

**TUESDAY, APRIL 11<sup>TH</sup>, 2023  
CITY COMMISSION MEETING –9:00 A.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 9:00 A.M.

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

Invocation was given by Pastor John Ramsey of Harvest Worship Center.

**Item # 3. Public Commentary.**

Mr. Torres – Alabama Avenue – spoke about short term rentals and Air B&Bs in the neighborhood. He feels that the Commission and the city works for the residents and their main purpose is to ensure the safety of the residents. The past year has not felt safe in Alabama Avenue due to the Air B&Bs and short-term rentals. He understands the state has tied their hands but would like the commission to leverage tools now. He said if they need citizens involvement in this to please let him know.

Bruce Johnson – Alabama Ave – reiterated what Mr. Torres had just said. He said he is happy for property owners make money from their properties but would like them to manage the process better to keep the community safe. He would like the city of organize with the state on recent legislation and better manage these issues. He said he too is happy to help if needed.

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

Mayor said he has spoken to the City Manager who has followed up with the City Attorney regarding short term rentals and Air B&Bs, and it appears the city is doing all it can to manage the issue. They are also checking with other municipalities to determine if there is anything else we can be doing. If the legislation passes, we will have more control over the issue. The Mayor asked the residents to please contact their state representatives to ask them to pass the legislation. Mayor said he had attended a few things over the past couple of weeks. He had met Frank Brown's grandson who gave a speech on the upcoming re-dedication of the park. He also attended the Leon Miller Navigation Center grand opening. He went to the concert in the park, which was great, with great food trucks, then joined in the Easter egg hunt the next day. Thanked the City Manager and staff for organizing it.

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

Commissioner Aldridge – Said this is possibly his last meeting on the Commission. It's been a hard four-year journey, especially going through Hurricane Michael and then Covid. Thanked the citizens who voted for him 4 years ago. It has been rewarding, and he does care. He said he is going to miss the City Staff very much and they are an awesome team. He appreciates each and every one of the staff and he is here if they need anything.

Commissioner Perno – Thanked Commissioner Aldridge for his service. Met with one of the citizens yesterday and spoke about a stop sign that people rolled through. He spoke to the Police Chief about it and determined that the presence of the stop sign controls that intersection anyway. He will also speak with stormwater about another issue the resident has. He researched about the

Air B&Bs and knows that Air B&B have been lobbying in Tallahassee. He reiterated that the international property code they are currently working on will help with these very issues. Thanked everyone for being here and city staff and first responders. He said he will miss Mr. Kidwell upon his retirement and thanked him personally for his 27 years' service.

Commissioner Warrick – Wished Commissioner Aldridge well and thanked him for his service. Thanked Mr. Kidwell for his service. Attended his first easter egg hunt in LH and it was a great event. He has ordered and received some pickle ball paddles. April is pickleball month and it would be good if the courts open in April. He thanked the residents for reaching out to them with their various concerns about short term rentals. He reminded all about how he is advocating for more home rule. Commissioner Warrick asked permission to finish his report after Commissioner Vandergrift has done her report.

Commissioner Vandergrift – attended the various city events and thanked the staff who work very hard to provide opportunities to the community. She sat with Commissioner Warrick, but they did not speak once about city business. Congratulations to Mr. Greg and hopes he does a better job at retirement than she has. Thanked Ms. Kiki for being very patient with her during their meeting about the budget. Thanked Jennifer Hodges for her help with understanding the HR item for today. Regarding the lobbyists Commissioner Perno mentioned, she wonders if people realize how impactful they are. She reiterated that she has never violated the sunshine law ever, and she never will, regardless of what rumors are circulating. In fact, no one on this commission has violated the sunshine law.

Commissioner Warrick spoke about his disappointment with the negativity surrounding the replacement of the welcome signs and described the residential consultation and Commission approval process the city had gone through before approving them. He said at no time when the City Manager first spoke about involving Mosely in October 2020 did anyone express disapproval. The following week Commissioner Tinder then made a motion to approve the plan to involve Mosely and that was seconded by Commissioner Aldridge. During public commentary the only questions that were asked were if we were keeping the logo and if we were changing the structure. They were answered that the logo will not change by the structure will. In 2021 all commissioners voted to approve the replacement of these signs, as well as the winning artist's (Nathaniel Reeves) design. October 2022 after a Florida Architect presentation of the architect designs for bid approval Commissioner Aldridge moved to approve and Commissioner Tinder seconded. Again, there were no comments from the public. All commission voted to approve. February 2023 after discussion of approving the lowest bidder, and all the commission voted to approve. He asked Commissioners Perno and Aldridge if anyone ever contacted them to express disapproval and they said no. He said he contacted former Mayor Pro Tem Russell and he said no one had contacted him to express disapproval. He spoke with former Commissioner Tinder who said, "sure they did but I don't remember it being overwhelming but yes I heard from folks." Back in March 2021 the City put out a post about this and there was nothing but positive comments with 122 likes, 44 hears, and one hug emoji. Then in April 2023 the City made another post about removing the old signs and getting the area ready to build the new ones. There were multiple negative comments on there with 255 likes, 69 hearts, 9 angry faces, 7 wows, 5 sad faces, and 2 laughs. He asked those talking now against it, where were they back then? They had plenty of time then to discuss it. What has changed now? Is it about who is on the commission currently? The reason it is disheartening for him is the impact on the young man who designed this, and those people just rained on his parade. If it wasn't for that he would not have said anything about it. He contacted the parents of the young man and unfortunately, they have seen the comments and it was disheartening to them. Commissioner Warrick asked how they thought the young artist feels about it all. Now when Nathaniel drives past it, he will be upset. Commissioner Warrick went on to say about all those who were negative about Nathaniel, "shame on you". He asked everyone to please attend the ribbon cutting for the entrance signs and make it a HUGE positive event, so that in the future when this young individual drives past he has a more positive memory of it.

