

**TUESDAY, AUGUST 23<sup>RD</sup>, 2022  
CITY COMMISSION MEETING – 5.30 P.M.**

**Present:** Jesse Nelson, Mayor  
Brandon Aldridge, Commissioner  
Pat Perno, Commissioner  
Jamie Warrick, Commissioner  
Judy Tinder, 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.**

By Pastor Tim Krisko of the Macedonia Ministries Baptist Church and Chaplain of the Lynn Haven Police Department.

**Item #3. Public Commentary.**

Mayor reminded everyone about the decorum required for these meetings, especially in light of using the Lynn Haven Garden Club as a temporary facility.

Mrs. Jodi Moore of Amhurst Street – Said she hasn't heard back about the youth council speakers having background checks done so would like the Mayor to address it in his report. Also, Mr. Obos explained about the two pieces of property in Arkansas last meeting that were stamped with Michael Gordon's stamp. She has copies and they don't look like signatures – just stamps. The way she understands the process is that the person who wants to build has the file and goes to the building department. That seems to have been done more than 3 months past the time that Mr. Gordon was arrested. She wants an explanation given because it means these homes have not been properly inspected. She said that this has been turned over to legal authorities of the state.

Mr. Walker – 1106 Michigan Avenue – regarding opinions – in 2017 one of our mayors was accused of a charge and the city attorney represented both those people. After conviction they are waiting for sentencing, and he is continuing with the same bad behavior. Opinions are only as good as the people who give them. He referenced Roe v Wade and more than half the states disregarding the opinion of the Supreme Court. He said when you get an opinion consider the source, results and who is giving it to you.

Mrs. Franklin – from Southport – regarding the cement silos – she said they are handing out fliers asking County Commissioners to take it out of the residential area and place it in an industrial site. Nobody in Lynn Haven seems to know about it. The silos will be twice the height of the Marina Bay condos. There will be dust that will cover our surrounding waterways and properties. There have been some realty sales where the buyers did not know about the silos. So, there are now complications from lack of knowledge about the silos. If anyone would like more information, she is happy to speak with them. So please contact the County and make your opinion known.

Cory Langford - 1112 Louisiana Ave – would like to understand the difference between wastewater, stormwater, and sewer.

Mr. Scray – Missouri Avenue – listening to the pre-commission meeting and Miss Richard said if she had been at the Planning Board meeting, she would have made sure they had voted on the item. He couldn't find anywhere where the Planning Board is supposed to and HAS to vote. According to Roberts Rules of Order they could have made a motion to pass along their commentary to this Commission without a vote of yes or no, and even why they wouldn't recommend it.

Mrs. McElroy – Port St Joe and Tallahassee – Jodi said most of what she was going to say. These are permit placards. That placard was issued on August 9<sup>th</sup>, 2021. Mr. Gordon's stamp (not signature) is on this placard. The only people who had his stamp was the City of Lynn Haven. Did Mr. Jim White come and pick up Mr. Gordon's stamps yet? Two different placards with Mike Gordon's stamp three months after he notified the city to no longer use his name in any way as the building official, and indeed it has been passed on to the State Attorney's office for investigation.

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

Mayor Nelson read the Proclamation declaring September 2022 as Fetal Alcohol Spectrum Disorders Awareness month.

The Mayor said they had held the Youth Council meeting after the last Commission meeting and followed that up with a lunch across the street at Po folks. As of right now there is no background check protocol for the Youth Council speakers.

The Mayor said he was engaged with the City in a number of issues over the past weeks and thanks the staff for their time handling those issues and he is grateful for that.

The Mayor went to the Mosely pre-season game and Rutherford scored a touch down in the last 4 seconds and it was a great game.

The Mayor thanked the city and staff for their love and support for Mr. Leon Miller's family at his memorial service. He will be sorely missed.

Regarding Mr. Scray's commentary – the City Manager will provide more clarity in that regard.

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

Commissioner Aldridge – Asked to be moved to the end of the reports.

Commissioner Perno – Mr. Miller taught him it's okay to not say anything if you have nothing to say so he has "nothing to report".

Commissioner Warrick – Four people showed up at the time with a commissioner and they spoke at length about the stormwater assessment fee. He said he went to Mr. Millers funeral which was very nice, and he regrets not getting to know him better.

