

**TUESDAY, MAY 23rd, 2023
CITY COMMISSION MEETING – 5:30 P.M.**

Present: Jesse Nelson, Mayor
Brandon Aldridge, Commissioner *[until 5:45pm]*
Sam Peebles, Commissioner *[from 5:45pm]*
Pat Perno, Commissioner
Jamie Warrick, Mayor Pro Tem
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 5:32 P.M.

Item # 2. Invocation and the Pledge of Allegiance.

Invocation was given by Pastor Gant from First Baptist of Lynn Haven.

Item # 3. Announcement regarding the May 16th, 2023, run-off Election results.

City Manager announced the results of the May 16th, 2023, run-off elections.

Item # 4. Motion to accept the May 16th, 2023, run-off election result totals from the Canvassing Board.

Mayor Nelson put the motion before the Commission to accept the May 16th, 2023, election result totals from the Canvassing Board.

Motion by Commissioner Warrick: To accept the May 16th, 2023, election result totals from the Canvassing Board.

Second to the Motion Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Vandergrift	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0

Motion carries.

Item # 5. Administering the Oath of Office to Commissioner-Elect Sam Peebles. Pastor Matt Thompson administered the Oath of office to Commissioner -Elect Sam Peebles.

Comments by incoming Commissioner Sam Peebles. Commissioner Peebles made a few comments, expressing his gratitude for the support he has received and thanking everybody who supported him and those who came out and voted. He thanked God, and his wife Casey and their kids, who sacrificed a lot of time supporting him through the campaign. He recognized how much he owes the City of Lynn Haven and feels it is time to give back.

Item # 6. Recognition to outgoing Commissioners.

The Mayor presented the Key to The City of Lynn Haven to Outgoing Commissioner Brandon Aldridge. Outgoing Commissioner Brandon Aldridge accepted the plaque and said he will miss everyone.

The Mayor presented the Key to the City of Lynn Haven to Former Commissioner Judy Tinder, who was not present to receive it.

Item # 7. Public Commentary.

A member of the public who declined to say their name said Judy Tinder couldn't be here today and gave apologies on her behalf. She said a few words on her behalf and took the plaque that was presented to Outgoing Former Commissioner Judy Tinder.

Ms. Parker – Rett Place – said she believes James Finch had offered to donate \$75k towards the splash pads and that he sent an email to each and every one of them. The Mayor said he had not received such an email. Ms. Parker said she will follow up with Mr. Finch on the matter, and that this will be a donation and not something he wants paid back.

Mrs. Beshearse – Louisiana Avenue – said that they had asked that Ray Wishart be named on the trail head of rails to trails. She thanked City Manager and Commissioners for acting so quickly to approve it. She shared some of the history of her interactions and relationship with the Wishart's.

Mia Keel – Harrier Street – Spoke about her support for keeping the James Finch Splash Pad and that it be restored instead of being turned into a skate park. She proposed reaching out to corporate and business sponsors. She opposed imposing an ad valorem tax to do the repairs. She also does not feel that charging an entrance fee should be out of the question.

Mrs. Wishart spoke about how her husband used to cycle through Lynn Haven, and she appreciates the honor of naming the trail head of Rails to Trails after him.

Mr. Dax Williams – Panama City – spoke about the upcoming bid for the biosolids and asked that the commissioners reevaluate the bid process for this particular bid.

Ms. Warren – Special Olympics Bay County – would like to support the vote for naming part of the Rails to Trails after Mr. Ray Wishart. She continued to speak about his legacy and his love of people.

Ms. Russell – 720 W 8th Street – the atmosphere of the meetings have changed over the years with varying opinions that differ. Her biggest concern is some of the interactions during public forum. She was told by someone that Mayor Nelson was giving them the courtesy of public commentary. But she thinks it is what they need.

Mr. Scray – Missouri Ave – said he did a lot of research on the splash pads and found strange things regarding the way it was established. However, it is already here, and he feels the city should continue to maintain it. While the city holds a lot of debt it needs to be very responsible with the funds. He does not think it fiscally responsible to spend any funds on luxury items. He would like to see it put on a referendum ballot for a non-ad valorem tax for parks.

