

**TUESDAY, SEPTEMBER 27TH, 2022
CITY COMMISSION MEETING – 5.30 P.M.**

Present: Jesse Nelson, Mayor
Brandon Aldridge, Commissioner
Pat Perno, Mayor Pro Tem
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 Dr. Steve Taylor, Senior Pastor, Emerald Coast Fellowship.

PUBLIC HEARING OPENED: (5.32 PM)

Item #3A. Final Millage Rate for 2023 Tax Roll.

City Manager read the resolution #2022-09-395 by title only.

Mayor opened the floor for comments. There were none.

Motion by Commissioner Warrick: To approve Resolution #2022-09-395.

Second to the Motion Commissioner Aldridge

On Vote:

Warrick aye

Aldridge aye

Perno aye

Tinder aye

Nelson aye

Motion passed: 5-0

Item #3B. Final General Fund & Enterprise Fund Budget and Disaster Recovery Budget for FY 2022-2023.

City Manager read the resolution #2022-09-396 by title only.

Mayor opened the floor for comments. There were none.

Motion by Commissioner Aldridge: To approve Resolution #2022-09-396.

Second to the Motion Commissioner Perno

On Vote:

Aldridge aye

Perno aye

Warrick aye

Tinder aye

Nelson aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (5.34 P.M)

PUBLIC HEARING OPENED: (5.35 P.M)

Item #4. Final Community Redevelopment Agency Budget for FY 2022-2023.

City Manager read the resolution #2022-09-397 by title only.

Mayor opened the floor for comments. There were none.

Minutes from the City Commission meeting called September 27, 2022 at 5.30 P.M.

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Motion by Commissioner Warrick: To approve Resolution #2022-09-397.

Second to the Motion Commissioner Perno

On Vote:

Warrick aye

Perno aye

Aldridge aye

Tinder aye

Nelson aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (5.36 P.M)

Item #5. Public Commentary.

Mayor reminded everyone about the decorum required for these meetings.

Ms. Parker, Rhett Place, stated her concerns about Ms. Gainer being an assistant to Michael White. She read an excerpt from the News Herald from when she was hired as City Manager, she served as interim City Manager and Second-in-command to former City Manager Michael White, who resigned. The article also stated that Ms. Gainer had worked at the City for two years, serving in the capacity as Grant and Contracts Manager, Deputy City Clerk, interim Human Resources Director, Director of Administrative Support Services, and Acting City Manager following Michael White's March resignation. She stated there are two things of concern for her. One, she feels it is disingenuous when you say you were not the Assistant Manager to him, and she doesn't blame her, she would want to distance herself from him as well. Two, there was a recent release of the court documents from the Anderson – Finch trial and in the documents are FBI testimony. She referenced Albritton recalling a conversation between Michael White, Jay Moody, and Forehand in reference to them wanting to give Tetra Tech the contract to Forehand. She proceeded to read the court document – after their conversation, thereafter, Michael White, Kelly Battistini, and Vickie Gainer changed their rankings, so Tetra Tech was the highest awarded ranked contract. If indeed this is true at this point, she advised at this point for the Commission to hold off on the City Manager contract renewal until the trial and next election in spring of 2023. Her two questions – Ms. Gainer do you still deny that you were an Assistant to Michael White? Ms. Gainer stated yes. Did you change the score sheets to reflect Tetra Tech would be the one to get the monitoring contract. Ms. Gainer stated no.

Jodi Moore, Amhurst Street, stated her concerns about Ms. Gainer's contract. She stated the proposal on the consent agenda for Ms. Gainer's contract to be extended four years at her current salary of \$140,000 a year, she feels the Commission should take another look at that. A recent court filing showed Ms. Gainer might have engaged with others in changing the scores when companies were bidding to get hired to monitor debris removal so that Tetra Tech got the contract. If the allegations from the Anderson – Finch current filing from yesterday are true Ms. Gainer should not have this job, and if they are not true, she finds it hard to believe that Ms. Gainer did not see the corruption going on after Hurricane Michael. She recently denied she was Michael White's assistant. Ms. Gainer was Michael White's second in command, the Deputy Clerk, she can say she was not, but she was second in command. She worked closely with Mr. White, and she knows because when he left his position in disgrace, she was tapped for the job because she knows the job, and you can't claim close yet also separation. How did Ms. Gainer not see what Michael White was doing? If she did see it, she didn't speak up, she didn't protect the citizens of Lynn Haven. She doesn't feel that should be rewarded with a four-year contract and over a half million dollars of salary over those four years. If the contract needs to be extended, you can extend it until after the election in the spring and after the court case this winter. You up there on that Commission have a responsibility to the voters who put you there and remember they are watching. Some of you want to use religion as a shield but I say remember God sees, He knows the truth, and He is the one you need to worry about not us.

