

3/28/2023 - Minutes

1. Opening Prayer with Pastor Perrine of Victory Baptist Church.
2. Pledge of Allegiance to the Flag.
3. Roll Call and Approval of Minutes for the March 14, 2023 Commission Meeting.

City Clerk Jan Smith called the roll with the following members present: Mayor Greg Brudnicki, Commissioners Kenneth E. Brown, Billy Rader, and Josh Street. Commissioner Jenna Haligas was absent. 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 March 14, 2023 City Commission Meeting as presented. 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.

4. Additions, Deletions and Modifications.

There were no Additions, Deletions or Modifications to this agenda.

5. Mayor's Report

- 5.a. Community Announcements.

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

6. Audience Participation

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

7. City Attorney

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

City Attorney Nevin Zimmerman announced the public hearing.

Commissioner Rader moved for approval of final reading of Ordinance 3143 to Regulate Remote Motor Vehicle Sales. 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.

The Ordinance was read as a final reading by the 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. Request to Approve the 2023 Infill Program for City Lots.

Commissioner Street moved to approve the 2023 Infill Program for City Lots. 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.

7.c. Approval of Transfer of 5918 Suzanna Drive, Panama City, Florida 32404 ("Property") to The Bay 421 Land Trust dated April 1, 2021 ("Bay 421")

Commissioner Rader moved to approve Transfer of 5918 Suzanna Drive, Panama City, Florida 32404 ("Property") to The Bay 421 Land Trust dated April 1, 2021 ("Bay 421"). 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.

7.d. Approval of Note and Mortgage from the Panama City Housing Authority for the Development of the Fletcher Black Project.

Commissioner Brown moved to approve the Note and Mortgage from the Panama City Housing Authority for the Development of the Fletcher Black 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.

8. City Clerk

8.a. Request for approval of Resolution No. 20230328.3 to refinance Hurricane Recovery Revenue Notes, Series 2020A and Series 2020B

Commissioner Street moved for approval of Resolution No. 20230328.3 to refinance Hurricane Recovery Revenue Notes, Series 2020A and Series 2020B. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230328.3

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT EXCEEDING \$24,500,000 IN PRINCIPAL AMOUNT OF ITS HURRICANE RECOVERY REVENUE NOTE, SERIES 2023A, AND NOT EXCEEDING \$10,000,000 IN PRINCIPAL AMOUNT OF ITS HURRICANE RECOVERY REVENUE NOTE, SERIES 2023B, TO PROVIDE FUNDS FOR HURRICANE MICHAEL RESPONSE, RECOVERY AND MITIGATION; AUTHORIZING THE AWARD OF THE SALE OF THE NOTES UPON COMPLIANCE WITH CERTAIN PARAMETERS; AUTHORIZING THE EXECUTION AND DELIVERY OF THE FORM OF ATTACHED AMENDED AND RESTATED 2020A LOAN AGREEMENT AND AMENDED AND

RESTATED 2020B LOAN AGREEMENT, EACH BETWEEN THE CITY AND PNC BANK, NATIONAL ASSOCIATION, AS PURCHASER OF THE NOTES; COVENANTING TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES TO PAY THE NOTES; PLEDGING CERTAIN REIMBURSEMENT RECEIPTS TO SECURE REPAYMENT OF THE SERIES 2023A NOTE; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

- 8.b. Request for approval of Resolution 20230328.4 to reimburse certain costs and expenditures relating to Capital Improvement.

Commissioner Rader moved for approval of Resolution 20230328.4 to reimburse certain costs and expenditures relating to Capital Improvement. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230328.4

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA WITH RESPECT TO REIMBURSEMENT OF CERTAIN COSTS AND EXPENDITURES RELATING TO GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF PANAMA CITY, FLORIDA

9. Consent Agenda

- 9.a. Ratification of Holi Festival of Colors Event. The event date was 03/04/2023.
- 9.b. Ratification of Downtown Carton Classic Event. The event date was 03/24/2023.
- 9.c. Kyle S. DeMaio Memorial 5K, May 6, 2023, from 8 a.m. to 12 p.m. along the pre-approved Scenic Cove 5K Route. This event is organized by Kyle DeMaio Memorial Fund.
- 9.d. July 4th Salute to Freedom Festival, July 4, 2023, from 11 a.m.- 9:30 p.m. at Destination Panama City, W. Government St, W Beach Dr., 4th St and Oak Ave. This event is organized by Destination Panama City and supported by City of Panama City.
- 9.e. Consideration to enter into contract negotiations with VBA Design, Inc. for the Fire Stations #3 and #4 Safe Room, Wind Retrofit and Generator project.
- 9.f. Consideration to enter into contract negotiations with DAG Architects Inc., for the Public Works Safe Room and Generator Project.
- 9.g. Consideration to enter into contract negotiations with DAG Architects Inc., for the Utilities Safe Room and Generator Project.
- 9.h. Consideration of approval to enter into contract negotiations with Metric Engineering for Hometown Revitalization Program Project HEART-Harrison Ave. Streetscapes Phase II (CDBG-DR # M0052).