Item # 8. Mayor's Report.

Mayor congratulated and welcomed the new Commissioner Sam Peebles.

Regarding the splashpads we will be having more detailed discussion regarding it at the impending strategy session with the City staff in June, after which they will hear further from the commission. He asked that in the meantime, to please continue with their feedback.

Item # 9. Commissioners' Reports.

Commissioner Peebles – Formally thank Brandon Aldridge for the past four years. Wanted to emphasize how important the CRA Board is. Looks forward to serving the citizens.

Commissioner Perno – Thanked Commissioner Aldridge and wished him well. Welcomed Commissioner Peebles. Also thanked Ms. Judy for her service. Next week he is having an operation to replace an aortic valve.

Commissioner Warrick – spoke briefly regarding Ray Wishart and his legacy and naming and

dedicating the trail head of Rails to Trails after him. He invited the family to come forward for a photo with the Commission. He thanked the outgoing Commissioners Aldridge and Tinder for their service, and welcomed Commissioner Peebles to the Commission. He said the Commission has not decided what to do with the splashpad yet, but they will be discussing the different options and are open minded. Florida League of Cities spoke about some of the bills recently placed before the legislative session and he shared specifically a few that had failed saying that the next session starts in January next year. Next, he spoke about some accusations about the commissioners breaking the sunshine law and apparently holding secret meetings that are pre coordinated. This is absolutely false. He would like it to be investigated because this is his name they are talking about. So, he called the Attorney General's office and asked them to investigate him for this apparent crime. They referred him to the State Attorney's office, and they referred him to the local PD, who referred him back to the Attorney General. So, this type of accusation has to go through the LHPD who will begin the process. He encouraged the public to go ahead and file a complaint if they feel the commission has broken the sunshine law.

Commissioner Vandergrift – Thanked Commissioner Aldridge for his service and welcomed Commissioner Peebles. It was great to see the Wishart's speak. She went on to say she has received many calls and emails about the splashpads and hopes she has got back to everyone. Nothing has been decided yet and it is still open for discussion. She visited the offices last week of the LH Police Department, LH Fire Department, and Public Utilities department.

Mayor said Commissioner Warrick is correct about the legislation that was recently heard at the legislative sessions. It came up last year and the year before that and he anticipates it will keep coming up at the legislative sessions, so we need to continue to advocate against it each time.

Item # 10. City Manager's Report.

A. Good Samaritan Award – presented to Tina Bouchard by the City Manager for risking her life to save a 2-year old who was drifting out into the bay. She lost her hearing aid in the process of saving this child. Ms. Bouchard thanked the City of Lynn Haven and spoke about how she had helped the city after Hurricane Michael working through FEMA. She asked for help to get new hearing aids to replace the one she lost.

B. Warrant list update – There were no questions.

City Manager said the pickleball court is still not open.

Strategy session on June 8th.

Still taking applications for July Fourth parade.

Shout out to Justin Ward for building our All-Star teams that are going to the world series on June 27th at Snowden Grove Park in Southhaven, Mississippi.

Adult kickball series has begun.

Please remember to download the city app called My Lynn Haven so you can get all your info as you need it.

Thanked Mr. and Mrs. Walker for putting on the annual memorial day ceremony on May 30th at 10am sponsored by the Lynn Haven Heritage Society.

Reminds residents we are going to be placing Hometown Hero banners throughout the city and there are 83 spots, and it costs \$85 to have your loved one's placed on one of these or if you want to sponsor someone you will have to have their photo. You have to use PayPal to make payment. This will go live on Monday on our Facebook page and website.

Mayor thanked the City Manager and staff for their service.

Item # 11. City Attorney’s Report.

City Attorney Kevin Obos thanked Commissioner Warrick for speaking about the bills that came before the legislative session. There are a few that passed that the city is going to have to action with ordinances, like the golf cart age.

CONSENT AGENDA

Item # 12. Approval of Minutes dd 05/09/23 - Regular meeting minutes.

