

**TUESDAY, AUGUST 8TH, 2023  
CITY COMMISSION MEETING – 9:00 A.M.**

**Present:** Jesse Nelson, Mayor  
Sam Peebles, Commissioner  
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 9:00 A.M.

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

Invocation was given by Pastor Grigsby of Living Waters Ministry of Lynn Haven followed by the Pledge of Allegiance.

**Item # 3. Public Commentary.**

Hassie – Whites Wrecker Services – spoke about being contacted by city offices to submit a bid. She said she was contacted by Margaret the week before asking them if they wanted to extend the contract by another year. On the day of the bid opening, she was told that this contract would be on a rotation basis. If she had known that she would not have included her big wreckers and special equipment, because none of the other companies have it. They have had a contract for four years. She said that Mike Garrett from Garrett's Towing had told her as she exited the building that he was the reason the contract had been placed on a rotation basis. She spoke about it being unfair because they have everything, and the other companies do not. She said that if the city does go ahead with the rotation basis, "you're gonna have a major problem because when you have issues when you need us, we're gonna get to you when we get to you".

Johnny Walker 1503 Dunnett Court – question about vegetation growing on 389 sidewalk and Mowat highland all the way to 231 – who is in charge of it because it is overgrown. City Manager said it is the county and she will give them a call.

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

The Mayor read and presented the Proclamation for National Disability Independence Day.

The Mayor said they went to Tyndall for the landing of the first F35's and see the colonel flying them. Tyndall is the base of the future in the USA. There will be numerous ceremonies happening in the near future that will include more people.

Working on finalizing the date for the next Mayor's Town hall meeting for this month, so look out on his Facebook page and the city's website.

Also starting to work on the next Mayor's Youth Council and have the applications out at the high schools. If a student lives in LH but attends school elsewhere – this will be looked into as well.

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

Commissioner Peebles – had our stormwater workshops Monday last and recommend going back and listening to those recordings. Had a few calls this past week about things that are not necessarily on the agenda that he was able to assist with. Encourages residents to continue reaching out.

Commissioner Perno – workshops Monday before last are going to be pivotal for the voting coming up for potential increases in sewer rates and non-ad valorem assessment – but there were only 5 people who attended the workshops. Appreciates all those that do attend these meetings. TPO meeting last week they said they were going to prioritize widening road 389 from Baldwin Road North to just North of 390. Commissioner Perno asked if Commissioner Vandergrift is now on the TPO email list. She confirmed yes.

Commissioner Warrick – 19 August at Taco Way 7.30pm for any residents who want to meet with him. He has been reviewing the comprehensive plan and asks residents to start reviewing it too and provide him with feedback. Providing feedback on the date they are scheduled to vote on it is too late. It is on the website and fb page and if you don't know how to get to it get hold of him. Thank for the staff and emergency staff.

Commissioner Vandergrift – had the opportunity to learn from the workshops we have had. We only had 5 citizens there which is disappointing because they too could have learned a lot. Attended the TPO and we have two votes on that committee and we make sure the interests of LH is heard at that meeting. Very important committee for road construction and improvement.

The Mayor mentioned that he had the opportunity to watch the Ash kickers which was great, and one of the players said adult kickball is more intense than t-ball.

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

**A.** Warrant list.

**B.** Stormwater Update was presented by the Director of Public Works/Utilities. Director of Public Works/Utilities also provided information again about the City Tyler 311 App available on Apple and Android stores. If the resident selects the “Report an Issue” they will be able to report issues around the city, even anonymously. This will automatically generate a work order for our relevant department in Munis. Any queries about the app you can email [clightfoot@cityofflynnhaven.com](mailto:clightfoot@cityofflynnhaven.com).

- City Manager said one on the things you can do with the app is take a photo on your phone and load it directly onto the issue you are reporting.

Mayor asked when the HMGP projects is anticipated to be started. Mr. Lightfoot said hoping to get the designs completed by October and submitted to the DEO and FDEM. As soon as they approve it, it will come back before commission for approval in the budget, hopefully before midyear. City Manager reminded all that with the HMGP grants there are two agencies funding them (75% on one and 25% on the other), which is a 100% grant that requires us to do paperwork for approval from both agencies before it goes out to bid and then construction.

Commissioner Vandergrift asked when someone submits a complaint what kind of response do they get back? Mr. Lightfoot said they get an auto generated response with a number and once we have put it in the queue, they will receive a notification/alert.

Commissioner Warrick said he had emailed the City Manager about something like this the other day. Is it just on the app or is it also on the website? Just on the app.

