

3/14/2023 - Minutes

1. Opening Prayer with Pastor Nicole Martin of Messiah Lutheran Church.
2. Pledge of Allegiance to the Flag.
3. Roll Call and Approval of Minutes for the February 28, 2023 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, City Attorney Nevin Zimmerman, Assistant City Manager Jared Jones, and Assistant City Manager Brandy Waldron.

Commissioner Rader moved to approve the minutes for the February 28, 2023 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. Additions, Deletions and Modifications.

City Manager Mark McQueen recommended Addition of a letter to the commission on actions requested as a result of the Plea made by Michael Johnson and three corresponding resolutions as Agenda item 7.b.

City Manager Mark McQueen also discussed continuing items 10.k., 10.l. and the first readings, items 11.a. to 11.e. to the meeting of March 28, 2023.

Commission Rader made a motion for approval to add item 7B, actions requested as a result of the Plea made by Michael Johnson and three corresponding resolutions, to this agenda and continuing items 10.k., 10.l., 11.a., 11.b., 11.c., 11.d. and 11.e. to the meeting of March 28, 2023. 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.

5. Mayor's Report

- 5.a. Presentation from the American Red Cross.

A Volunteer from the American Red Cross spoke briefly after the proclamation was presented.

- 5.b. Proclamation to the American Red Cross Chapter.

Mayor Brudnicki presented a proclamation to the American Red Cross proclaiming the month of March 2023 as American Red Cross Month throughout the City of Panama City.

- 5.c. Consideration to Appoint Tenant-Commissioner to the Panama City Housing Authority.

Commission Rader moved to appoint Dan Lancaster Tenant-Commissioner to the Panama City Housing

Authority. 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.

5.d. Notice of vacancy on the Board of Architects.

Commission Brown moved to appoint Joseph Bishop to the Board of Architects for a three-year term that expires September 9, 2025. 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.

5.e. Community Announcements.

Mayor Brudnicki read the City of Panama City Community Announcements during a video slide presentation.

6. Audience Participation

James Lee, 1620 Fountain Ave., Panama City; Stephanie Cole, 1625 Fountain Ave., Panama City; Derrick Thomas, 1100 W. 10th St., Panama City; Pamela Trowbridge, 109 Hamilton Ave., Panama City; Rufus Wood, 1911 E. 10th St., Panama City; Walter Henry, 614 Maple Ave., Panama City; Zack Detwiler, 1600 Harvard Blvd., Panama City; addressed the Commission.

7. City Attorney

7.a. First Reading of Ordinance 3143 to Regulate Remote Motor Vehicle Sales.

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

ORDINANCE NO. 3143

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY, BAY COUNTY, FLORIDA; CREATING SEC. 7-55 OF THE CODE OF PANAMA CITY; REGULATING THE REMOTE SALE OF MOTOR VEHICLES UNLESS CONDUCTED BY A BUSINESS WITHIN BAY COUNTY; PROVIDING EXCEPTIONS; PROVIDING EFFECTIVE DATES.

7.b. Addendum - Actions requested as a result of the Plea made by Michael Johnson and approval of Resolution No. 20230314.7, 20230314.8, 20230314.9.

Commissioner Rader moved for approval of the actions requested as a result of the Plea made by Michael Johnson and approval of Resolution No. 20230314.7, 20230314.8, and 20230314.9. 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.

Walter Henry, 614 Maple Ave., Panama City; Rufus Wood, 1911 E. 10th St., Panama City; addressed the Commission.

The Resolutions were read by title only as shown below:

RESOLUTION NO. 20230314.7

A RESOLUTION OF THE CITY OF PANAMA CITY AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY BY QUIT CLAIM DEED OF ELEVEN (11) PARCELS AND AUTHORIZING THE IMMEDIATE SALE OF SAID PARCELS.

RESOLUTION NO. 20230314.8

A RESOLUTION OF THE CITY OF PANAMA CITY AUTHORIZING THE ACCEPTANCE OF CASH AND VEHICLES FROM THE PLEA AGREEMENT AND AUTHORIZING THE IMMEDIATE SALE OF SAID VEHICLES AND DISTRIBUTION OF FORFEITED PENSION ASSETS.

