

**TUESDAY, FEBRUARY 28TH, 2023
CITY COMMISSION MEETING – 5:30 P.M.**

Present: Jesse Nelson, Mayor
Brandon Aldridge, Commissioner
Pat Perno, Mayor Pro Tem
Jamie Warrick, Commissioner
Judy Vandergrift, Commissioner
Vickie Gainer, City Manager
Chief Ramie, Sergeant at Arms
Kevin Obos, City Legal Counsel

Item # 1. Call to order.

Mayor Nelson called the meeting to order at 5:30 P.M.

Item # 2. Invocation and the Pledge of Allegiance.

Pastor Nathan of Temple Baptist church.

Item # 3. Public Commentary.

Debbie Ashbrook – 2517 Country Club Drive – representing the Country Club as its Community Association President. She read a letter from the HOA in support of the Lynn Haven Police Department. [*Attached A1*]

Jodi Moore – Amhurst Street – Referencing the previous speaker, she said she was unaware that anyone wanted to do away with the LHPD. She proceeded to comment about the former Mayor Anderson pleading guilty. Mayor asked her to stop and said that we would not be discussing those issues at these meetings. She would not stop. Mayor called her to order. She continued to argue with the Mayor so Chief Ramie came forward and asked her to stop and step away from the podium. The Mayor reminded the public that public forum is to address the current business of the city and asked the public to not focus on what has happened in Tallahassee so we can keep moving forward together. He will not allow these meetings to be used to litigate the past court cases.

Former Mayor Sharon Sheffield – After reciting an excerpt from a poem she said that she thought she was a pretty good Mayor when she was Mayor, but this Mayor has superseded what she did. She invited the public to come to Mosely HS and listen to the young people and the admiration they have for him saying that they would be surprised. The students ask questions, and she thanked the Mayor for the way he answers them. She said the Mayor is magnificent and wants him to know that.

Item # 4. Mayor's Report.

Mayor Nelson read and presented the Flood Awareness Week Proclamation.

Mayor Nelson read and presented the North Bay Haven Girls Weightlifting Buccaneers Proclamation.

Mayor Nelson presented the Mayor's Athletic Achievement Award certificate to Grace Masters for achieving first place in the Girls Weightlifting State Championship Meet in the Olympic Category and setting a State Record of 260 total pounds lifted in the 110-weight class.

The Mayor reported he has been reviewing the International Property Maintenance Code document and comparing it with other cities. The Mayor also has been in contact with the state legislators as session is coming up soon. He has also been looking at the Florida League of Cities website and one bill highlighted as coming back up will allow businesses to sue the city for ordinances they may set, so the city will be looking at that and providing feedback to the legislature. Florida League is encouraging everyone to look at the bills coming up that will impact them. He will continue to

advocate for the city. Mayor said he is still working on the easement issue with AT&T for a resident.

Item # 5. Commissioners' Reports.

Commissioner Aldridge – Encouraged all to get out and enjoy the good weather. The sun comes up every day no matter how crazy the world seems.

Commissioner Perno – Attended two meetings since the last commission meeting. Proud to say he is a member of the Government's Transit Committee. Spoke more about the functions in relation to the Bay County authorities. Will add it to his report as part of these minutes [*Attached B1-B7*]. First public input workshop is coming up at the Destination Panama City Visitor Center.

Mayor asked the City manager to have these handouts posted onto the Facebook page for the public.

Commissioner Warrick – had about 11 people turn up for his session with the Commissioner. There was some discussion about the IPMC. He said he wanted the residents to know that the code will not be adopted in its entirety and they will be making relevant amendments to it, so please to give them their feedback. It is election season and there will be a candidate forum on Thursday at 6pm (unaffiliated with the City) if you want to meet the candidates. It may be on FB live if you want to watch it there.

Commissioner Vandergrift – Attended the Blacks in Wax presentation that was displayed, and the art exhibit from the kids was wonderful. Spent a couple hours with planning and building departments because she had a lot of questions about the code and comprehensive plan. She complimented them because they were so patient, competent, and knowledgeable.