The Mayor said we are working with the City Manager to arrange a few workshops on the Charter Review document after the budget season. Will hopefully bring it back to the October meeting.

Commissioner Tinder – nothing to report.

Commissioner Aldridge – said that Mr. Miller was a great man with the biggest heart in Lynn Haven who cared so deeply for the community. The Commissioner went on to say that he feels embarrassed as to how our last commission meeting devolved to a dysfunctional swearing session. The students present at the time deserve an apology and so he apologizes on behalf of the Commission. He said that while differences of opinion are allowed and encouraged at these meetings, not taking rude and cheap pot shots. We are neighbors and should be treating each other as such. People should stop looking for conspiracy theories at every turn. After screeds of requests for public records nothing has been found to undermine the City staff. He went on to remind all that his original objective was to rebuild the City of Lynn Haven to be more beautiful. During the first year the Mayor, City Manager, and City Attorney were arrested. Everything has come to a standstill while people were rebuilding their own lives after Hurricane Michael as well as rebuilding the City morale. He feels like a cheer leader trying to keep people's morale up. Despite the hurricane, the arrests, and now rising inflation, the City of Lynn Haven is progressing very well, with no excessive raising of taxes. Our buildings are being rebuilt. We are sitting in one that was built - in time under budget - due to the hard work of the City staff. He asks that the Board please address these meeting in professional and civic behavior. We are all equal.

**Item # 6. City Manager’s Report.**

The City Manager explained briefly for Mr. Cory Langford that stormwater is from the rain. Sewer and wastewater come from toilet and bath etc., and sometimes bubbles up in long rains. She said that Mr. Kidwell will give him the detailed explanation.

A. Warrant list update – There were no questions.

The City Manager said that we have implemented and are working on an app called “call my civic” so citizens can log jobs around the community as they come upon them.

The Fire Department will be doing the 9/11 ceremony over the bridge.

Spring ball started on September 17<sup>th</sup> with 330 kids. Fall ball starts Oct 1 – right now we have 70 kids for basketball.

There are several ways to pay your utility bill – online, in person, and now in the new Sports Complex building there will be a kiosk where you can pay.

Table Talk is this Thursday at 5.30pm.

The City Manager went on to explain that she does everything that this commission asks her to. That she is constantly pounded on by 2-3 people trying to find things that are untrue. When it comes to the city, she does the job the citizens ask her to and nothing more or less. No weapon formed against her will prosper and any word will be cast down. No one in this city used Michael Gordon’s stamp without his permission. She asked that if anyone wants to know the truth, come and see the actual documentation. There is a difference between plan reviews and inspections. No building official will sign off on plans they have not reviewed. So, Mr. Pitts will not sign off on the plans he has not reviewed but he will sign off on the inspections afterwards. Come look at the facts and stop making up stuff. Let Lynn Haven move forward because we are going to move forward in the name of the Lord.

**Item # 7. City Attorney’s Report.**

City Attorney confirmed that Mr. Gordon’s stamps have been returned to Mike White. The August date is when the fees were finally paid but the placard was stamped when it was initiated during Mr. Gordon’s tenure before his arrest, and it was placed on the property’s file as is normally done and sits in a file until the fees are paid – which in this case was August after Mr. Gordon was arrested.

The City Manager asked the City Attorney how many requests we had during that three-month period between Mr. Gordon’s arrest and the date of the Placard fee payment for the Arkansas properties. City Attorney said there were 137 placards in that 3-month period, but only two had Mr. Gordon’s stamp and the rest were Mr. Pitts.

**CONSENT AGENDA**

**Item #8. Minutes dd 08/09/22 - Regular meeting minutes.**

**Item #9. Approval of agreement with Country Club Harbour Community Association (“Agreement”) which delineates the duties of the City and Country Club Harbour Community Association relating to easements.**

Motion by Commissioner Warrick: To approve the items on the Consent agenda.