Lois Miller, 1508 Mississippi Ave - stated her husband Leon Miller recommended Ms. Gainer for

the position here and it was not to be an assistant to Michael White. As far as the contract renewal, it should not be based on anything before Michael White lost his job by what he had done. You need to look at what she has done. She has done an excellent job, and no one should come up here and speak about before she became City Manager. You need to look at what she has done as City Manager, not what she has done before. I was here when the Board approved her to be City Manager and I have looked from afar. I don't have to be here every meeting, but I will be here to represent because my husband can't anymore. I am speaking from the heart; I don't have a written speech. Ms. Gainer's work should be looked at before she became City Manager.

Johnny Beshearse, 811 Louisiana Ave., thanked one of the people that had spoken because he did not know all of the positions Vickie had held within the City. He said that based on that he cannot think of anyone more qualified to hold the position that she does. He stated due process - due process calls that you have a process to say we are not going to do this before you have the facts is the wrong thing to do. You don't convict someone in public and lynch them because of something someone said, that may or may not be factual. As a citizen, he said he is watching and if they do not renew her contract this time, they will not have his vote at the next election.

Michelle Beshearse, 811 Louisiana Ave., stated she was not going to speak, but felt compelled to speak after the allegations were levied yesterday. She read once upon a time a warrior wrote a fictional tale and instead of presenting it to a publisher, he filed it as a motion in a criminal case. It was then taken and presented in public media as factual, and the City Manager was tried and convicted based on a 23 word sentence at the end of the document. It is not uncommon for a business's rating to change after additional documentation is provided for a bid rating. Considering the time this contract was awarded, the City was under enormous pressure to deal with the debris removal and find a way to pay for it. There's always another possible explanation of these events presented by one party. Freedom of speech does not include protection for the following categories, incitement, defamation, fraud, obscenity, child pornography, fighting words and threats. These violations are not protected forms of speech. As a citizen, it has become apparent in the past few months that the continued criticism of the City Manager has become the personal crusade of a few people. She is appealing for this to cease so the City can move forward without outside negative interference.

Ms. McElroy, Tallahassee, and Port St. Joe stated what happened in Bay County has a tendency to leech out to other cities and counties. That is how we ended up with Adam Albritton who Vickie worked very closely with, and we know where Adam is now. This isn't Scooby doo or Nancy Drew. These are the facts and bad things have happened to two Counties based off greed after a devastating storm. She doesn't think we are quite finished with finding the truth and someone's pay raise or contract can wait. She doesn't think it needs to be done for 3 months. She presented a picture of Michael White and Chief of Police and stated she would leave a copy because she doesn't think we are finished. As far as looking at 390 and Harvard, that should have never been done. She has done a lot of research and stated the Mayor worked for Think as does Patrice L. Griffiths. Mayor responded he does not work for Think Realty, and never has. She stated that is part of the Kirkman group is that correct? Mayor stated he does not work for the Kirkman group. She asked the Mayor if he was working as a real estate agent at all? Mayor responded yes, but not with the companies she stated. She asked the Mayor to disclose who he works for. Mayor stated he did not have to. She stated that is outside of the policy with the no clapping, no booing, and again she has seen the Mayor's picture on a real estate sign. Mayor stated he does not have any real estate signs posted, so he was not sure what she was talking about.

Joy Smith, citizen stated she is a Christian, and attends bible study on Tuesday and Wednesday, which she will start back attending because this is not a part of me. Vickie, you and Pastor and several others know where your help comes from and why everyone is digging and plotting, wanting to find out, yes, it is public information but truly believe that we are praying for you. When you get too weak to walk, we are holding you up. She is not for fraud and disappointment, taking pictures, and looking at everybody and getting together, while they are plotting, we are

praying. She does not mean to offend anyone, she is not a threat to anyone, and this will not have her coming all the time because it is ridiculous. The kids were talking about how we are carrying on. You know I was a friend of the previous Mayor; every time Linda Griffin and I came to attend meetings where she was attending nobody had nothing to say. Now that you have someone that looks like me, and doing a great job, so while they are attending, don't respond, pray, stand, and the enemies can do us no harm. God bless everyone and continue to do good work.

Michael Luvchuck, 1624 Country Club Drive stated he lives in the City and pays taxes in the City. The first meeting he attended about 3+ years ago, the prior Mayor did nothing but repeat over and over disparaging remarks to Vickie, and he could not figure out why. Then in the same circle that she associated with that don't reside in Lynn Haven, that have a negative aura, when there are so many positive things happening and have been done. That a tiny half percent still screaming like she was three years ago. Let it go. He has attended social events and his picture taken with he knew, and he thanked Vickie, each Commissioner, and City Attorney for their positivity. The new City Hall will be wonderful, the parks are having events and children are playing and having fun, and music festivals going on, thank you all.