Item # 6. City Manager's Report.

A. Warrant list update – There were no questions.

City Manager said the tree giveaway was very successful and they were all taken. March 9th you will be able to download our myllynnhaven3.1 app where you will be able to do everything you want relating to the City of Lynn Haven, including sending in a photo report about issues you may see in the community. March 4th is the grand opening and re-opening of the sports complex at 9am for the start of the ceremony, so come and enjoy some of the other activities that will be available. Had more kids sign up than we have had since Hurricane Michael.

Rails to Trails – is underway and it is a very exciting event, but it is also a danger going into a construction area, so no residents are allowed to enter the area.

The Marquee is working now – kudos to IT who saved us \$40k for figuring out why it wasn't working and fixing it, leaving the \$40k in the budget.

The Fire Station doors have finally landed and will be installed soon.

There will be some information going out about hurricane preparation so that we are all prepared ahead of time.

Regarding the ULDC and Comprehensive plan, we are working on putting something together for the commission to look at for review and comment for updating. We will then invite Dr. Chapin back from FSU to help us review and give the Commissioners some guidelines.

Item # 7. City Attorney's Report.

City Attorney advised we did close today on the Iowa Ave property which is going to be used for parking. The legislation being reviewed in the legislature for business damages due to ordinances takes things a bit further than current. If a business that has been around for a minimum of three years can prove that they have lost 15% of their business due to an ordinance and have tried to negotiate in advance.

The attorney went on to explain about public commentary, that under the law the only thing

required by public commentary is commenting on propositions that are going to be voted on by the commission. This commission allows additional public commentary as a privilege (and not a right). The Mayor also has the ability to maintain decorum. He said that to be clear they are not violating anyone’s rights, the Mayor does not have to allow general public commentary, they only have to allow it on items that are going to be voted on. He said he would not like to see this city have to enact extremely strict rules like other cities have, so hopefully in the future we can maintain decorum and keep general public commentary.

Commissioner Perno asked regarding the legislation about a business suing the city, are we stuck with it if it passes. Attorney went on to explain the process that will apply if it passes. Mayor asked but if it passes and then we pass the Property Maintenance Code and that causes a business to lose profit, will that be something we have to look at? Attorney said it would be a case-by-case bases, but he cannot see anyone suing because of property maintenance requirements scenarios. However, under the new proposed law it would be a possibility, except under a state mandated ordinance.

CONSENT AGENDA

Item # 8. Minutes dd 02/14/23 - Regular meeting minutes.

Motion by Commissioner Warrick: to approve the consent agenda.

Second to the Motion Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Aldridge	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

OLD BUSINESS

PUBLIC HEARING OPENED: (6:12 P.M)

Item # 12. Final Reading of Ordinance 1147 Future Land use Map Amendment – Parcel #10057-010-000; Illinois Ave; Mixed Use to Public/Institutional.

City Manager read the Ordinance by title only.

Planning Director explained item.

Mayor opened the floor for comments.

Commissioner Vandergrift asked if this was presented to the Planning Commission? Director answered yes. Commissioner Vandergrift asked if this was open to the public? Director answered yes. Commissioner Vandergrift asked if citizens were able to voice their opinion at the meeting? Director answered yes.

Ted Mahoney – adjacent property – Said he was not sure how the city plans to utilize the property that requires the change in designation. Also, any potential environment impact, that parcel is a drainage area, so very sensitive to any change to adjacent properties, and if it is going to have any drainage impact it will be a big problem. Will there be any adverse environmental impact if this land use is changed? City Manager said that the parcel of land will be used for parking, and they are not planning to pave it.

Commissioner Warrick – asked if we did build anything we would have to build according to the 100-year stormwater plans? Director answered yes. Director said that if we did want to build we would have to go through the development order and permit process.

Motion by Commissioner Perno: to approve Ordinance 1147 Future Land use Map Amendment – Parcel #10057-010-000; Illinois Ave;

Mixed Use to Public/Institutional.