RESOLUTION NO. 20230314.9

A RESOLUTION OF THE CITY OF PANAMA CITY AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY BY QUIT CLAIM DEED OF ELEVEN (11) PARCELS AND AUTHORIZING THE RECORDING OF THIS RESOLUTION.

City Attorney Nevin Zimmerman briefly discussed the Infill Housing Program and announced it would be on the next agenda for the meeting of March 28, 2023.

8. Unfinished Business

8.a. Final Reading of Ordinance No. 3142 Regarding Community Residences and Recovery Communities.

Daniel Lauber AICP, attended the meeting on Zoom available for any questions.

Nevin Zimmerman noted the planning commission was an informational hearing and not required to occur before the commission acted, pointing out there have been meetings and workshops, a first reading two weeks ago and this is the 2nd public hearing and the Ordinance can be adopted today.

City Attorney Nevin Zimmerman announced the public hearing.

City Manager Mark McQueen clarified this does not prohibit community houses.

Derrick Thomas, 1100 W. 10th St., Panama City; addressed the Commission.

Commissioner Rader moved for approval of the final reading of Ordinance No. 3142 Regarding Community Residences and Recovery Communities. Inc. 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.

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

ORDINANCE NO. 3142

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA, AMENDING THE CITY'S UNIFIED LAND DEVELOPMENT CODE, CHAPTER 102, "ADMINISTRATION PROCESS," BY ENACTING A NEW SECTION 102-40, "CONDITIONAL USE PERMITTING"; AMENDING CHAPTER 103, "REVIEW AUTHORITY", TO PROVIDE FOR CONDITIONAL USE PERMITTING; AMENDING CHAPTER 104, "ZONING DISTRICTS", PROVIDING FOR FAMILY COMMUNITY RESIDENCES AS OF RIGHT IN CERTAIN ZONING DISTRICTS, TRANSITIONAL COMMUNITY RESIDENCES AS OF RIGHT IN CERTAIN ZONING DISTRICTS ALLOWING MULTIFAMILY USES, AND RECOVERY COMMUNITIES AS OF RIGHT IN CERTAIN ZONING DISTRICTS ALLOWING MULTI-FAMILY USES, PROVIDING FOR CONDITIONAL USE PERMITTING IN

CERTAIN ZONING DISTRICTS FOR FAMILY COMMUNITY RESIDENCES, TRANSITIONAL COMMUNITY RESIDENCES, AND RECOVERY COMMUNITIES; AMENDING CHAPTER 108, "PARKING AND LOADING", TO PROVIDE PARKING REQUIREMENTS FOR FAMILY COMMUNITY RESIDENCES AND RECOVERY COMMUNITIES; AMENDING CHAPTER 110, "SUPPLEMENTAL STANDARDS", PROVIDING FOR SITING, OCCUPANCY, CERTIFICATION, AND OTHER STANDARDS FOR FAMILY COMMUNITY RESIDENCES, TRANSITIONAL COMMUNITY RESIDENCES, AND RECOVERY COMMUNITIES; AMENDING CHAPTER 114, "NONCONFORMITIES", PROVIDING STANDARDS FOR FAMILY COMMUNITY RESIDENCES, TRANSITIONAL COMMUNITY RESIDENCES, AND RECOVERY COMMUNITIES IN EXISTENCE PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE; AMENDING CHAPTER 116, "DEFINITIONS", REDEFINING FAMILY AND OTHER TERMS PERTAINING TO FAMILY COMMUNITY RESIDENCES AND RECOVERY COMMUNITIES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

