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**MINUTES  
CITY OF PANAMA CITY  
CITY COMMISSION MEETING  
DECEMBER 14, 2021  
8:00 A.M.**

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- 1. Opening Prayer** with Pastor Tim Krisko of Catalyst Church and Panama City Police Department Chaplain
- 2. Pledge of Allegiance to the Flag**
- 3. Roll Call and Approval of Minutes** for the November 24, 2021 Special Call Meeting and November 30, 2021 City 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. Member absent: Commissioner Jenna Haligas. Also present: City Manager Mark McQueen, City Attorney Nevin Zimmerman and Assistant City Manager Jared Jones.

Commissioner Rader moved to approve the minutes for the November 24, 2021 Special Call 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.

Commissioner Rader moved to approve the minutes for the November 30, 2021 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

City Manager Mark McQueen recommended deleting item 9F from the agenda.

Commissioner Brown moved for approval of deleting item 9F from the agenda. 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.

City Attorney Nevin Zimmerman discussed item 6a, explaining that the letter is requesting consideration of a Quit Claim Deed. However, it has come to his attention that there is an issue with utilities in that area, staff is not in a position to recommend that there is no public use for the utilities. Attorney Zimmerman recommends the item be delayed to the first meeting in January and substituting item 6a with a Resolution of Intent to Abandon instead of a Quit Claim Deed.

#### **4. Mayor's Report**

##### 4.a. Emerging Leaders Recognition

Mayor Greg Brudnicki recognized Emerging Leaders and presented certificates for the 2021 Emerging Leaders Program.

##### 4.b. Lids for Kids Presentation

Mayor Greg Brudnicki Recognized Panama City Fire Department Engineer Shanen French for the community program Lids for Kids and presented him with a Key to the City.

##### 4.c. Community Announcements.

On December 3<sup>rd</sup>, the Millville Christmas Parade was launched at Millville Waterfront Park, and traveled down Third Street, concluding at Daffin Park. Later that evening festivities continued at the Annual Tree Lighting Ceremony, with cookies, hot chocolate and Santa. The Quality of Life Department continued cleanup of Sweetbay Wetland Preserve by removing more than 90 stumps from trees damaged during Hurricane Michael. A Winter Wonderland Prom for seniors is scheduled for December 16<sup>th</sup>, at the Oakland Terrace Clubhouse from 9 a.m. to 2 p.m. Mrs. Clause will be at Oaks by the Bay Park from 10-11 a.m., on December 18<sup>th</sup>. The Ukulele Orchestra of St Andrews will provide Holiday entertainment at their Holiday of Sounds Concert on December 18<sup>th</sup>, at Oaks by the Bay from 5:30 – 7:30 p.m.

#### **5. Audience Participation**

David Smith, 1070 Caroline Blvd, Panama City; Derrick Thomas 100 W. 10<sup>th</sup> St., Panama City; Edward Bell 720 Kirklin Ave., Panama City; addressed the Commission.

#### **6. City Attorney**

##### 6.a. Public Hearing to Consider a Notice of Intent to Abandon a portion of the Right of Way (100 Hamilton Ave). (Modified under item 3 above)

City Attorney Nevin Zimmerman discussed Abandonment of a portion of the right of way at 100 Hamilton Ave., making these recommendations: first to have a Public Hearing,

second to adopt a Resolution of Intent, third to have another first reading of the Ordinance and fourth to set the final Public Hearing for January 11<sup>th</sup>.

Mayor Greg Brudnicki opened the Public Hearing.

Walter P Henry, 614 Maple Ave, Panama City; Robert Hughes, 533 Bunkers Cove Rd, Panama City; addressed the Commission

Commissioner Street moved to Adopt Resolution No.20211214.3. 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. 20211214.3

A RESOLUTION OF INTENT OF THE CITY OF PANAMA CITY TO ADOPT ORDINANCE 3035 TO ABANDON THE RIGHT-OF-WAY EAST OF HAMILTLON AVENUE, SOUTH OF 1<sup>ST</sup> COURT, NORTH OF CHERRY STREET AND WEST OF COVE BOULEARD FROM THE NORTHERN PROPERTY LINE OF 100 HAMILTON AVENUE IN THE CITY OF PANAMA CITY.