Item # 13. Approval to award RFQ 22/23-11 Health, Dental, Vision, Brokerage Services to Abentras as the selected Insurance Broker for the City’s Group Health, FSA, Dental, Vision, Life and Disability Insurance

Item # 14. Approval that Lynn Haven Police Department former Chiefs, David Messer and Matt Riemer, be our Grand Marshal “Duo” for the Fourth of July Parade.

Item # 15. Approval to name the Rails to Trails trail head (South end) to “Ray Wishart Trail Head”.

Motion by Commissioner Warrick: to approve the consent agenda.

Second to the Motion Commissioner Vandergrift

On Vote:

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

Mayor congratulated the Wishart family and thanked them.

OLD BUSINESS

PUBLIC HEARING OPENED: (6.35pm)

Item # 16. Final Reading of Ordinance 1153 - Annexation of Parcel # 11573-000-000; 2604 Hwy 390 E.

The City Manager read the Ordinance by title only.

The Director of Planning & Development explained item.

Mayor opened to the floor for comment. There were none.

Motion by Commissioner Perno: to approve Ordinance 1153 - Annexation of Parcel # 11573-000-000; 2604 Hwy 390 E.

Second to the Motion Commissioner Vandergrift

On Vote:

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

PUBLIC HEARING CLOSED (6.38 PM).

PUBLIC HEARING OPENED: (6.38 PM)

Item # 17. Final Reading of Ordinance 1154 - Large Scale Future Land Use Map Amendment – Parcel # 11573-000-000; 2604 Hwy 390 E; from Bay County Residential to City of Lynn Haven Commercial.

The City Manager read the Ordinance by title only.

The Director of Planning & Development explained item.

Mayor opened to the floor for comment. There were none.

Motion by Commissioner Warrick: to approve Ordinance 1154 - Large Scale Future Land Use Map Amendment – Parcel # 11573-000-000; 2604 Hwy 390 E; from Bay County Residential to City of Lynn Haven Commercial.

Second to the Motion

Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Peebles	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (6.42 PM).

Item # 18. Discussion only and review of Chapter Six of the International Property Maintenance Code.

Mayor asked if there was any additional input.

Commissioner Peebles encouraged the public to listen into the pre-commission meetings and explained how much information and discussion occurs, and the current commission does an excellent job.

NEW BUSINESS

Item # 19. Discussion and approval to award RFP 22/23-05 Liquid Sludge Hauling & Disposal Services to Greensouth Solutions, LLC in the amount of \$105 per 1000 gallons of liquid sludge and \$410 per dry ton of dewatered sludge.

Director of Public Utilities explained item.

Commissioner Vandergrift asked if this is the item that Mr. Dax Williams had spoken about. Director said yes and explained the process of selection.

Mayor asked if he had expressed specific concerns that he had about the bidding process. Director explained the issues the city had regarding the initial bid and receiving incomplete bid packages from both bidders which is why the city rebid. City Manager explained that both bids had been non-responsive so the city was obligated to put it out to bid again. Director explained that Bay Environmental doesn't have the equipment or personnel to keep up with the capacity required by the city.

Commissioner Warrick asked if the pricing was the same for both. Director explained not and said what the prices were. Also, he explained the RFQ is performance based so not entirely dependent on the lowest bid.

Mayor opened the floor for comments and there were none.

Motion by Commissioner Warrick: to award RFP 22/23-05 Liquid Sludge Hauling & Disposal Services to Greensouth Solutions, LLC in the amount of \$105 per 1000 gallons of liquid sludge and \$410 per dry ton of dewatered sludge.

Second to the Motion

Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Peebles	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

Item # 20. Discussion and approval to award Bid No. PE File #150029 for Legislative Stormwater Phase 1 Project No. 22012 to Gulf Coast Utility Contractors (GCUC) in the amount of \$620,750.00 for prioritized outfalls all of which GCUC were the lowest bidder.

The Director of Public Works explained the item.

Mayor opened the floor for comments and questions.

Commissioner Perno clarified if this is only for 3 outfalls. Director said yes. Commissioner Perno asked if there were 12 outfalls in total. Director said that the city has around 53 outfalls and this project covers 30 of them and 3 in total from this first phase is prioritized in this list. Commissioner Perno asked if there will be a bid process for the next and the Director confirmed yes.

