

**TUESDAY, MARCH 28<sup>TH</sup>, 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 5:31 P.M.

**Item # 2. Invocation and the Pledge of Allegiance.**

Invocation was given by local pastor.

**Item # 3. Public Commentary.**

Jody Moore – Amhurst Street – said she wanted to speak about process. She disagreed about being told at the last meeting that she was not allowed to speak, and she feels she lost her first amendment right.

Cindy Burke – Said she is new to Lynn Haven in the Village of Mill Bayou – She does not understand the process for the reclaimed water, and she would like to know what they would be doing about it?

Mr. Mike – said he lives here – Said he visited the vet center in March trying to get services and the vet services staff stole his prosthetic devices. The LHPD retrieved his equipment and then conspired with the vet services staff to trespass him. He has tried to get the video footage of the incident, but they are trying to make a profit off of his request and charge him \$30 for it. He quoted the sunshine law.

Christy McElroy – Port St Joe – said she pulled together a printout for board meeting processes as she has served on a number of boards. She feels the audience has a right to call a point of order when the chair is out of order. She spoke about her history with attending these meetings and about a document she has sent to the state attorney's office and sheriff's office, so they understand why she started coming here.

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

Mayor Nelson presented the American Red Cross Month Proclamation.

The Mayor asked Mr. McArdle to come in and speak about the reuse water. Mr. McArdle explained the short-term remedy they are putting in place on Thursday regarding the valves they are putting in to prevent the stormwater running out into the bay and rather being used for reclaimed water. As soon as the storage tanks are filled the schedule will be able to increase to 7 days a week. Commissioner Aldridge said he had received two calls over the past two weeks about the reuse water, so it is obviously a source of concern for the residents. Commissioner Warrick confirmed if we approved a new tank. Mr. McArdle advised yes, and they are working on the engineering on that and want to ensure it is absolutely correct before putting out to bid.

Mayor said he had attended a number of events in the community, including Govern DeSantis' discussion at Gulf Coast College about digital currency. Thanked Publix for their community engagement with more than \$200k being pledged to the community through the United Way of Northwest Florida.

Attended the re-grand opening of New Bayou Real Estate office. Attended a retirement ceremony for an air force member who served for more than 40 years.

Thanked the auditors for their report and happy they were able to confirm our finances and procedures are impeccable. Thanks to City Manager and the Finance Staff for their hard work.

Attended some ball games at Cain-Griffin sports complex, where it is still difficult to get parking as it is so popular.

The Mayor thanked Mr. McArdle for addressing the citizens reuse water concerns.

Rails to Trails is scheduled to be up and going by August. No golf carts, motorized vehicles or ATVs will be used on it. The crossing at 389 will have a pedestrian crossing. The 77 crossing will be at the Mowat crossing outside Winn Dixie with a pedestrian crossing on 389 up from Bay Haven Charter Academy.

Legislations session is in, and the commission had previously asked them to vote no to HB401 – unreasonably high sovereignty limits, and so the appropriations committee has since postponed reviewing this bill.

**Item # 5. Commissioners' Reports.**

Commissioner Aldridge – nothing else to report.

Commissioner Perno – Thanked everyone for being here and city staff and first responders.

Commissioner Warrick – was out with Mr. Scray when they encountered a fire. They contacted LHPD dispatcher, and they dealt with it well. He went to the spring concert, and it was a great time and was quite packed. Looking forward to the next one. Subdivision Andrews place – two drains – water bypasses the drain – they have finally come by and fixed it.

Commissioner Vandergrift – went to the ball game but there was no parking. She also went to the concert in the park which was a great family activity and looks forward to the remaining concerts.

**Item # 6. City Manager's Report.**

A. Warrant list update – There were no questions.

City Manager said we have a great line up of entertainers for our spring concerts. April 1<sup>st</sup> is the annual Easter egg hunt at 8.30 with the hunt beginning at 10am sharp, with a rain date for Sunday. On 390 by the recreation drive is the new Lynn Haven Sports Center sign, so at night you can't miss it. Pickle Ball courts likely to be ready by April 10<sup>th</sup>. Remember we have really great basketball courts at the sports complex. She addressed Commissioner Vandergrift regarding the traffic on 17<sup>th</sup> Street saying it is pretty bad out there and the city staff are always asking parents to be caution. Our public works has put out a flashing beacon light at the crossing over there.