Ordinance No. 3035 was read by title only as shown below:

ORDINANCE NO. 3035

AN ORDINANCE VACATING AND ABANDONING PLATTED ALLEY RIGHT-OFWAY LOCATED EAST OF HAMILTON AVENUE, SOUTH OF 1<sup>ST</sup> COURT, NORTH OF CHERRY STREET AND WEST OF COVE BOULEVARD PANAMA CITY, FLORIDA, AS MORE PARTICULARLY HEREINAFTER DESCRIBED; REPLEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE SEVERABILITY OF ANY PART OF THIS ORDINANCE DECALARED INVALID; AND PROVIDING FOR AN EFFECTIVE DATE.

6.b. Resolution No. 20211214.5 to Amend the Scope of Work for the \$500,000 Road Improvement Grant.

Commissioner Rader moved to approve Resolution No. 20211214.5 Amending the Scope of Work for the \$500,000 Road Improvement Grant. 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 20211214.5

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY AUTHORIZING THE STAFF TO ENTER INTO THE STATE-FUNDED GRANT SUPPLEMENTAL AGREEMENT TO SUPPLEMENT THE STATE-FUNDED GRANT AGREEMENT DATED SEPTEMBER 16, 2019 TO UPDATE THE SCOPE OF WORK.

6.c. Resolution for Railroad Grant

City Manager Mark McQueen briefly discussed the railroads and their walkability.

Commissioner Street moved to approve Resolution No. 20211214.6 for Railroad Grant. 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. 20211214.6

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY AUTHORIZING THE STAFF TO APPLY FOR THE TRANSPORTATION ALTERNATIVE SET-ASIDE GRANT.

**7. City Clerk**

7.a. Consideration to update the City's Public Records Policy adopted on September 13, 2016, by Resolution No. 9132016.2.

City Clerk Jan Smith discussed updates to the Public Records Policy.

Commissioner Rader moved to approve updating the City's Public Records Policy adopted on September 13, 2016, by Resolution No. 9132016.2. 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. 20211214.4

A RESOLUTION OF THE CITY OF PANAMA CITY, FLORIDA TO UPDATE THE PUBLIC RECORDS POLICY ORIGINALLY ADOPTED BY RESOLUTION NO. 9132016.2 ON SEPTEMBER 13, 2016; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**8. Unfinished Business**

8.a. Final Reading of Ordinance 3040 amending the adoption agreement for the Supplemental Retirement Plan and Trust for Designated General Employees.

Commissioner Rader moved to approve Ordinance 3040. 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.

Mayor Greg Brudnicki opened the public hearing.

**9. City Manager**

9.a. Consideration of Hazard Mitigation Grant Program Subrecipient Agreement for Millville Wastewater Treatment Plant, Generator.

Commissioner Brown moved to approve the Hazard Mitigation Grant Program Subrecipient Agreement for Millville Wastewater Treatment Plant, Generator. 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.b. Consideration of Hazard Mitigation Grant Program Subrecipient Agreement for Emergency Operation Safe Room Project.

Commissioner Street moved to approve the Hazard Mitigation Grant Program Subrecipient Agreement for Emergency Operation Safe Room 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.

- 9.c. Consideration to Approve a Capital Expenditure purchase of two (2) knuckle Boom trucks from Houston Freightliner for the purchase price amount of \$226,979.00 each (aggregate cost of \$453,958) along with Budget Resolution Amendment (20211214.2) for \$23,958.

Commissioner Street moved to approve the Capital Expenditure purchase of two (2) knuckle Boom trucks from Houston Freightliner for the purchase price amount of \$226,979.00 each along with Budget Resolution Amendment (20211214.2) for \$23,958. 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. 20211214.2

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2021-2022 BUDGET TO USE SOLID WASTE RESERVES FOR THE ADDITIONAL AMOUNT FOR THE PURCHASE OF TWO KNUCKLEBOOM TRUCKS.