**Item # 6. City Manager’s Report.**

A. Warrant list update – There were no questions.

B. Stormwater update provided by Director of Public Works.

Commissioner Perno said he lives near the 10<sup>th</sup> street ditch, and it holds the water really well even through the recent heavy rain.

Commissioner Perno asked will the color green be painted, or will it be green sand? The director said it will be paint.

City Manager asked Mr. Baker to give an update on rails to trails. Mr. Baker said it is going really well and gave a brief update. Commissioner Warrick asked when he predicted completion and Mr. Baker said in June 2023.

City Manager continued with her report. The pickle ball court will be opening up at the end of April. We have reuse water now thanks to the utility department who completed an inhouse upgrade with the installation of some valves and this will hopefully last a long time. There will be a tree give-away on April 15<sup>th</sup>. On April 28<sup>th</sup> is arbor day and to continue to be a tree city we proclaim that and continue to give away and plant trees. We are also finding ways in utilities to save money and do things internally with staff who have great skillsets. Precision Sidewalks will be back in town on April 24<sup>th</sup> cutting through and repairing sidewalks where there are trip hazards. At Cain Griffin park sports complex there are caution signs put out and we ask parents to watch their kids, so they are not put in dangerous situations. As soon as the property on Iowa Ave is prepared there will be more parking available. City Manager said the city will miss Greg Kidwell and the city will do something to celebrate his retirement.

**Item # 7. City Attorney’s Report.**

Reiterated the city is keeping an eye on the short-term rental bill and Air B&B legislation and if it passes, we will be able to do registrations and a list of owners, and the city will be ready if/when it passes with an ordinance in that regard. In the meantime, code enforcement is able to act where required.

Mayor asked wanted to confirm with Statute 509 that we can’t enact any laws that were not already on the books since 2011. Attorney Mr. Obos said correct and the city cannot prohibit them but can increase and improve and enforce our codes around them.

**CONSENT AGENDA**

**Item # 8. Minutes dd 03/28/23 - 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**

**Item # 9. Discussion only and review of Chapter Three of the International Property Maintenance Code.**

Mayor said they had discussed part two of Chapter 3 on Friday morning at the workshop. There were no further comments.

**NEW BUSINESS**

**Item # 10. Discussion and possible approval of Resolution #2023-04-406 for the FY 2022-**

**2023 Midyear Budget Adjustment.**

City Manager read the Resolution by Title only.

Mayor opened the floor for discussion and comment. There were none.

Motion by Commissioner Aldridge: to approve Resolution #2023-04-406 for the FY 2022-2023 Midyear Budget Adjustment.

Second to the Motion Commissioner Perno

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

***QUASI-JUDICIAL PUBLIC HEARING OPENED: (9:48 A.M)***

*The attorney checked for any ex-parte communications, and none had any. Attorney swore in anyone who intended to speak during the hearing.*

**Item # 11. Development Order Application – Parcel # 10101-000-000 - 1302 Florida Ave.**  
Planning & Development Director explained item.

Mayor opened the floor for comments and there were none.

Motion by Commissioner Warrick: to approve Development Order Application – Parcel # 10101-000-000 - 1302 Florida Ave.

Second to the Motion Commissioner Vandergrift

On Vote:

Warrick	aye
Vandergrift	aye
Perno	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0

***QUASI-JUDICIAL PUBLIC HEARING CLOSED: (9:51 A.M)***

***QUASI-JUDICIAL PUBLIC HEARING OPENED: (9:51 A.M)***

*The attorney checked for any ex-parte communications, and none had any. Attorney swore in anyone who intended to speak during the hearing.*

**Item # 12. Development Order Application – Parcel # 11344-000-000 - Mill Bayou Reuse System.**

Planning & Development Director explained item.

Mayor opened the floor for comments.

Commissioner Aldridge asked if that was the road that was the shortcut to the Mill Bayou. Director said no and showed on the map where that was.

Motion by Commissioner Aldridge: to approve Development Order Application – Parcel # 11344-000-000 - Mill Bayou Reuse System.