Second to the Motion

Commissioner Aldridge

On Vote:

Perno	aye
Aldridge	aye
Warrick	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (6:19 P.M)

Item # 10. Discussion only to review the International Property Maintenance Code chapter-by-chapter.

Mayor said that they had held a good discussion at the pre-meeting workshop and went on to explain the updates they were making in changing each chapter from an international perspective to a local community perspective as it relates to Lynn Haven specifically.

Mayor asked the Commission to start preparing to discuss and work on Chapter two of the IPMC. He encouraged the citizens to go online to look at the IPMC and let them know if they want anything specific changed in chapter two.

Commissioner Warrick confirmed that every pre-commission meeting they will be discussing a chapter and reviewing the text over the next few weeks.

Attorney – chapter 1 had the right of entry in there. We already have that in our current code, and just like it we would have to show probable cause to get a warrant to enter a home. They will not be able to just go into anyone’s home. Mayor advised that they had discussed simply adding text to the IPMC directing people to the current code.

NEW BUSINESS

Item # 11. Discussion and possible approval to award bid No. 22/23-04 for Well #6 Rehabilitation to the lowest qualified bidder, Rowe Drilling, in the amount of \$114,050.

Public Utility Director explained item.

Mayor opened the floor for comments.

Commissioner Warrick asked what the add-on option was?

Director explained it is in case there is other damage that is discovered.

Motion by Commissioner Aldridge: to award bid No. 22/23-04 for Well #6 Rehabilitation to the lowest qualified bidder, Rowe Drilling, in the amount of \$114,050.

Second to the Motion

Commissioner Perno

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

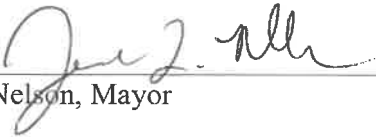
Item # 12. Adjourn.

There being no further business the meeting adjourned at 6:25 P.M.

Minutes from the City Commission meeting called February 28, 2023 at 5:30 P.M.

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APPROVED THIS 14th DAY OF March 2023.



Jesse Nelson, Mayor

ATTEST:



Vickie Gainer, City Manager

prepared by
Cicelia Rushing



A1

**Country Club Harbour
Community Association
P.O. Box 255 · Lynn Haven, FL 32444**

February 27, 2023

Mayor Jesse Nelson
Commissioner Brandon Aldridge
Commissioner Jamie Warrick
Commissioner Pat Perno
Commissioner Judy Vandergrift
817 Ohio Avenue
Lynn Haven, FL 32444

Greetings:

The Board of Directors for the Country Club Harbour Community Association (HOA) is greatly concerned regarding recent news stories published about the potential future status of the Lynn Haven Police Department. As residents of the City of Lynn Haven and the elected Board for over 300 homes within our community, we are compelled to make our position known to Lynn Haven's elected city officials.

As a Board and community, we greatly appreciate the support and commitment provided to our residents by the Lynn Haven Police Department, its officers, and the leadership of this department. They have gone above and beyond to keep our community safe and implement proactive law enforcement strategies.

As an HOA, we have actively partnered with the Lynn Haven Police Department on several occasions to support their crime-fighting efforts. This is most recently evidenced by our Association's purchase of multiple Flock cameras which provide access for alerts to both the Lynn Haven Police Department and Bay County Sheriff's Office. When Chief Ramie spoke at our Annual Homeowners Association meeting last month, he shared that since the installation of these cameras within our community, two wanted felons that had entered our neighborhood were able to be apprehended. This information was well received by our Association and demonstrates our commitment to helping local law enforcement maintain a safe community.

Like many in Bay County, we too have great respect and admiration for the work and professionalism of the Bay County Sheriff's Office. They work tirelessly to make our community safe and have excellent leadership. We also believe that over the years our City has invested significant resources into the development of an efficient and effective local police department that if disbanded could not be reconstituted without enormous and disproportionate expense by the City and its taxpayers.