Commissioner Brown moved for approval of the consent agenda as presented. 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.

10. City Manager

- 10.a. Consideration of approval of Panhandle Engineering, Inc. Fee Proposal for Engineering Services for the Watershed Master Plan in the amount of \$200,000.00 and Budget Amendment Resolution No. 20230328.2.

Commissioner Rader moved for approval of Panhandle Engineering, Inc. Fee Proposal for Engineering Services for the Watershed Master Plan in the amount of \$200,000.00 and Budget Amendment Resolution No. 20230328.2. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230328.2

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR GRANT MATCHING FUNDS AS PART OF THE ENGINEERING SERVICES FOR THE WATERSHED MASTER PLAN

- 10.b. Consideration to approve Mott MacDonald Amendment 2 to Task Order PC22-013 for Area O-11 stormwater and roadway improvements in the amount of up to \$66,390.00.

Commissioner Street moved for approval of Mott MacDonald Amendment 2 to Task Order PC22-013 for Area O-11 stormwater and roadway improvements in the amount of up to \$66,390.00. 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.

- 10.c. Approval for renewal acceptance of Crowder Gulf Disaster Recovery and Debris Management for Year #2 for Bid PC22-015.

Commissioner Rader moved to approve renewal acceptance of Crowder Gulf Disaster Recovery and Debris Management for Year #2 for Bid PC22-015. 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.

- 10.d. Consideration for approval of the bid from Anderson Construction Company of North Florida in the amount of \$1,667,174.00 to provide the renovation of the existing Vehicle Maintenance Facility and approval of Budget Resolution No. 20230328.5.

Commissioner Brown moved for approval of the bid from Anderson Construction Company of North Florida in the amount of \$1,667,174.00 to provide the renovation of the existing Vehicle Maintenance Facility and approval of Budget Amendment Resolution No. 20230328.5. 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.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230328.5

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-

2023 BUDGET FOR THE ALLOCATION OF FUNDS FOR REPAIR OF THE VEHICLE MAINTENANCE FACILITY.

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

Commissioner Rader moved for approval of SweetBay Phase 1D North A Final Plat. 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.

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

Commissioner Rader moved for approval of SweetBay Phase 1D North B Final Plat. 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.

10.g. Ratification of emergency procurement and exigent circumstances surrounding the failure of Lift Station# 81 totaling approximately \$475,000 +/- 10%.

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

Commissioner Rader moved for Ratification of emergency procurement and exigent circumstances surrounding the failure of Lift Station # 81 totaling approximately \$475,000 +/- 10%. 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.

10.h. Consideration of approval of Change Order 3 for Aluminum Fabrication Building Stormwater Improvements at the Nelson Street Shipyard Bulkheads to Marshall Brothers Construction & Engineering, Inc. for \$62,317.

Commissioner Brown moved for approval of Change Order 3 for Aluminum Fabrication Building Stormwater Improvements at the Nelson Street Shipyard Bulkheads to Marshall Brothers Construction & Engineering, Inc. for \$62,317. 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.

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.

City Manager Mark McQueen announced the public hearing.

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

ORDINANCE NO. 3140.1

AN ORDINANCE OF THE CITY APPROVING THE VOLUNTARY ANNEXATION OF 0.75 ACRES OF UNINCORPORATED PROPERTY LOCATED AT 1415 HIGHWAY 231 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.

- 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.

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

ORDINANCE NO. 3140.2

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 1415 HIGHWAY 231, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

- 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.

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

ORDINANCE NO. 3140.3

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1415 HIGHWAY 231 PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 0.75 ACRES, GENERAL COMMERCIAL-2, GC-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 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.

City Manager Mark McQueen continued the public hearing.

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

ORDINANCE NO. 3141.1

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 1204 MARTIN LUTHER KING JUNIOR BOULEVARD, (PARCEL ID 17420-000-000), PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

- 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.

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

ORDINANCE NO. 3141.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1204 MARTIN LUTHER KING JUNIOR BOULEVARD, (PARCEL ID 17420-000-000), PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 0.30 ACRES, MIXED USE-2, MU-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

12. Adjournment.

There being no further business the meeting adjourned at 8:56 p.m.