



**MINUTES
CITY OF PANAMA CITY
CITY COMMISSION MEETING
MAY 9, 2023
8:00 A.M.**

1. Opening Prayer with Pastor Adam Beach of Bayside Church.
2. Pledge of Allegiance to the Flag.
3. Roll Call and Approval of Minutes for the April 25, 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 April 25, 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.

Commissioner Haligas arrived to the meeting at 8:04 a.m.

5. Mayor's Report

- 5.a. Proclamation for Older Americans Month.

Mayor Brudnicki presented a Proclamation to Bay County Council on Aging proclaiming the month of May 2023 as Older Americans Month.

- 5.b. Proclamation for National Salvation Army Week.

Mayor Brudnicki presented a Proclamation to Major Ed Binnix of the Salvation Army proclaiming May 15th to 21st, 2023 as National Salvation Army Week.

5.c. Proclamation for National Safe Boating Week.

Mayor Brudnicki presented a Proclamation to Flotilla Vice Commander Tony White for the United States Coast Guard Auxiliary Proclaiming May 20th to 26th, 2023 as National Safe Boating Week.

5.d. Approval of Resolution No. 20230509.7 to continue to keep the ramps open.

Jimmy Ciesielski, 1208 Cherry St., Panama City; Derek Thomas, 1100 W. 10th St., Panama City; Brandon Henderson Jansienius, 1904 Tyndall Dr., Panama City; addressed the Commission.

Commission Haligas moved for approval of Resolution No. 20230509.7 to continue to keep the ramps open with changes to dedicate 50 parking spaces to the downtown Marina and 13 or the number of parking spaces that are currently available for the St. Andrews Marina. 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. 20230509.7

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA, RESOLVING TO CONTINUE TO KEEP THE BOAT RAMPS AT THE DOWNTOWN MARINA AND ST. ANDREWS MARINA OPEN TO THE PUBLIC FOR THEIR USE AND ENJOYMENT

5.e. Notice of Term Expirations on the Board of Trustees for the Retirement Plan and Trust for the General Employees of the City of Panama City.

Commission Haligas moved to reappoint Bill Allen to the Board of Trustees for the Retirement Plan and Trust for the General Employees for a two-year term that expires May 14, 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.f. Community Announcements.

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

6. Audience Participation

Stacey Lessley, 222 E 1st Ct., Panama City; Brandon Henderson Jansienius, 1904 Tyndall Dr., Panama City; Jimmy Ciesielski, 1208 Cherry St., Panama City; Michelle Bryant, 803 E. 10th St., Panama City; Derek Thomas, 1100 W. 10th St., Panama City; Walter Henry, 614 Maple Ave., Panama City; Rufus Wood, 1911 E. 10th St., Panama City; Russel Wright, 727 Satsuma Ave., Panama City; Patty Sunday, 1115 Fairland Ave., Panama City; Ella Smith, 1247 Capri Dr., Panama City; Emanuel Hill, 508 E. 9th St., Panama City; addressed the Commission.

7. City Attorney

- 7.a. First reading of Ordinance 3153 Amendment and Restatement of the Civil Service Act.

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

ORDINANCE NO. 3153

AN ORDINANCE OF THE CITY OF PANAMA CITY AMENDING CHAPTER 2 OF THE MUNICIPAL CODE; ARTICLE V – OFFICERS AND EMPLOYEES; DIVISION 2 – CIVIL SERVICE; AMENDING THROUGHOUT TO PROVIDE FOR MODERN TERMS AND CLARIFICATIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN IMMEDIATELY EFFECTIVE DATE.

- 7.b. First reading of Ordinance 3154 Amendment to Chapter 5, Article III, Definitions for Live-Aboard and Navigation.

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

ORDINANCE NO. 3154

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PANAMA CITY, CHAPTER 5, ARTICLE III, MUNICIPAL WATERWAYS; AMENDING THE DEFINITION OF LIVE-ABOARD VESSELS; ADDING A DEFINITION FOR NAVIGATION; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER’S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR CODIFICATION AND REPEALER CLAUSES; AND PROVIDING FOR AN IMMEDIATELY EFFECTIVE DATE.

- 7.c. Public Hearing and First Reading of Ordinance No. 3155 Establishing the Sweetbay Residential Community Development Districts 1-7 and the Sweetbay Non-Residential Community Development Districts 1-2 Pursuant to Chapter 190, Florida Statutes.

City Attorney Nevin Zimmerman, announced the public hearing.