Public safety is one of, if not the most important issue for many of our residents. For that reason, we, the Board of Directors for the Country Club Harbour Community Association, desire to make it explicitly clear that we value and support the work of the Lynn Haven Police Department and recognize the value it brings to our community. It is our hope that our current and future elected officials will share our sentiments and support the presence and work of the Lynn Haven Police Department.

Sincerely,

Country Club Harbour Community Association Board of Directors
Debbie Ashbrook, Bill Bryan, Brian Dick, Paul Edmonson, Pat Futrell, Tami Graham,
Kris Palfrey, Judy Riera, Britt Smith

cc. Chief Ricky Ramie, Lynn Haven Police Department
Vickie Gainer, Lynn Haven City Manager

GTC Preamble

The Bay County Governance Transit Committee (GTC) has been created in accordance with federal and state requirements to provide oversight to the evaluation of the Bay County Comprehensive Transit Governance Analysis Study (Governance Analysis) and provide a forum to discuss the Governance Analysis. The following sets forth the operating rules and procedures of the GTC.

GTC Purpose and Functions

1. The purpose of the GTC shall be the following:
 - a. Oversee the evaluation of the Governance Analysis
 - b. Provide a forum to discuss the Governance Analysis
2. The GTC shall assist the Bay County Transportation Planning Organization (TPO) and Bay County Board of County Commissioners (BOCC) in conducting the processes required to create an independent Transit Authority in Bay County
3. As an advisory committee to the TPO and BOCC, all GTC recommendations shall be in the form of recommendations to the TPO and BOCC and not to other governmental entities, private organizations.
4. The functions of the GTC shall include the following:
 - a. Provide policy recommendations for the Bay County Comprehensive Transit Governance Analysis which will address the basis, development, and implementation strategies for a county-wide transit authority.
 - b. Shall develop a strategy for the creation of, and transition to, a transit authority within Bay County to provide county-wide public transportation service and coordinate with other regional public transportation providers in Northwest Florida. This strategy will address the allocation and transition of staff, equipment, and facility resources from existing public transportation providers to the new transportation authority.
 - c. Shall provide recommendations to the full TPO and BOCC Boards at key milestones during the progress of the Governance Analysis.
 - d. Conduct any other functions assigned to the GTC agreed upon by the TPO and BOCC.

GTC Membership

1. The GTC shall be comprised of the membership of the Bay County TPO Transit Subcommittee.

2. The Chairman and Vice-chairman of the GTC shall be the same as for the TPO Transit Subcommittee; unless otherwise voted upon during the first GTC Meeting on February 16, 2023.

GTC Regular Meetings

1. Regular meetings of the GTC shall be held as needed, at a time and place designated by the GTC Chairman; ***GTC Schedule to be determined at first GTC Meeting 2/16/2023.***
2. In the event that the GTC Chairman wishes to cancel or change the meeting time of a regular GTC meeting, advance notice of such cancellation or change shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.
3. At least seven (7) days prior to a regular GTC meeting, public notice and tentative agendas shall be sent to the members of the GTC and local media services.
4. GTC Subcommittee meetings shall have the same meeting requirements as regular GTC meetings.

GTC Special Meetings

1. A special meeting of the GTC may be called by the GTC Chairman or a majority of the Voting Members at a regular GTC meeting. Each member of the GTC shall receive a notification of such special meeting stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
2. In the event that the GTC Chairman wishes to cancel or change the meeting time of a special GTC meeting, advance notice of such cancellation or change shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.
3. Seven (7) days before such special meeting, public notice shall be given of the date, hour and place of the special meeting including a statement of the general matter to be considered.

GTC Emergency Meetings

1. The GTC Chairman may call an emergency meeting of the GTC when in his or her opinion an emergency exists which requires immediate action by the GTC. When such a meeting is called, each GTC member shall be notified, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting. At least twenty-four (24) hours advance notice of such emergency meeting shall be given before the time the meeting is held.
2. If after reasonable diligence, it becomes impossible to give notice to each GTC member, such failure shall not affect the legality of the emergency meeting if the Chairman deems

a quorum is present. The minutes of each meeting shall show the manner and method by which notice of such meeting was given to each member of the GTC, or shall show a waiver of notice.