Commissioner Warrick asked about the concrete canvas and if there is a way to prioritize areas for it. Mr. Lightfoot said that internally for the CRA ones they are focusing on the big artery ditches that normally require constant mowing and clearing.

Commissioner Peebles asked if it is possible to set up a notification where it is added to the calendar? Mr. Lightfoot said it is automatically added to the calendar on the website although there is no notification.

Commissioner Perno – the new cement stuff, do you still have to go through and clean them out now and again? Mr. Lightfoot said yes, except this time it is just the vacuum truck and no mowing etc. Also, what are you wanting to do with the additional assessment water? Mr. Lightfoot said there is not a high enough fund source to fund the major projects. Commissioner clarified so none of the non-ad valorem money gets used to fund 25% of a grant or anything. Director answered no.

City Manager said they will do another big push to get residents to download the app.

City Manager said – August 15th we open up our gymnasium. Our staff already have schedules set up for after that. Shout out to parks and grounds who have already put in the automatic gate they put in at the preserve to keep away potential dangers. Music by the bay is Aug 11<sup>th</sup> – Will Thompson band at Porter Park. Also are in basketball registration so please contact our department. Flag football and baseball/softball is happening right now. Encourages all to be part of all these events. City hall open Oct 10<sup>th</sup> at 10am – 5-year anniversary of Hurricane Michael. Aug 18<sup>th</sup> is ribbon cutting for welcome signs. Rails to Trails is tentatively for September 8th. Brick paver program – is going to be put out on the website and Facebook today. Cost is \$150 for 12x12 and there is a limited number of pavers that will be available.

Commissioner Warrick – please make the ribbon cutting for the welcome signs a priority so the young designer can get the recognition he deserves.

The Mayor thanked the City Manager and all employees who have worked diligently, in the difficult environment they have been working in all these years. It will be a great day when they can move into the city hall.

**Item # 7. City Attorney’s Report.**

City Attorney – good meeting last week with Brian Freeman of code enforcement to go through the typical code enforcement issues and nuisance abatements. Identified at least 2 properties so far that if they comply there will be no issues with liens. Impression is we have a pretty compliant community here. Contractor report on Oct 23<sup>rd</sup> coming up around the Contractor Board, talking about updates to the ordinance to change if from an examining board to more of an grievance or appellate board.

Mayor asked the City Manager to continue to coordinate the codes that we have so that we can start reviewing them at these commission meetings. Maybe start from old to new. Attorney said best way to do that is to look at Municode chapter by chapter. Mayor anticipates it will take about 2-3 years to get through them all.

**CONSENT AGENDA**

**Item # 8. Approval of Minutes dd 07/25/23 - Regular meeting minutes.**

Motion by Commissioner by Perno to approve the consent agenda.

Second to the Motion: Commissioner Warrick

On Vote:

Perno	aye
Warrick	aye
Vandergrift	aye
Peebles	aye
Nelson	aye

Motion passed: 5-0

**OLD BUSINESS**

***PUBLIC HEARING OPENS 9.44AM***

**Item # 9. Final Reading of Ordinance 1156 – Amending Section 66-6 regarding golf cart operations on streets within the city.**

The City Manager read the Ordinance by Title only.

The City Attorney explained the item, advising it will only go into effect on Oct 1<sup>st</sup>.

The Mayor advised it is coming about due to a requirement by the state, and it is not the city trying to be more restrictive on golf carts as some have tried to say via social media.

Mayor opened the floor for comments. There were none.

Motion by Commissioner by Perno to approve Ordinance 1156 – Amending Section 66-6 regarding golf cart operations on streets within the city.

Second to the Motion: Commissioner Peebles

On Vote:

Perno	aye
Peebles	aye
Warrick	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

***PUBLIC HEARING CLOSSES 9.46AM***

**NEW BUSINESS**

**Item # 10. Discussion and possible approval to award the Legislative Roadway Repairs Project 2022 bid to Roberts and Roberts, Inc. in the amount of \$1,699,468.32.**

The Director of Public Works/Utilities explained the item.

Mayor opened the floor for comments. There were none.

Motion by Commissioner by Warrick to award the Legislative Roadway Repairs Project 2022 bid to Roberts and Roberts, Inc. in the amount of \$1,699,468.32.

Second to the Motion: Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Peebles	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

**Item # 11. Discussion and possible approval of Resolution 2023-08-412 authorizing the proposed assessment roll and mailing of notices of the Initial Stormwater Assessment.**

The City Manager read the resolution by title only.

The City Attorney explained the item.

The Mayor asked about the draft letter. Attorney said they sent one for review yesterday. There is also a published notice that will happen one time before September 13<sup>th</sup> on which the final decision will be made.