Mayor advised that Brian Bullock is putting out a challenge for Commissioner Warrick to meet him on the pickle ball court. Commissioner Warrick said the challenge is accepted.

**Item # 7. City Attorney's Report.**

Nothing to report.

Mayor asked the attorney to address the public commentary regarding charges for public records. Attorney confirmed cities are allowed to charge for clerical work. Regarding body cam footage it is not as easy to just record and hand over, it needs to be reviewed and redacted for privacy reasons. Mayor advised that he had recently asked for copies of body cam footage, and it had taken about 45 minutes to prepare it before he was able to look at it.

**CONSENT AGENDA**

**Item # 8. Minutes dd 03/14/23 - Regular meeting minutes.**

**Item # 9. Residential Incentive Program Application - 804 West 15th Street.**

**Item # 10. Residential Incentive Program Application - 904 Louisiana Avenue.**

**Item # 11. Residential Incentive Program Application - 905 Arkansas Avenue.**

**Item # 12. Approval to temporarily close Highway 77 for the annual 2023 Fourth of July Parade between the hours of 7am and 12 pm.**

**Item # 13. Approval to allow city staff to be off on July 5, 2023 with all city offices closed.**

Motion by Commissioner Aldridge: to approve the consent agenda.

Second to the Motion Commissioner Perno

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

**OLD BUSINESS**

**Item # 14. Final Reading of Ordinance 1148 Small Scale Future Land Use Map Amendment; City of Lynn Haven - Parcel # 11530-030-000; 17th Street - Low Density Residential to Public/Institutional.**

City Manager read the Ordinance by Title only.

Planning & Development Director explained item.

Mayor opened the floor for comments.

Mr. Mike asked if there was a map. Mayor advised yes.

Motion by Commissioner Warrick: to approve Ordinance 1148 Small Scale Future Land Use Map Amendment; City of Lynn Haven - Parcel # 11530-030-000; 17th Street - Low Density Residential to Public/Institutional.

Second to the Motion Commissioner Vandergrift

On Vote:

Warrick	aye
Vandergrift	aye
Perno	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0

**Item # 15. Final Reading of Ordinance 1149 Small Scale Future Land Use Map Amendment; Arc of The Bay-Parcel# 11518-015-000; Willow Hill Rd-Bay County Residential to City of Lynn Haven Low Density Residential.**

City Manager read the Ordinance by Title only.

Planning & Development Director explained item.

Mayor opened the floor for comments.

Mr. Mike asked if there was a map. Mayor advised yes.

Motion by Commissioner Warrick: to approve Ordinance 1149 Small Scale Future Land Use Map Amendment; Arc of The Bay-Parcel# 11518-015-000; Willow Hill Rd-Bay County Residential to City of Lynn Haven Low Density Residential.

Second to the Motion Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Aldridge	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

**Item # 16. Final Reading of Ordinance 1150 Small Scale Future Land Use Map Amendment; Parsons -Parcel 09167-000-000; 404 Florida Ave -Low Density Residential to Mixed Use.**

City Manager read the Ordinance by Title only.

Planning & Development Director explained item.

Mayor opened the floor for comments.

Commissioner Vandergrift asked if there is a residence across the street. Director said yes.

Mr. Walker – Michigan Avenue – there was a previous request like this in this area and the commissioner declined it. Has this been before the Planning Commission? Mayor said yes and they said no. Spoke about the Florida Avenue Grant and that the residents didn't know about the meeting. Be careful about who is buying this property and what they want to do with it. It is his opinion that it's going to go mixed use and then commercial.

Mr. Hodges – said he lives down the street from the parcel and is opposed to the land use change.

Steve Kirkland – 312 Florida Ave – please vote no on this rezoning request. Cannot open the link to the notes of that meeting. The Mayor and City Manager said if Mr. Kirkland stop by the office, they will be given the minutes. The City Manager reiterated that there will be more workshops on the Florida Revitalization. Mr. Kirkland said he would like to see updates about the project in the monthly newsletter to citizens. City Manager said she would make sure we do.

Eric Hubbard – 410 Florida Ave – just south of the parcel. Explained there is an issue with water run-off and overflow and how it impacts his property.

Bill McGee – Florida Ave – to the North of the parcel. Respectfully requests that it remain residential.