Second to the Motion Commissioner Warrick

On Vote:

Aldridge	aye
Warrick	aye
Vandergrift	aye

Perno aye  
Nelson aye Motion passed: 5-0

***QUASI-JUDICIAL PUBLIC HEARING CLOSED: (9:56 A.M)***

**Item # 13. Discussion and possible approval to award the construction contract for the Facility Maintenance Building in the amount of \$638,113.00 to ARRIS General Contractors.**

Mayor opened the floor for comments.

Mrs. Walker – 1106 Michigan Ave – did ARRIS come out of Tallahassee? Director answered yes.  
Mrs. Walker asked if they will be accessible to us? Director answered yes - they work in the area.

Motion by Commissioner Warrick: to approve the award of the construction contract for the Facility Maintenance Building in the amount of \$638,113.00 to ARRIS General Contractors.

Second to the Motion Commissioner Aldridge

On Vote:

Warrick aye  
Aldridge aye  
Vandergrift aye  
Perno aye  
Nelson aye Motion passed: 5-0

**Item # 14. Discussion and possible approval to award the Construction and Engineering Services (CEI) for Phase III of the Legislative Paving Program in the amount of \$100,125.00 to Dewberry Engineering.**

Mayor opened the floor for comments. There were none.

Motion by Commissioner Warrick: to approve the award of the Construction and Engineering Services (CEI) for Phase III of the Legislative Paving Program in the amount of \$100,125.00 to Dewberry Engineering.

Second to the Motion Commissioner Perno

On Vote:

Warrick aye  
Perno aye  
Aldridge aye  
Vandergrift aye  
Nelson aye Motion passed: 5-0

**Item # 15. Discussion and possible approval to award the Minnesota Avenue Sidewalk Improvements Engineering and Design services RFQ No. 22/23-08 in the amount not to exceed the CDBG-HRP grant allocation of \$80,000 to Dewberry.**

Mayor opened the floor for comments. There were none.

Motion by Commissioner Vandergrift: to approve the award of the Minnesota Avenue Sidewalk Improvements Engineering and Design services RFQ No. 22/23-08 in the amount not to exceed the CDBG-HRP grant allocation of \$80,000 to Dewberry.

Second to the Motion Commissioner Perno

On Vote:

Vandergrift	aye	
Perno	aye	
Aldridge	aye	
Warrick	aye	
Nelson	aye	Motion passed: 5-0

**Item # 16. Discussion and possible approval to award the Florida and Ohio Avenue Corridor Improvements Engineering and Design services RFQ No. 22/23-09 in the amount not to exceed the CDBG-HRP grant amount of \$75,000 to Florida Architects.**

Mayor opened the floor for comments. There were none.

Motion by Commissioner Perno: to approve the award of the Florida and Ohio Avenue Corridor Improvements Engineering and Design services RFQ No. 22/23-09 in the amount not to exceed the CDBG-HRP grant amount of \$75,000 to Florida Architects.

Second to the Motion Commissioner Aldridge

On Vote:

Perno	aye	
Aldridge	aye	
Warrick	aye	
Vandergrift	aye	
Nelson	aye	Motion passed: 5-0

**Item # 17. Discussion and possible approval to award RFP No. 22/33-10 for Cemetery Lawn Care Services for Mount Hope and Lynn Haven Community Cemeteries to Legendary Lawn Maintenance in the amount of \$52,872.05.**

Mayor opened the floor for comments.

Mr. Walker – 1106 Michigan Ave – New Hope Cemetery – does that include the new and old sections? City Manager answered yes.

Motion by Commissioner Aldridge: to approve the award of RFP No. 22/33-10 for Cemetery Lawn Care Services for Mount Hope and Lynn Haven Community Cemeteries to Legendary Lawn Maintenance in the amount of \$52,872.05.

Second to the Motion Commissioner Perno

On Vote:

Aldridge	aye	
Perno	aye	
Warrick	aye	
Vandergrift	aye	
Nelson	aye	Motion passed: 5-0

**Item # 18. Discussion and possible approval of the revised personnel policies as recommended by the City Manager, minus policy 108 and 114.**

Mayor opened the floor for comments.

Mrs. Walker – 1106 Michigan Ave – is this revised personnel policy manual available to the public? HR Director said the strike through document is part of the packet and available on the website.

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Motion by Commissioner Aldridge: to approve the revised personnel policies 100, 101, 102, 103, 104, 109, 115, 125, 132, 135, 141, 154 as recommended by the City Manager.

Second to the Motion

Commissioner Perno

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

Mayor again thanked Mr. Kidwell for his service and wished him well on his retirement. Mayor reminded everyone about early voting now and election day on April 18<sup>th</sup> next week.

**Item # 19. Adjourn.**

There being no further business the meeting adjourned at 10:03 A.M.

APPROVED THIS 25<sup>th</sup> DAY OF MAY 2023.

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

ATTEST:

  
\_\_\_\_\_  
Vickie Gainer, City Manager

prepared by  
Cicelia Rushing