Second to the Motion Commissioner Aldridge

On Vote:

Warrick	aye
Aldridge	aye
Tinder	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

**OLD BUSINESS**

**Item #10. Further Discussion of Ordinance #1139 - Proposed Amendments to the Unified Land Development Code; Adding Section 4.01.04 Appearance Standards for Non-Residential Primary Structures; Table 4.02.02 Building Heights and Setbacks; Section 4.02.05 Design Standards for all Commercial Development; Section 4.06.02 Landscaping and Vegetation; Section 4.07.01 Corridor Overlay Design Standards; and Table 5.03.07 (C)(1) Standards for Permanent Signs.**

Commissioner Aldridge – wants to reassure everyone that this ordinance is simply about beautification of the city. Not to restrict people and we will allow for exceptions so property owners can still develop and sell their properties. This is for the benefit of all the citizens and to avoid the hodge-podge we normally have. He wanted to clarify that now so that no one misconstrues the intent of the ordinance.

Mayor – if you do have questions, please contact us. If you want more detailed information, please contact Miss. Richard.

Commissioner Perno – advised the public that the Commissioners went back and forth about the 40ft set back at the pre-meeting on Friday. He said that they are looking for a possible solution. That they also spoke about signage that might obstruct traffic due to height. We may not end up with the exact same CRA overlay, but we still have another pre-commission meeting before the next reading for more clarity.

Mr. Holsomback – 2108 HW 77 – you said there will be another pre-meeting. How will we know about that? The Mayor confirmed we will have the pre-meeting at the City Hall on Friday September 9<sup>th</sup>, preceding the next Commission meeting.

**NEW BUSINESS**

**Item #11. Presentation of the findings of the Lynn Haven Sanitary Sewer Smoke Testing Report.**

The Director of Utilities presented per his reported item.

**Item #12. Discussion and possible approval of Resolution 2022-08-386 to increase the Wastewater Rates, according to Resolution 2019-08-294, by 4.5% for fiscal year 2023.**

The City Manager read the resolution by title only.

Commissioner Aldridge mentioned that Commissioner Warrick brought up a good point at the Friday pre-meeting that people who used 10,000 gallons will only be paying \$3.13 more, and unless they are filling up swimming pools regularly, he doesn't think people will be using 10,000 gallons a month.

Motion by Commissioner Warrick: To approve Resolution 2022-08-386 to increase the Wastewater Rates, according to Resolution 2019-08-294, by 4.5% for fiscal year 2023.

Second to the Motion Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Aldridge	aye
Tinder	no
Nelson	aye

Motion passed: 4-1

**Item #13. Approval of Resolution 2022-08-387 set forth for the Sanitation Rates for the fiscal year 2023 to remain the same as the previous year.**

The City Manager read the resolution by title only.

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Motion by Commissioner Warrick: To approve Resolution 2022-08-387 set forth for the Sanitation Rates for the fiscal year 2023 to remain the same as the previous year.

Second to the Motion Commissioner Perno

On Vote:

Warrick aye  
Perno aye  
Aldridge aye  
Tinder aye  
Nelson aye

Motion passed: 5-0

**Item #14. Approval of Resolution 2022-08-388 set forth for the Water Rates for fiscal year 2023 to remain the same as the previous year.**

The City Manager read the item by title only.

Motion by Commissioner Warrick: To approve Resolution 2022-08-388 set forth for the Water Rates for the fiscal year 2023 to remain the same as the previous year.

Second to the Motion Commissioner Perno

On Vote:

Warrick aye  
Perno aye  
Aldridge aye  
Tinder aye  
Nelson aye

Motion passed: 5-0

**Item #15. First Reading of Ordinance #1138 amending Chapter 26 of the Code of Ordinances relating to Nuisance Conditions occurring in Pools, Hot Tubs or Spas.**

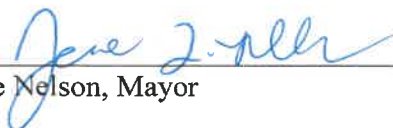
The City Manager read the ordinance by title only.

The City Attorney explained the first reading doesn't require a vote and went on to explain the ordinance.

**Item #16. Adjourn.**

There being no further business the meeting adjourned at 6:23 P.M.

APPROVED THIS 14<sup>th</sup> DAY OF SEPTEMBER 2022.

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

ATTEST:

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

prepared by  
Cicelia J. Holliday