Tony Bostick, 159 N Kimbrel Ave., Callaway stated if you want to see me, after the meeting I am always available. He finds what is disingenuous is some people in the City of Lynn Haven can't find nothing to do but complain, moan, and groan all the time. Most of the time it is something they have no idea what they are talking about. What he also finds disingenuous and unchristian-like, since we are all Christians, is that Satan was created in Heaven as well, and how did that turn out. Don't come from another County and have something bad to say, take it back to the County you came from. Yes, I said it. He stated that Vickie Gainer is the lowest paid City Manager in Bay County, who inherited the biggest headache anyone could ever want to inherit. She has done an outstanding job of leading the City forward. There are only two municipalities in the County that are currently on the move doing great things, and they are two of the smaller municipalities, one is Lynn Haven under the direction of Vickie from day to day, and Mayor Nelson. He also finds it highly unlikely that the same people that sit here criticizing you, supporting a former President that stole classified material, but that's Christian-like. So, if you are going to throw rocks, make sure you don't live in glass houses. He stated his address is 159 N. Kimbrel Avenue, if you want to come and see him, please come see him and bring anybody you need with you - come see him. As far as pictures, he is a highly photogenic kind of guy, and you can take all the pictures you want, and he won't say a word because he stands on what he says day in and day out. He stated the Mayor has a crazy job and keep doing what you are doing, Commissioners are doing a great job. Sometimes people don't agree, look at the greater good you are doing for the people. An old person once said when a person says scat cat, another one says here kitty-kitty.

Item #6. Mayor's Report.

Mayor Nelson stated although there were two evening meetings, the Mayor's Youth Council did meet this month. There are a lot of sporting events, band, other things going on that conflicted with evening meetings, so on the first Tuesday of the month they attended 2 community forums. One included the City Manager of Panama City, Police Chief, Quality of Life Director, and other directors to engage in conversation about Community Concerns in Panama City. The other one was at FSU-PC and met with the Bancorp South Advisory Board and had lunch with them which allowed an opportunity for Lynn Haven as he was the guest speaker for the event, he was able to give an update on the great things going on in the City of Lynn Haven. The students that attended the forum were able to introduce themselves and talk about the future, and how they have been engaging with the Mayors Youth Council. The Youth Council has selected the officer positions, President, Vice President, Secretary, social media Director. They are creating a small charter and are ready to impeach some people that have missed a couple of meetings. They are taking the council very seriously, learning and becoming engaged. There is a Florida League of Cities Youth Council video contest that is coming up in November, so at the next meeting he will follow up with them as to how we can participate in the video contest.

He enjoyed opening day, and thanked the City Manager, Director of Sports and Recreation David Howard, and everyone that was able to come out. He stated there were over 400 people there for opening day and the kids were having a lot of fun, and the parents as well. He thanked the volunteer coaches, and all the hard work.

Following up with some citizens on the 9/11 storm that created some flooding. The City Manager did send out an update, and he spent some time with her and staff on Monday to ensure things are in place for Hurricane Ian. It appears to be shifting; however, we will send first responders to other areas that are affected by the storm.

Item #7. Commissioners' Reports.

Commissioner Aldridge – His thoughts and prayers are with the people of South and Central Florida. He stated he would like for the procedures to be looked at for sandbag distribution. The reason is because we have business owners that are not City residents. It would be good to have something in place to help the business owners.

Mayor stated he would follow up with the City Manager as that would be a good thing to have in place to assist the business owners. The procedure in place is because people are coming from other municipalities to get sandbags and taking care of our citizens is priority.

Mayor Nelson stated to also pray for several staff members that have been impacted by death, so continue to pray for them as they are still working, not taking long leaves, and working every single day.

Commissioner Perno – stated his thoughts and prayers are also with the people in the path of the storm. He thanked the first responders, military, city employees, citizens, and the people that took time to come tonight to let them know their thoughts. He appreciates the resiliency and spirit of the citizens, and when it comes to times like these, he hopes the people that will feel the wrath of the storm have the same resolve that we did four years ago. He sees the other side too when people want to do harm. He wishes the best for everyone.

Commissioner Warrick – stated he held the time with the Commissioner, and about 6 people attended. Discussion about the stormwater and debt. There were some passionate conversations, and he appreciates the feedback. He thanked the first responders, and city staff and especially any first responders that may be going down south to please be safe. He attended the opening day and that was a great time to see the kids having a great time.