GTC Workshops

1. A workshop may be called by the GTC and may be scheduled before, during or after a regular meeting at the same meeting place or may be scheduled at another time and place.
2. Public notice shall be given to local media services and each GTC member stating the date, hour and place of the workshop including a statement of the general subject matter to be considered at least seven (7) days.
3. No formal business, for which notice has not been given, shall be transacted at such workshops.

GTC Meeting Agenda

1. There shall be an official agenda for every meeting of the GTC, which shall determine the order of business conducted at the meeting.
2. Requests for agenda changes to any GTC meeting must be received by the Chairman (or designated staff) at least one (1) working day prior to the meeting date.
3. The GTC shall not take action upon any matter, proposal or item of business not listed on the official agenda; however following call to order, the GTC Chairman may authorize addition of new business to the agenda with the approval of two thirds (2/3) of the Voting Members present.
4. No agenda item listed on the GTC agenda for a vote thereon may be deferred until a later time unless two-thirds (2/3) of the Voting Members present shall vote in favor of such deferral.
5. A GTC member, the TPO, the BOCC or approved designated staff may place matter on the GTC agenda.
6. This rule is not applicable to special or emergency meetings.

GTC Official Actions

1. As an advisory committee to the TPO and BOCC, all GTC recommendations shall be in the form of recommendations to the TPO and BOCC and not to other governmental entities, private organizations or individuals. The GTC shall have the authority, however, to adopt motions to request information and studies to assist in formulating a recommendation to the TPO and BOCC.
2. All official actions of the GTC shall be by adoption of motions as follows:
 - a) Action by adoption of a motion to recommend the TPO and BOCC approve a resolution shall occur for all matters where adoption of a resolution is required by

federal or state regulations and any other matters deemed by the TPO and BOCC to be of sufficient importance to warrant adoption by a formal resolution.

- b) All other actions of the GTC shall be by adoption of a motion.
- 3. All official actions of the GTC shall be recorded in the meeting minutes and kept in the TPO and BOCC's permanent files. Verbatim minutes are not required but minutes shall include an accurate summary of discussions and actions taken.

GTC Conduct of Meetings

1. All GTC meetings shall be consistent with the Florida Sunshine Law and open to the public and press.
2. Roberts Rules of Order shall be followed at all GTC meetings.
3. The GTC Chairman shall have the authority to determine when a representative number of members are present to declare a quorum and conduct committee business. No official action shall be taken unless the GTC Chairman declares there is a quorum present. No resolution or motion shall be adopted by the GTC except upon the affirmative vote of the majority of the members present.
4. The GTC Chairman may adjourn the meeting if he or she determines that no quorum is in attendance fifteen (15) minutes after the hour appointed for the meeting. In that event, those members present may, by unanimous agreement, select another hour or day to meet. Those members present may, by unanimous agreement, select to continue the meeting as a workshop to discuss items on the agenda as per paragraph 2.08. The names of the members present and their action at such meeting shall be recorded in summary minutes.
5. All meetings of the GTC shall be conducted in accordance with the following:
 - a) The Chairman shall preside at all GTC meetings at which he or she is present;
 - b) The Chairman shall take the chair at the hour appointed for the meeting, and shall call the GTC to order immediately;
 - c) In the absence of the Chairman, the Vice-Chairman shall preside;
 - d) The Chairman shall state every question coming before the GTC and announce the decision of the GTC on all matters;
 - e) A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered;
 - f) In the absence of the GTC Chairman and Vice-Chairman, the GTC staff representative shall determine whether a quorum is present and, in that event, shall call for election of a temporary Chairman. Upon the arrival of the Chairman, or Vice-

Chairman, the Temporary Chairman shall relinquish the Chair upon conclusion of the business immediately before the GTC;