- 9.d. Consideration and approval of Change Order #1 in the amount of \$32,115.70 to complete expenses for interior renovations to the A.D. Harris Learning Village gym by Bay Builders LLC, and Change Order #2 in the amount of \$99,968 also from Bay Builders LLC, to increase the Scope of Work to include a concession stand and bathroom facilities.

Commissioner Brown moved to approve Change Order #1 in the amount of \$32,115.70 to complete expenses for interior renovations to the A.D. Harris Learning Village gym by Bay Builders LLC, and Change Order #2 in the amount of \$99,968 also from Bay Builders LLC.. 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 Bid award for PC22-005 Sanitary Sewer Cleaning and Camera/Video inspection to the low bidder, GAC Contractors Inc., in the amount of \$161,707.06

Commissioner Rader moved to approve Bid award for PC22-005 Sanitary Sewer Cleaning and Camera/Video inspection to the low bidder, GAC Contractors Inc., in the

amount of \$161,707.06. 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.f. Consideration of approval of Barge Design, for Oakland Terrace Architectural and Engineering Services in the amount of \$306,500.00 including Survey and Geotechnical Engineering Services (FEMA #82381).

Item was withdrawn from the agenda.

9.g. Consideration of Approval of the revised Architecture and Engineering fee from Cohen Carnaggio Reynolds, in the amount of \$753,540.00 for the overall Master Plan of the Martin Luther King Recreation Center (FEMA #82395)

Commissioner Brown moved for Approval of the revised Architecture and Engineering fee from Cohen Carnaggio Reynolds, in the amount of \$753,540.00. 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.

Walter P Henry, 614 Maple Ave, Panama City; address the Commission on the sewer lines at the Martin Luther King Recreational Center.

9.h. Ratification of Approval of Change Order # 1 in the amount of \$255,356.11 for the Aluminum Fabrication Building per City of Panama City contract with Birkshire-Johnstone LLC. Change Order # 1 approved and recommended by Owner (Eastern Shipbuilding Group). This Change Order is incorporated in the Triumph Gulf Coast Grant.

Commissioner Brown moved for Ratification of Approval of Change Order # 1 in the amount of \$255,356.11 for the Aluminum Fabrication Building per City of Panama City contract with Birkshire-Johnstone LLC. 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.i. Consideration of Approval of Change Order 2 with Royal American Construction in the amount of \$237,817.77 for the Harrison Avenue Streetscapes Reconstruction Project.

Commissioner Rader moved to approve Change Order 2 with Royal American Construction in the amount of \$237,817.77 for the Harrison Avenue Streetscapes Reconstruction Project. On a roll call vote, Commissioners Kenneth E. Brown, Billy Rader, and Mayor Greg Brudnicki voted "YEA". "NAYS" – Commissioner Josh Street. The City Clerk certified the motion passed by a 3-1 vote.

Edward Bell, 720 Kirklin Ave, Panama City; addressed the Commission.

9.j. Approval of the Conceptual Master Plan of Eastern Shipbuilding

Commissioner Brown moved to approve Conceptual Master Plan of Eastern Shipbuilding. 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.

City Attorney Nevin Zimmerman explained that staff has determined there is no public use of Gray Ave., with this recommendation, and the memo, this authorizes the mayor to sign a Quick Claim Deed to transfer ownership of the road that no longer has any public use.

#### 9.k. Approval of the Liberty Phase 1 Plat

Commissioner Brown moved for Approval of the Liberty Phase 1 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.

9.l. For discussion with the City Commission the City Manager has approved Panhandle Engineering Inc.'s proposal in the amount of \$24,920.00 to provide the Architecture and Engineering services associated with the Millville Waterfront (Watson Bayou) Park Fishing Pier and kayak launch facilities (FEMA #82278).

City Manager Mark McQueen discussed his approval of Panhandle Engineering's proposal in the amount of \$24,920.00 to provide the Architecture and Engineering services associated with the Millville Waterfront Park fishing Pier and Kayak launch facilities.