Tim Castell – Owner of the parcel on Florida Ave – planning on developing the parcel. Planning on putting a residential home on there with an office upstairs. Will be glad to answer any questions. He believes he simply has to prove that it is allowable according to the Comprehensive Plan and the Land Use Map. Mayor explained that as a commission they can only make their decision based on what all allowable activities are likely to be on that property. Attorney also clarified that current land use does not allow the activity he would like to implement.

Motion by Commissioner Warrick: to deny Ordinance 1150 Small Scale Future Land Use Map Amendment; Parsons -Parcel 09167-000-000; 404 Florida Ave -Low Density Residential to Mixed Use.

Second to the Motion

Commissioner Aldridge

On Vote:

Warrick	aye
Aldridge	aye
Vandergrift	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

**Item # 17. Final Reading of Ordinance 1151 Amending Section 6.05.09 Unified Land Development Code; Layout of Transportation Facilities (C) (2) Parking Surface.**

City Manager read the Ordinance by Title only.

Planning & Development Director explained item.

Mayor opened the floor for comments. Commissioner Warrick said he is glad we are doing this.

Motion by Commissioner Warrick: to approve Ordinance 1151 Amending Section 6.05.09 Unified Land Development Code; Layout of Transportation Facilities (C) (2) Parking Surface.

Second to the Motion Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Aldridge	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

**Item # 18. Final Reading of Ordinance 1152 Adopting an Interlocal Service Boundary Agreement with Bay County, Florida that establishes a Municipal Service Area and Governs Annexations, Road Ownership, and the Provision of Utilities and Public Safety Services.**

City Manager read the Ordinance by title only.

City Attorney explained the item.

Mayor opened the floor for comments.

Commissioner Warrick would like the opinion of the Planning department.

Planning Director – thinks it is a brilliant idea. We are not the only city with this issue. Anything we can do to clean up this map is a really good idea. There are many people wanting to annex in and are unable to because they may form an enclave. So, this will help. Commissioner Warrick said he is confused because people are always complaining about how expensive it is to develop in Lynn Haven. So, developers want to develop in Lynn Haven? Director said yes because people want to buy homes in Lynn Haven.

Motion by Commissioner Warrick: to approve Ordinance 1152 Adopting an Interlocal Service Boundary Agreement with Bay County, Florida that establishes a Municipal Service Area and Governs Annexations, Road Ownership, and the Provision of Utilities and Public Safety Services.

Second to the Motion Commissioner Vandergrift

On Vote:

Warrick	aye
Vandergrift	aye
Perno	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0

**Item # 19. Discussion and approval for the award of RFP No. 22/23-03 for Annual Lawn Care and Chemical Services for the Sports Complex and Cain-Griffin Baseball Fields, and the Highway 77 Medians to Rotolo Consultants, Inc. in the amount of \$108,558.83 as the base bid, with Additive Alternate No. 1 at \$45,333.22 - for a total contract price of \$153,893.06.**

Parks & Grounds Director explained item.

Mayor opened the floor for comments.

Kimberly Powell – owner of Legendary Lawn – thanked the commission for tabling the item to do proper research.

Motion by Commissioner Aldridge: to approve the award of RFP No. 22/23-03 for Annual Lawn Care and Chemical Services for the Sports Complex and Cain-Griffin Baseball Fields, and the Highway 77 Medians to Rotolo Consultants, Inc. in the amount of \$108,558.83 as the base bid, with Additive Alternate No. 1 at \$45,333.22 - for a total contract price of \$153,893.06.

Second to the Motion

Commissioner Warrick

On Vote:

Aldridge	aye
Warrick	aye
Vandergrift	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

**Item # 20. Discussion only of Chapter Three of the International Property Maintenance Code.**

Mayor Nelson explained the recommended updates. Did not get through all of chapter 3 so they could discuss things in greater detail.

Mayor opened the floor for comments.


Mayor said at the next pre-commission meeting is on Good Friday so we may have pre-commission meeting on the Thursday before to finish chapter 3.

Mayor encouraged Commissioners to continue to contact the residents regarding this code.

**Item # 21. Adjourn.**

There being no further business the meeting adjourned at 6:42 P.M.

APPROVED THIS 11th DAY OF APRIL 2023.

  
\_\_\_\_\_  
Jesse Nelson, Mayor

ATTEST:  
  
\_\_\_\_\_  
Vickie Gainer, City Manager

prepared by  
Cicelia Rushing