Tony Bostick, 159 N. Kimbrell Ave, Callaway, Walter Henry, 614 Maple Ave., Panama City; addressed the Commission.

William Harrison, 101 Harrison Ave., addressed the Commission and answered questions.

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

ORDINANCE NO. 3155

AN ORDINANCE OF THE BOARD OF CITY COMMISSIONERS OF PANAMA CITY, FLORIDA, ESTABLISHING NINE SWEETBAY COMMUNITY DEVELOPMENT DISTRICTS (SEVEN RESIDENTIAL DISTRICTS AND TWO COMMERCIAL DISTRICTS) PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING EACH OF THE DISTRICTS; DESCRIBING THE EXTERNAL BOUNDARIES OF EACH OF THE DISTRICTS; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICTS; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF EACH OF THE NINE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed for a short break at 10:07 a.m.

The meeting reconvened at 10:17 a.m.

Walter Henry, 614 Maple Ave., Panama City, Brenda Lewis-Williams, 1007 N. Center Ave., Panama City; addressed the Commission with public comment on item 7.a. first reading of Ordinance 3153 Amendment and Restatement of the Civil Service Act.

- 7.d. TEFRA Hearing for University Academy Project and approval of Resolution No. 20230509.4.

Mike Burke of Burke Blue conducted the TEFRA hearing.

Tony Bostick, 159 N. Kimbrel, Callaway, addressed the Commission.

Mike Burke closed the public Hearing.

Richard Harb with Nabors Giblin bond counsel spoke briefly on the matter VIA telephone.

Commissioner Haligas moved for approval of TEFRA Hearing for University Academy Project and approval of Resolution No. 20230509.4. 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. 20230509.4

AN INDUCEMENT RESOLUTION OF THE CITY COMMISSION OF PANAMA CITY, FLORIDA RELATIVE TO THE PROPOSED ISSUANCE OF EDUCATIONAL FACILITIES REVENUE BONDS FOR THE PRINCIPAL PURPOSES OF FINANCING AND REFINANCING (OR PROVIDING FOR REIMBURSEMENT OF) CERTAIN CAPITAL IMPROVEMENT COSTS INCURRED OR TO BE INCURRED BY COMMUNITY CHARTER ACADEMY, INC. RELATING TO ITS EDUCATIONAL FACILITIES; PROVIDING FOR THE PRELIMINARY APPROVAL BY THE CITY FOR THE ISSUANCE OF NOT EXCEEDING \$11,000,000 OF SUCH BONDS IN ONE OR MORE SERIES OF TAXABLE AND TAX-EXEMPT BONDS; PROVIDING FOR CERTAIN RELATED MATTERS IN CONNECTION THEREWITH AND FOR AN EFFECTIVE DATE.

- 7.e. Amendment to Interlocal Agreement with School Board for use of Rosenwald High School Athletic Field.

Commissioner Brown moved for approval of Amendment to Interlocal Agreement with the School Board for use of Rosenwald High School Athletic Field. 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.

Michelle Bryant, 803 E. 10th St., Panama City, addressed the Commission.

8. Unfinished Business

- 8.a. Final Reading of Ordinance No. 3147 amending Sec. 105-14, Outdoor Dining of the Unified Land Development Code.

Commissioner Haligas moved for approval of final reading of Ordinance No. 3147 amending Sec. 105-14, Outdoor Dining of the Unified Land Development Code. 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.

City Attorney Nevin Zimmerman announced the public hearing.

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

ORDINANCE NO. 3147

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF PANAMA CITY; AMENDING SECTION 105-14, SIDEWALK CAFÉ-FLEXIBLE STREET CAFÉ PROGRAM, RELATING TO OUTDOOR DINING; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

9. Consent Agenda

- 9.a. Juneteenth Festival, June 17, 2023, from 4 p.m. - 8 p.m. at Carl Gray Park. This event is organized by the Quality of Life Department.
- 9.b. Approval of Contract with Anderson Construction for Vehicle Maintenance Building.

Commissioner Brown 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

Item 10.f. consideration of approval for the interlocal agreement to give the City of Panama City non-exclusive use of the property located at 1104 Balboa Avenue was discussed before item 10.a.

Executive Director of Palm Bay Academy Ron Danzey gave a brief discussion on the matter.

Commissioner Haligas moved for approval of the interlocal agreement to give the City of Panama City non-exclusive use of the property located at 1104 Balboa Avenue. 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.a. Consideration to approve Budget Amendment Resolution No. 20230509.1 to utilize privately donated funds in the amount of \$2,000.00 from Amvets Post 2298 for the Panama City Police Department.