- g) Any GTC member who intends to be absent from any GTC meeting shall, send a representative to the meeting from their department or agency as their representative, or notify the TPO staff of the intended absence as soon as he or she conveniently can;
- h) When a conflict of interest exists, it shall be declared by the member(s) with a conflict upon opening of discussion of matter by the GTC. Any member of the GTC who has a conflict of interest on a matter is required to fill out the necessary Conflict of Interest Form that will be attached to the minutes for the meeting and shall be deemed absent for the purpose of constituting a quorum, voting or for any other purpose for that particular matter only;
- i) No member may abstain from voting on any matter unless a conflict of interest is declared.
- j) The GTC vote upon any resolution or motion may be by a voice vote, unless the Chairman or any member requests that a show of hands or a roll call vote be taken;
- k) Upon every GTC roll call vote the TPO staff representative shall call the roll, tabulate the votes, and announce the results;
- l) The minutes of prior GTC meetings shall be approved by a majority of the members present and upon approval shall become the official minutes;
- m) Unless a reading of the minutes of a GTC meeting is requested by a majority of the GTC members present, the minutes shall not be read for approval provided the TPO staff delivers a copy thereof to each GTC member at least two (2) full working days prior to the meeting;
- n) Each person, other than TPO staff members, who addresses the GTC shall give the following information for the minutes;
 - (1) Name;
 - (2) address;
 - (3) representing;
 - (4) whether or not he or she is being compensated by the person or persons for whom he or she speaks; and
 - (5) whether he or she or any member of his or her immediate family has a personal financial interest in the pending matter, other than that set forth in (4) above;
- o) Unless further time is granted by the GTC Chairman, each person shall limit his or her address to five (5) minutes; and

- p) All remarks shall be addressed to the GTC as a body and not to any member thereof. No person, other than GTC members, and the persons having the floor, shall be permitted to enter into any discussion, either directly or through a member, without permission of the Chairman. No question shall be asked a GTC member except through the Chairman.

GTC Subcommittees

1. GTC Subcommittee may be designated by the GTC as necessary to investigate and report on specific subject areas of interest to the GTC.

GTC Correspondence and Positions of Committee Members

1. TPO stationary, BOCC stationary or stationary which resembles the official TPO or BOCC stationary, is only to be used in correspondence by the TPO and BOCC Chairperson, his or her designee, and the TPO staff. Any and all correspondence on TPO or BOCC stationary shall represent the TPO's and BOCC's policy or position. TPO stationary, BOCC stationary or any stationary resembling TPO or BOCC stationary shall never be used to present any position that contradicts the official policy or position of the TPO or BOCC.
2. Any correspondence conducted by individual GTC members concerning TPO or BOCC matters shall be represented as individual comments and opinions. Only when a position has been adopted by the GTC as a whole shall be represented as being the opinion of the GTC.
3. The GTC is an advisory committee to the TPO and BOCC and serves at the pleasure of the TPO and BOCC. Unless otherwise authorized by the TPO and BOCC, all actions of the GTC shall be recommendations to the TPO and BOCC.
4. GTC members may discuss issues with TPO and BOCC members and the organizations which they represent to affect and effect the transportation policy decision-making process.
5. Notwithstanding the provisions of this rule, any member of the GTC has the inalienable right under the First Amendment to the United States Constitution to make public his or her opinion on any matter related to TPO or BOCC actions and policies, whether negative or positive.

GTC Administration

1. The Emerald Coast Regional Planning Council (ECRC) staff shall serve as the meeting staff of the GTC.
2. The ECRC staff is responsible for producing all notices and agendas for GTC meetings and recording the minutes of all meetings.
3. The ECRC staff shall furnish a recording secretary for all GTC meetings.

4. The ECRC staff shall prepare, duplicate, and distribute all materials necessary for GTC meetings.
5. All official actions of the GTC are to be recorded and kept in permanent minute files by the ECRC. These files shall be open to public inspection during regular office hours at the ECRC/TPO office.