### **10. City Manager - First Readings**

10.a. First Reading of Ordinance 3035 The R.O.W. east of Hamilton Avenue, south of 1st Court, North of Cherry Street and west of Cove Boulevard from the northern property line of 100 Hamilton Avenue (Parcel No. 20861-000-000).

Nevin Zimmerman pointed out that this item has already had a first reading.

10.b. First reading of Ordinance 3036.1 amending the Future Land Use Map of the City to reflect a land use designation of General Commercial for the property located at 600 Martin Luther King Jr Blvd.

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

#### ORDINANCE NO. 3036.1

AN ORDINANCE AMENDING THE COMPREHENSIVE  
PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT  
A LAND USE DESIGNATION OF GENERAL COMMERCIAL  
FOR PARCELS OF PROPERTY LOCATED AT 600 MLK JR



BLVD, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

10.c. First reading of Ordinance 3036.2 amending the Zoning Map of the City to reflect a zoning designation of General Commercial-2, GC-2, for the property located at 600 Martin Luther King Jr Blvd.

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

ORDINANCE NO. 3036.2

AN ORDINANCE ZONING PARCELS OF PROPERTY LOCATED AT 600 MLK JR BLVD, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 0.241 ACRES, GENERAL COMMERCIAL 2, GC-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

10.d. First reading of Ordinance 3037.1 amending the Future Land Use Map of the City to reflect a land use designation of General Commercial for the property located at 1116 Harmon Avenue.

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

ORDINANCE NO. 3037.1

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 1116 HARMON AVENUE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

10.e. First reading of Ordinance 3037.2 amending the Zoning Map of the City to reflect a zoning designation of General Commercial-1, GC-1, for the property located at 1116 Harmon Avenue.

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

ORDINANCE NO. 3037.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1116 HARMON AVENUE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 0.44 ACRES, GENERAL COMMERCIAL-1, GC-1, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.f. First reading of Ordinance 3038.1 amending the Future Land Use Map of the City to reflect a land use designation of Residential for the property located at 8510 John Pitts Rd.

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

ORDINANCE NO. 3038.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF RESIDENTIAL FOR PARCELS OF PROPERTY LOCATED AT 8510 JOHN PITTS RD, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.g. First reading of Ordinance 3038.2 amending the Zoning Map of the City to reflect a zoning designation of Residential-1, R-1, for the property located at 8510 John Pitts Rd.

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

ORDINANCE NO. 3038.2

AN ORDINANCE ZONING PARCELS OF PROPERTY LOCATED AT 8510 JOHN PITTS RD, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 1.88 ACRES, RESIDENTIAL 1, R-1, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.h. First reading of Ordinance 3039.1 amending the Future Land Use Map of the City to reflect a land use designation of Mixed Use for the property located at 722 W 19th St.

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

ORDINANCE NO. 3039.1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY TO REFLECT A LAND USE DESIGNATION OF MIXED USE FOR PARCELS OF PROPERTY LOCATED AT 722 W 19th ST, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.i. First reading of Ordinance 3039.2 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use-3, MU-3, for the property located at 722 W 19th St.

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

ORDINANCE NO. 3039.2

AN ORDINANCE ZONING PARCELS OF PROPERTY LOCATED AT 722 W 19th ST, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 0.408 ACRES, MIXED USE 3, MU-3, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**11. Adjournment.**

Mayor Brudnicki announced this as the last meeting of the year and expressed his gratitude and appreciation for the input from the citizens at the meetings.

City Manager, Mark McQueen recognized Public Works Director Johnny Sims for his leadership during his 3 years of service with the City. Mayor Greg Brudnicki presented Johnny Sims with a City Coin.

There being no further business, the meeting was adjourned at 9:23 a.m.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding should contact the City's Human Resources Department prior to the proceeding at telephone (850) 872-3014 for assistance; if hearing impaired, telephone (850) 872-3028 (TDD) for assistance. If a person decides to appeal any decision by the City Commission with respect to any matter considered at this meeting, he or she will need a record of the proceeding and for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record needs to include the testimony and evidence upon which the appeal is to be based. (286.015) The Agenda and supporting documentation is available on the City's website on Monday afternoon preceding the regularly scheduled Tuesday City Commission meeting.