Mayor asked the Director to explain the outfalls in his next stormwater presentation.

Commissioner Perno asked if these outfalls are in worse shape than others. Director said yes.

Commissioner Perno asked if the stormwater runs through the outfalls. Director said yes and there is more flooding as a result of the condition of all of these outfalls.

Motion by Commissioner Perno: to award Bid No. PE File #150029 for Legislative Stormwater Phase 1 Project No. 22012 to Gulf Coast Utility Contractors (GCUC) in the amount of \$620,750.00 for prioritized outfalls all of which GCUC were the lowest bidder.

Second to the Motion Commissioner Vandergrift

On Vote:

Perno	aye
Vandergrift	aye
Peebles	aye
Warrick	aye
Nelson	aye

Motion passed: 5-0

Item #21. Discussion and approval to grant the proposed Task Order to Panhandle Engineering in the amount of \$101,950.00 for the engineering and design of James Rogers Park, a project #92560 under continuing services agreement.

The Chief Infrastructure Director explained the item.

Mayor opened the floor for comments.

Commissioner Vandergrift asked if the cost of repairs had been discussed previous to her and where that money was coming from. City Manager said yes it has been discussed a few times in Commission meetings over the past few years. It is one of the last parks to get fixed and all of the parks are under one big umbrella and one of the things that have to happen is that it goes through the FEMA process, and it will be paid for eventually with FEMA money.

Commissioner Perno – is there a pond there now. Chief Infrastructure Director said there is currently just a small ditch at the moment. Commissioner Perno asked if this will help with stormwater issues? Chief Infrastructure Director answered yes.

Commissioner Peebles wanted to reiterate this is not a brand new park but rather FEMA money coming in to fund the repair of the existing park.

Mayor said that after feedback from the community the Commission is rebuilding based on the demographics and the wishes of the community.

Motion by Commissioner Perno: to grant the proposed Task Order to Panhandle

Engineering in the amount of \$101,950.00 for the engineering and design of James Rogers Park, a project under continuing services agreement.

Second to the Motion

Commissioner Vandergrift

On Vote:


Perno	aye
Vandergrift	aye
Peebles	aye
Warrick	aye
Nelson	aye

Motion passed: 5-0

Item # 22. Adjourn.

There being no further business the meeting adjourned at 6:59 P.M.

APPROVED THIS 13 DAY OF June 2023.



 Jesse Nelson, Mayor

ATTEST:



 Vickie Gainer, City Manager

prepared by
Cicelia Rushing

RUN DATE:05/19/23 09:08 AM

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0002 Lynn Haven

	TOTAL VOTES	%	EV-	VBM-	ED-
REGISTERED VOTERS - TOTAL	14,644				
BALLOTS CAST - TOTAL	1,447		650	291	506
BALLOTS CAST - BLANK	4	.28	0	2	2
VOTER TURNOUT - TOTAL		9.88			
VOTER TURNOUT - BLANK03			

Lynn Haven Commissioner Seat 1
(VOTE FOR) 1

Brian Lee Gray	460	31.88	195	110	155
Sam Peebles	983	68.12	455	179	349
Over Votes	0		0	0	0
Under Votes	4		0	2	2



STATE OF FLORIDA

COUNTY OF BAY

I, Sam Peebles, do solemnly swear that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida against its enemies, domestic or foreign, and that I will bear faith, loyalty, and allegiance under the same; that I am entitled to hold office under the Constitution, and that I will faithfully perform all duties of the office of Commissioner, Seat 1, of the City of Lynn Haven, Florida upon which I am about to enter. So help me God.

COMMISSIONER, Sam Peebles

Sworn to and subscribed
Before me this 23rd Day of
May 2023

PASTOR, Matt Thompson

CITY MANAGER, Vickie Gainer

Acknowledged before me this
23rd Day of May 2023,
by Cicelia J Holliday who is
personally
known to me.

NOTARY, Cicelia J Holliday
My Commission Expires