Commissioner Rader moved for approval of Budget Amendment Resolution No. 20230509.1 to utilize privately donated funds in the amount of \$2,000.00 from Amvets Post 2298 for the Panama City Police Department. 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. 20230509.1

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET TO UTILIZE DONATED FUNDS FROM AMVETS POST 2298 FOR THE PANAMA CITY POLICE DEPARTMENT.

- 10.b. Consideration to approve Budget Amendment Resolution No. 20230509.2 to utilize scrap metal recycling funds in the amount of \$534.00 from Coastal Metals for the Panama City Police Department.

Commissioner Brown moved for approval of Budget Amendment Resolution No. 20230509.2 to utilize scrap metal recycling funds in the amount of \$534.00 from Coastal Metals for the Panama City Police Department. 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. 20230509.2

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET TO UTILIZE SCRAP METAL RECYCLING FUNDS FOR THE PANAMA CITY POLICE DEPARTMENT.

- 10.c. Consideration to approve Budget Amendment Resolution No. 20230509.3 to utilize privately donated funds in the amount of \$500.00 from Florida Power & Light Company for the Panama City Police Department.

Commissioner Rader moved for approval of Budget Amendment Resolution No. 20230509.3 to utilize privately donated funds in the amount of \$500.00 from Florida Power & Light Company for the Panama City Police Department. 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. 20230509.3

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET TO UTILIZE DONATED FUNDS FROM FLORIDA POWER & LIGHT COMPANY FOR THE PANAMA CITY POLICE DEPARTMENT

- 10.d. Consideration for approval of JRA Change Order No. 6 in the amount of \$14,095.00 and Budget Amendment Resolution No. 20230509.5 for Architectural and Engineering Services associated with the existing Vehicle Maintenance Facility.

Commissioner Brown moved for approval of JRA Change Order No. 6 in the amount of \$14,095.00 and Budget Amendment Resolution No. 20230509.5 for Architectural and Engineering Services associated with the existing Vehicle Maintenance Facility. 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. 20230509.5

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR JRA CHANGE ORDER 6 FOR A/E SERVICES ASSOCIATED WITH THE VEHICLE MAINTENANCE FACILITY.

- 10.e. Consideration of the Commission to approve the City applying for the Florida Recovery Obligation Calculation (F-ROC) Program.

Commissioner Rader moved for approval of the City applying for the Florida Recovery Obligation Calculation (F-ROC) Program. 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.f. Consideration of approval for the interlocal agreement to give the City of Panama City non-exclusive use of the property located at 1104 Balboa Avenue.

Item 10.f was previously discussed in the meeting, as the first item of the City Managers section.

11. City Manager - First Readings

- 11.a. First reading and public hearing of Ordinance 3150. Requested abandonment of a portion of an alleyway located Northeast of the Harmon Avenue and E. 11th Street intersection and Northwest of the Cone Avenue and E. 11th Street intersection.

City Manager Mark McQueen announced the public hearing.

Commissioner Brown made a motion to deny Ordinance No. 3150. 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 to deny passed by a 5-0 vote.

- 11.b. First reading of Ordinance 3151.1 amending the Future Land Use Map of the City to reflect a land use designation of General Commercial for a property located at 1900 Northside Drive.

City Manager Mark McQueen announced the public hearing.

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

ORDINANCE NO. 3151.1

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 1900 NORTHSIDE DRIVE, PANAMA CITY, FLORIDA, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

- 11.c. First reading of Ordinance 3151.2 amending the Zoning Map of the City to reflect a zoning designation of General Commercial-2 for the property located at 1900 Northside Drive.

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

ORDINANCE NO. 3151.2

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 1900 NORTHSIDE DRIVE, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 9 ACRES, GENERAL COMMERCIAL-2 GC-2, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- 11.d. First reading of Ordinance 3152 amending the Zoning Map of the City to reflect a zoning designation of Mixed Use-3 for the property located at 709 E. 10th Street.

Mayor Brudnicki announced the public hearing.

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

ORDINANCE NO. 3152

AN ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT 709 E 10TH STREET, PANAMA CITY, FLORIDA, HAVING APPROXIMATELY 0.202 ACRES, MIXED USE-3, MU-3, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

12. Adjournment.

There being no further business the meeting adjourned at 10:57 a.m.