9. Consent Agenda

- 9.a. KOSA Easter Egg Hunt, April 8, 2023, from 9 a.m. - 11 a.m. at Oakland Terrace Park. This event is organized by Krewe of St. Andrews and supported by City of Panama City.
- 9.b. Trane Family Day, April 15, 2023, from 3 p.m. - 7 p.m. at Destination Panama City. This event is organized by Trane Technologies.
- 9.c. Gr8ful Dads Outdoor Concerts, April 16 2023, and various Sundays in 2023, from 4 p.m. - 7 p.m. at Adams Park. This event is organized by Robbie Hughes.
- 9.d. Star Wars Day, May 4, 2023, from 5 p.m. - 8 p.m. at Panama City Center for the Arts Parking Lot and 4th St from Harrison to Luverne. This event is organized by Bay Arts Alliance and supported by City of Panama City.
- 9.e. Jeep Jam Invasion Parade May 15, 2023 from 7 p.m. - 8:30 p.m. on Beck Ave starting at Oakland Terrace. This event is organized by FL Jeep Jam.
- 9.f. Consideration of approval of Task Order to Metric Engineering in the amount of \$9,040.00 to develop an Environmental Review Record for Project Voluntary Home Buyout Reevaluation.

Commissioner Haligas moved for approval of 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

10. City Manager

- 10.a. Consideration of approval of Budget Amendment Resolution No. 20230314.2 for the use of State Forfeiture funds to purchase items and equipment for the Panama City Police Department in the total of \$111,304.

Commissioner Haligas moved for approval of Budget Amendment Resolution No. 20230314.2 for the use of State Forfeiture funds to purchase items and equipment for the Panama City Police Department in the total of \$111,304. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230314.2

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET TO USE STATE FORFEITURE FUNDS TO PURCHASE ITEMS AND EQUIPMENT FOR THE PANAMA CITY POLICE DEPARTMENT.

- 10.b. Consideration of approval of Budget Amendment Resolution No. 20230314.3 for the transfer of funds from the General Fund to the General Grants Fund in the amount of \$5,490.00 as a cash match for grant 15PBJA-21-GG-04388-BWCX and to be used to purchase 10 body worn cameras.

Commissioner Brown moved for approval of Budget Amendment Resolution No. 20230314.3 for the transfer of funds from the General Fund to the General Grants Fund in the amount of \$5,490.00 as a cash match for grant 15PBJA-21-GG-04388-BWCX and to be used to purchase 10 body worn cameras. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230314.3

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE GENERAL GRANTS FUNDS AS A CASH MATCH FOR GRANT 15PBJA-21-GG-04388-BWCX TO PURCHASE 10 BODY WORN CAMERAS.

- 10.c. Consideration for approval of Budget Amendment Resolution 20230314.4 and purchase of Pump Station (PS) 44 Equipment package in the amount of \$368,450.00 from AAG to upgrade PS44 located at 300 W. 4th St. (Government & 4th St.).

Commissioner Haligas moved for approval of Budget Amendment Resolution 20230314.4 and purchase of Pump Station (PS) 44 Equipment package in the amount of \$368,450.00 from AAG to upgrade PS44 located at 300 W. 4th St. (Government & 4th St.). 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230314.4

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET TO PURCHASE PUMP STATION 44 EQUIPMENT PACKAGE.

- 10.d. Consideration to approve Budget Amendment Resolution 20230314.5 and Work Order for CCTV Inspection of the gravity sewer main located in SRF Phase II Areas to be performed by Bearing Point Construction, LLC in the amount of \$115,048.50.

Commissioner Rader moved for approval of Budget Amendment Resolution 20230314.5 and Work Order for CCTV Inspection of the gravity sewer main located in SRF Phase II areas to be performed by Bearing Point Construction, LLC in the amount of \$115,048.50. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230314.5

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR WORK ORDER FOR CCTV INSPECTION OF SEWER MAIN IN SRF PHASE II AREAS.

- 10.e. Consideration to purchase temporary tennis/pickleball court surfaces for 6 Oakland Terrace tennis/pickleball courts from Versacourt in the amount of \$151,071.00 and Budget Amendment Resolution No. 20230314.6

Commissioner Haligas moved for approval to purchase temporary tennis/pickleball court surfaces for 6 Oakland Terrace tennis/pickleball courts from Versacourt in the amount of \$151,071.00 and Budget Amendment Resolution No. 20230314.6. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230314.6

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR PURCHASE OF A DROP COURT FOR LEISURE SERVICES.

