



**MINUTES
CITY OF PANAMA CITY
CITY COMMISSION MEETING
MAY 23, 2023
8:00 A.M.**

1. Opening Prayer with Pastor Bruce Barton of Central Baptist Church.
2. Pledge of Allegiance to the Flag.
3. Roll Call and Approval of Minutes for the May 9, 2023 Commission Meeting.

Deputy City Clerk Doreen Geldert called the roll with the following members present: Mayor Greg Brudnicki, Commissioners Kenneth E. Brown, Billy Rader, Josh Street, and 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 May 9, 2023 City Commission Meeting as presented. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

4. Additions, Deletions and Modifications.

There were no additions, deletions or modifications.

5. Mayor's Report

- 5.a. Proclamation for National Public Works Week

Mayor Brudnicki presented a Proclamation to the City of Panama City Publics Works Department proclaiming May 21st to May 27th, 2023 as National Public Works Week.

- 5.b. Approval of Resolution No. 20230523.7, Public Works Crews as First Responders.

Commissioner Rader moved for approval of Resolution No. 20230523.7, Public Works Crews as First Responders. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230523.7

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA, TO RECOGNIZE PUBLIC WORKS EMPLOYEES AS FIRST RESPONDERS AS FEDERALLY MANDATED; AUTHORIZING THE USE OF THE PUBLIC WORKS RESPONDER SYMBOL AS ADOPTED BY THE AMERICAN PUBLIC WORKS ASSOCIATION; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

5.c. Appointment of Mayor Pro Tempore

Commissioner Rader moved for approval of the appointment of Commissioner Jenna Haligas as Mayor Pro Tempore. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

5.d. Community Announcements.

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

6. Audience Participation

Michelle Bryant, 803 E 10th St., Panama City; Emanuel Hill, 508 E. 9th St., Panama City; Jean Steele, 2911 Marron Dr., Panama City; Ray Dubuque, 3001 Kings Harbour Rd., Panama City; Ella Smith, 1247 Capri Dr., Panama City; addressed the Commission.

7. City Attorney

7.a. Final reading of Ordinance No. 3153 Amendment and Restatement of the Civil Service Act.

City Attorney Nevin Zimmerman announced the public hearing.

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

Commissioner Rader moved for approval of the final reading of Ordinance No. 3153 Amendment and Restatement of the Civil Service Act. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy 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. 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. Final reading of Ordinance No. 3154 Amendment to Chapter 5, Article III, definitions for Live-Aboard and Navigation.

City Attorney Nevin Zimmerman announced the public hearing.

Commissioner Rader moved for approval of the final reading of Ordinance No.3154 Amendment to Chapter 5, Article III, definitions for Live-Aboard and Navigation. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted “YEA”. “NAYS” - none. The Deputy 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. 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 Final 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.

William Harrison, 101 Harrison Ave., addressed the Commission and answered questions about the Sweetbay Residential Community Development Districts.

Walter Henry, 814 Maple Ave., Panama City addressed the Commission.

William Randall addressed the Commission and answered questions.

Commissioner Haligas moved for approval of the final 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. On a roll call vote, Commissioners Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" – Commissioner Kenneth E Brown. The Deputy City Clerk certified the motion passed by a 4-1 vote.

The Ordinance was read as a final reading by the 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.

7.d. TEFRA Hearing for University Academy Project and approval of Resolution No. 20230523.4

City Attorney Nevin Zimmerman announced the public hearing.

Mike Burke of Burke Blue gave a brief discussion on the matter.

Commissioner Rader moved for approval of the TEFRA Hearing for University Academy Project and approval of Resolution No. 20230523.4.

David Smith, 1070 E Caroline Blvd., Panama City; Walter Henry, 614 Maple Ave., Panama City; addressed the Commission.