Mayor asked residents to please remember that what they receive in the mail is not what the final number will be as it still needs to be voted on. If they have any queries or discrepancies, please contact the City Manager on or before September 13<sup>th</sup> so it can be resolved with the Property Appraiser in time for the roll out.

Attorney said when the letters go out, they will be specific to each parcel.

Mayor opened the floor for comments. There were none.

Motion by Commissioner by Peebles to approve Resolution 2023-08-412 authorizing the proposed assessment roll and mailing of notices of the Initial Stormwater Assessment.

Second to the Motion: Commissioner Warrick

On Vote:

Peebles	aye
Warrick	aye
Vandergrift	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

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

*The attorney checked for any ex-parte communications, and none had any (Commissioner Perno said he had said “Hi” to the applicant this morning before the meeting). Attorney swore in anyone who intended to speak during the hearing.*

**Item # 12. Discussion and possible approval of Development Order Application – Nelson’s Steakhouse; 1306 & 1310 Florida Ave.**

The Director of Planning & Development explained the item.

Mayor opened the floor for comments.

Mr. Hines – 1603 Rhode Island Ave – the restaurant looks very nice, but shouldn’t the disabled parking be more than two. The Mayor invited Mr. Thompson to speak.

The attorney swore in Mr. Thompson.

Mr. Thompson said the number of disable parking spaces is determined by the number of parking spaces on the site, and so there is only supposed to be 2 as there are currently 38 parking spaces. Commissioner Perno asked how many parking spaces there are, and Mr. Thomspson answered the total parking is 38 parking spaces. Commissioner Perno asked if there was overflow parking anywhere and Mr. Thomspson answered no. The Mayor asked what their capacity is, and Mr. Thomson said 156 people. Mr. Thompson advised that the city’s code is one carpark per 100 square feet. With this restaurant being in the CRA there only needs to be one parking per 300 square feet. However, they meet the more stringent requirement of 1 per 100 square feet.

Ms. Richard said reminded the commission that they can only hold people to the code that has been approved by the commission. If the commission want to change it, they need to change the code. Mayor said he wants to know if this is going to cause an issue on the street in case people start complaining about parking in the streets. Ms. Richard said that Florida Ave has parking available along the street. Ms. Richard said it may be an idea to create more parking within the city. Mayor asked where will the overflow people park? Ms. Richard said perhaps they can park in the Senior Center parking or where the city staff park during the day. Ms. Richard said all we can do is ensure people stick to the codes the commission has stipulated.

Commissioner Warrick asked if we know who owns the corner lot? Applicant said the owner is Jeff Barnes who used to run a chimney sweep business from that property. Applicant said that he has offered to purchase the land from Mr. Barnes, but Mr. Barnes was asking \$600k for it.

Motion by Commissioner by Warrick to approve Development Order Application – Nelson’s Steakhouse; 1306 & 1310 Florida Ave.

Second to the Motion: Commissioner Peebles

On Vote:

Warrick	aye
Peebles	aye
Vandergrift	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

***QUASI-JUDICIAL PUBLIC HEARING CLOSED: (10:03 A.M)***

***QUASI-JUDICIAL PUBLIC HEARING OPENED: (10:03 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 # 9. Discussion and possible approval of Development Order Application – Lynn Haven Carwash; 1801 Highway 77.**

The Director of Planning & Development explained the item.

Mayor opened the floor for comments.

Commissioner Perno – The way they have broken it up where it is smaller and leaving it open at the back, is that dedicated parking spaces for that when you first come in on the right-hand side? Ms. Richard said no it will be built up. Commissioner asked if it will be an empty lot and the Director said yes.

Motion by Commissioner by Peebles to approve Development Order Application – Lynn Haven Carwash; 1801 Highway 77.

Second to the Motion: Commissioner Vandergrift

On Vote:

Peebles	aye
Vandergrift	aye
Perno	aye
Warrick	aye
Nelson	aye


Motion passed: 5-0

***QUASI-JUDICIAL PUBLIC HEARING CLOSED: (10:07 A.M)***

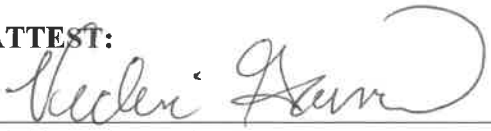
**Item # 11. Adjourn.**

There being no further business the meeting adjourned at 10:07 A.M.

APPROVED THIS 22<sup>nd</sup> DAY OF August 2023.

  
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Jesse Nelson, Mayor

ATTEST:

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

prepared by  
Cicelia Rushing