- 10.f. Consideration to award PC23-014 Professional Services for Panama City Feasibility Study of the Millville Wastewater Treatment Facility to Mott MacDonald and Infrastructure Solutions Services.

Walter Henry, 614 Maple Ave., Panama City; addressed the Commission.

Commissioner Haligas moved for approval to award PC23-014 Professional Services for Panama City Feasibility Study of the Millville Wastewater Treatment Facility to Mott MacDonald and Infrastructure Solutions Services. 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.

Mayor Brudnicki announced a short break at 9:36 a.m.

The meeting reconvened at 9:42 p.m.

- 10.g. Consideration to approve the Task Order for Bidding and Construction Engineering and Inspection (CEI) for the Pretty Bayou Improvements - Phase I Utilities Project to Panhandle Engineering in the amount of \$194,000.00.

Commission Rader returned from the meeting break at 9:44 am.

Commissioner Street moved for approval of Task Order for Bidding and Construction Engineering and Inspection (CEI) for the Pretty Bayou Improvements - Phase I Utilities Project to Panhandle Engineering in the amount of \$194,000.00. 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.

- 10.h. Consideration for approval of purchase of 200 2" Meter Registers, and 202 various sized Meter Registers & Chambers and installation of those items in the amount of \$374,156 for the City of Panama City Utilities Division to assist in the repair of 402 water meters throughout the city.

Commissioner Rader moved for approval of the purchase of 200 2" Meter Registers, and 202 various sized Meter Registers & Chambers and installation of those items in the amount of \$374,156 for the City of Panama City Utilities Division to assist in the repair of 402 water meters throughout the city. 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.

- 10.i. Consideration of approval of Panhandle Engineering, Inc. to be selected for RFQ PC23-024, Watershed Master Plan for the Hazard Mitigation Grant H0886.

Commissioner Rader moved for approval of Panhandle Engineering, Inc. to be selected for RFQ PC23-024, Watershed Master Plan for the Hazard Mitigation Grant H0886. 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.

- 10.j. Consideration of approval of state application for McKenzie Park Historical Marker.

Commissioner Haligas moved for approval of state application for McKenzie Park Historical Marker. 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.

- 10.k. Approval of SweetBay Phase 1D North A Final Plat

This Item was continued to the meeting of March 28, 2023.

- 10.l. Approval of SweetBay Phase 1D North B Final Plat

This Item was continued to the meeting of March 28, 2023.

- 10.m. Clarification and approval of various SRF construction projects, previously approved by the Commission, and the expenditure of the 5% contingency amount approved over and above the base bid amount.

Commissioner Haligas moved for approval of clarification and approval of various SRF construction projects, previously approved by the Commission, and the expenditure of the 5% contingency amount approved over and above the base bid amount. 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.

11. City Manager - First Readings

- 11.a. First reading of Ordinance 3140.1, voluntary annexation of 0.75 acres (approx.) of property located at 1415 Hwy 231.

This Item was continued to the meeting of March 28, 2023.

- 11.b. First reading of Ordinance 3140.2 amending the Future Land Use Map of the City to reflect a land use designation of General Commercial for a property located at 1415 Hwy 231.

This Item was continued to the meeting of March 28, 2023.

- 11.c. First reading of Ordinance 3140.3 amending the Zoning Map of the City to reflect a zoning designation of General Commercial-2 for the property located at 1415 Hwy 231.

This Item was continued to the meeting of March 28, 2023.

- 11.d. First reading of Ordinance 3141.1 amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for a property located at 1204 Martin Luther King Junior Boulevard.

This Item was continued to the meeting of March 28, 2023.

- 11.e. First reading of Ordinance 3141.2 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use-2 for a property located at 1204 Martin Luther King Junior Boulevard.

This Item was continued to the meeting of March 28, 2023.

12. Adjournment.

There being no further business the meeting adjourned at 9:55 a.m.