On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230523.4

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA (THE "CITY") PROVIDING FOR THE FINANCING AND REFINANCING (INCLUDING REIMBURSEMENT OF) OF ALL OR PART OF THE COST OF ACQUISITION, IMPROVEMENT, INSTALLATION AND EQUIPPING OF CERTAIN EDUCATIONAL FACILITIES FOR THE BENEFIT OF COMMUNITY CHARTER ACADEMY, INC. (THE "BORROWER"), THROUGH THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$11,000,000 OF ITS EDUCATIONAL FACILITIES REVENUE BONDS (UNIVERSITY ACADEMY PROJECT) (THE "BONDS") AND FOR A LOAN BY THE CITY OF THE BOND PROCEEDS TO THE BORROWER IN AN AMOUNT EQUAL TO THE PRINCIPAL AMOUNT OF SUCH BONDS; AUTHORIZING A PRIVATE PLACEMENT OF SUCH BONDS UPON MEETING CERTAIN CONDITIONS SPECIFIED HEREIN; PROVIDING FOR CERTAIN TERMS AND DETAILS OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF THE BONDS, A FINANCING AGREEMENT AND OTHER RELATED INSTRUMENTS AND CERTIFICATES; MAKING CERTAIN COVENANTS, AGREEMENTS AND FINDINGS IN CONNECTION WITH THE ISSUANCE OF THE BONDS; PROVIDING FOR OTHER MATTERS AND FURTHER AUTHORIZATIONS IN CONNECTION WITH THE FOREGOING; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

The meeting recessed for a short break at 9:18 a.m.

The meeting reconvened at 9:29 a.m.

- 7.e. Consideration of Lease for Beach Drive PC Properties, LLC/Beach Drive PC Holdings, LLC.

Commissioner Rader moved for approval of Lease for Beach Drive PC Properties, LLC/Beach Drive PC Holdings, LLC. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote

8. City Clerk

- 8.a. Certification of the Final Vote Total for the 2023 Elections.

Commissioner Haligas moved for approval of Certification of the Final Vote Total for the 2023 Elections. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

9. Unfinished Business

- 9.a. Final reading of Ordinance No. 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.

Commissioner Rader moved for approval of final reading of Ordinance No. 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. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy 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. 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.

- 9.b. Final reading of Ordinance No. 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.

Commissioner Rader moved for approval of final reading of Ordinance No. 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. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

Walter Henry, 814 Maple Ave., Panama City addressed the Commission.

Commission Haligas left the meeting at 9:34 a.m.

The Ordinance was read as a final reading by the 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.

- 9.c. Final reading of Ordinance No. 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.

Commissioner Haligas returned to the meeting at 9:36 a.m.

Mayor Brudnicki announced the public hearing.

Commissioner Brown moved for approval of Final reading of Ordinance No. 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. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy 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. 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.

10. Consent Agenda

- 10.a. Consideration to approve a proposal from DRMP in the amount of \$99,040.00 for additional Construction, Engineering & Inspection services associated with the Triumph Gulf Coast Grant for the Eastern Shipbuilding Group's East Avenue Drainage and Stormwater Project.
- 10.b. Consideration of approval of Amendment 2 to Florida Job Growth Grant Fund Agreement No. G0067 (Nehi / Spine Road Grant), clarifying the scope of construction described in Phase 2, to include the construction of turn lanes, leading into Star Avenue and Liberty Blvd, and to include infrastructure for public safety.
- 10.c. Consideration of approval for Amendment No. 2 to Panhandle Engineering Task Order #13083, State Road 77- Sidewalks and Median Curb Improvements, for an amount not to exceed \$15,000.

Commissioner Street moved for approval of the consent agenda as presented. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

11. City Manager

- 11.a. Consideration to approve Budget Amendment Resolution No. 20230523.2 and CPH Inc. Amendment 1 to Task Order PC22-038 for Area O-12 sidewalk and roadway improvements in the amount up to \$43,195.

Commissioner Haligas moved for approval of Budget Amendment Resolution No. 20230523.2 and CPH Inc. Amendment 1 to Task Order PC22-038 for Area O-12 sidewalk and roadway improvements in the amount up to \$43,195. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230523.2

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR AREA O-12 SIDEWALK AND ROADWAY IMPROVEMENTS.

