in opposition to the rezoning of the properties located at 1318 St. Andrews Blvd.:

Heidi Phillips of 1218 West 28th Place
Dwayne Phillips of 1218 West 28th Place
Cheryl Furr of 3015 Lannie Lane

Brian Hinton of 3107 West 27th Street discussed the existing commercial property along the property boundaries.

Dan Sullivan, property owner of the properties located at 1318 St. Andrews Blvd. answered questions regarding the zoning request.

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

ORDINANCE NO. 2701.2

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF GENERAL COMMERCIAL FOR A PARCEL OF PROPERTY LOCATED AT 1318 ST ANDREWS BLVD, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.e.** First reading of Ordinance 2701.3 amending the Zoning Map of the City to reflect a zoning designation of General Commercial 2 (GC-2) for the property located at 1318 St Andrews Blvd.

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

ORDINANCE NO. 2701.3

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1318 ST ANDREWS BLVD, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 5.098 ACRES, GENERAL COMMERCIAL-2, GC-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.f.** Transmittal Hearing of Ordinance 2702.1 amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the properties located at 3701 Frankford Ave and 3602 Pacifica Ln.

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

ORDINANCE NO. 2702.1

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 3701 FRANKFORD AVE and 3602 PACIFICA LN, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.g.** First reading of Ordinance 2702.2 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use-3, MU-3 for the properties located at 3701 Frankford Ave and 3602 Pacifica Ln.

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

ORDINANCE NO. 2702.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 3701 FRANKFORD AVE AND 3602 PACIFICA LN, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 15.701 ACRES, MIXED USE 3, MU-3 PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.h.** First reading of Ordinance 2704.1 amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 800 W 13th St.

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

ORDINANCE NO. 2704.1

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 800 W 13TH ST, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.i.** First reading of Ordinance 2704.2 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use 3 MU-3 for the property located at 800 W 13th St.

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

ORDINANCE NO. 2704.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 800 W 13th ST, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 10 ACRES, MIXED USE 3, MU-3 PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.j.** Approval of the Bayou Trace – Preliminary Plat.

Commissioner Nichols moved to approve the Bayou Trace Preliminary Plat. 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.

- 10.k.** Consideration of Approval of a Deductive Change Order 10 to Marshall Brothers Construction and Engineering in the amount of -\$7,347.49 for the Phase I Improvements of the St. Andrews WWTF.

Commissioner Nichols moved to approve the Deductive Change Order 10 to Marshall Brothers Construction and Engineering in the amount of -\$7,347.49. 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.

- 10.l.** Consideration of approval of Panama City Police Department receiving \$9600 from State of Florida forfeiture monies and accompanying Budget Amendment 20190909.1.

Commissioner Nichols moved to approve Resolution 20190909.1 allowing the Panama City Police Department to receive \$9600 from State of Florida forfeiture monies. 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.

The Resolution was read by title only as shown below:

RESOLUTION 20190909.1

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2018-2019 BUDGET FOR THE PURCHASE OF TIP411 WEB-BASED APPLICATION SERVICES FUNDED WITH STATE FORFEITURE FUNDS.

- 10.m.** City Manager Update.

City Manager McQueen invited the public to join a Remembrance of September 11 at City Hall starting at 9:00am. He also invited the public to join in the organized Cemetery Cleanup events on October 19, 2019.

Adjournment

There being no further business, the meeting adjourned at 6:29pm.