- 11.b. Consideration to approve additional proposed task order for Mott MacDonald & Panhandle Engineering for SRF Lead Engineer Program Management Plan and accompanying Budget Resolution No. 20230523.3 in the amount of \$600,000.

Commissioner Rader moved to approve additional proposed task order for Mott MacDonald & Panhandle Engineering for SRF Lead Engineer Program Management Plan and Budget Resolution No. 20230523.3 in the amount of \$600,000. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230523.3

A RESOLUTION PROVIDING FOR THE AMENDMENT OF
THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR
LEAD ENGINEER PROGRAM MANAGEMENT PLAN
AMENDMENT III.

- 11.c. Consideration to approve the Grant Award Agreement with the Department of State, Division of Historical Resources for the McKenzie House Mitigation Project and Budget Resolution No. 20230523.5 in the amount of \$54,635.00.

Commissioner Haligas moved to approve the Grant Award Agreement with the Department of State, Division of Historical Resources for the McKenzie House Mitigation Project and Budget Resolution No. 20230523.5 in the amount of \$54,635.00. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230523.5

A RESOLUTION PROVIDING FOR THE AMENDMENT OF
THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR
THE USE OF GRANT FUNDS TO FURTHER THE
MCKENZIE HOUSE MITIGATION PROJECT.

- 11.d. Consideration to approve Budget Amendment Resolution No. 20230523.6 for the use of Law Enforcement Training Funds to purchase training and equipment for the Police Department in the amount of \$28,523.00.

Commissioner Haligas moved to approve Budget Amendment Resolution No. 20230523.6 for the use of Law Enforcement Training Funds to purchase training and equipment for the Police Department in the amount of \$28,523.00. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

The Resolution was read by title only as shown below:

RESOLUTION NO. 20230523.6

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE APPROVED FISCAL YEAR 2022-2023 BUDGET FOR THE USE OF LAW ENFORCEMENT TRAINING FUNDS TO PURCHASE TRAINING AND EQUIPMENT FOR THE POLICE DEPARTMENT.

- 11.e. Consideration of Approval for Award of PC22-053 Pretty Bayou Improvements Phase 1 to Royal American Construction Company, Inc. in the amount of \$4,088,559.50 and approving up to \$4,292,987.48 to include a 5% contingency.

Commissioner Street moved for approval to Award PC22-053 Pretty Bayou Improvements Phase 1 to Royal American Construction Company, Inc. in the amount of \$4,088,559.50 and approving up to \$4,292,987.48 to include a 5% contingency. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

- 11.f. Approval of the Liberty Phase 3 Final Subdivision Plat.

Commissioner Rader moved for approval of the Liberty Phase 3 Final Subdivision Plat. On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

12. Farewell Remarks by Departing Officials.

Commissioner Billy Rader presented farewell remarks.

Commission Kenneth E Brown presented farewell remarks.

Mayor Greg Brudnicki presented farewell remarks.

City Manager Mark McQueen awarded Commissioner Billy Rader, Commissioner Kenneth E Brown and Mayor Greg Brudnicki with plaques for their service to the community. Additionally, from the city employees each was presented a City Your Way road sign.

City Manager Mark McQueen delivered a resignation speech.

Commissioner Haligas moved for approval of City Manager Mark McQueen's resignation extending the resignation date to September 30, 2023 with severance pay.

City Attorney Nevin Zimmerman clarified the motion is to accept the resignation of the City Manager effective the end of September and payment of twenty weeks of severance.

On a roll call vote, Commissioners Kenneth E Brown, Billy Rader, Josh Street, Jenna Haligas and Mayor Greg Brudnicki voted "YEA". "NAYS" - none. The Deputy City Clerk certified the motion passed by a 5-0 vote.

13. Adjournment.

There being no further Business the meeting adjourned at 10:22 a.m.