Commissioner Tinder – stated she had a few situations come up in the past two weeks. The first is on the lighter side as she received a phone call from an 11-year-old that he refers to her as Gramie J and asked if she was still a Commissioner. She stated yes. He stated that he needed her help as he did not like the uniforms, he can't wear any sweatshirt he'd like to, can you call them and make them and get that changed. She stated that she wished she could, but he is not in a school in Lynn Haven. 612 Colorado Ave the drainage issue. The drain is full, and the dirt that is being placed in it is just washing away. She thanked Ty Farris as she had received a phone call from a lady with a complaint and a resolution. The lady had attended opening day at Cain Griffin and went in the gate, and didn't think anything about it, and when started to leave, she could not find her car. The lady asked if numbers could be put on the gates, so you would know which gate you entered, she could've found her car. Family members came to help the lady find her car. Ty took care of it right away, and now that the budget has passed, she asked if we could get the signs installed. She stated at Highway 390 and Harvard she has received videos, photos and about 4 phone calls – that it appears someone is trying to develop the parcel without a development order. She spoke with Vickie and Amanda about it and what's happened, is from the video she has received, they have removed every tree, brought in dirt, and also sent videos that the dirt they brought in, is higher, and is now washing down, as mud in their backyards. This one property on 390 is in the City and was annexed in years ago. The houses behind it are in Bay County, and it is creating a huge issue. A stop work order was placed on the property yesterday. Amanda has met

with the property owner today regarding a development order so they can start working on it legally. Be sure the water situation is addressed to keep these people from being under water.

She stated she received a phone call about Hawks Landing, they sent pictures as parents are lining up 2 deep in one lane and causing the people that live in there to go into the oncoming traffic and people are really complaining about it. They said at one point they were denied another access. She asked Police Chief Ramie if there is something we can do about that. Chief Ramie stated he had a round table meeting at Bay Haven about a year and half ago, and Ms. Gainer met with them, and the solution would be to take the median out and give them a direct shot. Their HOA Board does not want that to happen, not the City Commission, not the Police Chief, not the City Manager, but their HOA. Chief Ramie stated they provided drawings and solutions for how to fix the problem, and they would rather see the flowers than people be able to get into the neighborhood. Commissioner Tinder stated she was glad to hear that because one of the ladies was attending the HOA meeting so she will get it straight from the horse's mouth. Commissioner Tinder asked Chief Ramie to stay as he was the one that could straighten this up for her. She stated she received a phone call and a message the other day since all the court information was released and she is a little behind on all that, and what has been talked about. She received a message that Chief Ramie had made comments some ugly comments regarding her sexuality to another City employee and is that true as he is the only one that can answer it? Chief Ramie stated no m'am.

Item #8. City Manager's Report.

- A. Warrant list update – There were no questions.
- B. City Manager conducted the Lynn Haven Police Department Promotional Pinning.

City Manager stated Mr. Janke sent out an email to notify many business owners that sandbags were available, and she thanked Mr. Janke for sending the email. Staff have been working very hard to be prepared if the hurricane comes this way, and a big thank you to them. The grand opening day was great and probably had one of the largest turnouts she has ever seen. There are several projects going on and one is the regional stormwater plan. She stated she was going to continue doing what she was doing, as before Mr. Miller died, he told her to finish the job, and that is what she is going to do with or without the people that support her.

Item # 9. City Attorney's Report.

City Attorney Obos stated he had one item, a correction on the consent agenda for the City Manager contract. The base salary plus whatever the cost-of-living adjustment other employees get, when her last pay raise took place was in the middle of a budget year, so that was the base salary, but he got confirmation from Jennifer in HR, that there was a cost of living increase effective October 1, 2021. The public notice was published today as a correction to that first amendment recognizing the base salary as the \$143,499.

CONSENT AGENDA

Item # 10. Minutes dd 09/14/22 - Regular meeting minutes.

Item # 11. Approval for the City Manager to sign the settlement agreement for Vasta vs Lynn Haven.

Item # 12. Approval of Resolution 2022-09-398 approving an amendment to the employment agreement with Vickie Gainer.

Motion by Commissioner Tinder to remove item #11 from the consent agenda for discussion.

Mayor stated item #11 would be agenda item 13a. Commissioner Warrick stated that was not correct. Mayor stated he was enacting what Commissioner Tinder requested.

Motion by Commissioner Tinder to remove item #12 from the consent agenda for discussion.

Mayor stated item #12 will be moved to 13a.

Motion by Commissioner Aldridge: to approve the consent agenda

Second to the Motion

Commissioner Perno

On Vote:

Aldridge aye

Perno aye

Warrick aye

Tinder aye

Nelson aye

Motion passed: 5-0

Item 13a. Approval of Resolution 2022-09-398 approving an amendment to the employment agreement with Vickie Gainer.

City Attorney Obos stated this is a resolution for a 4-year contract extension that would be effective January 2023. All other terms will remain the same with the correction he mentioned earlier about her current annual salary at \$143,499 October 1, 2021.

Commissioner Tinder stated she has received emails and she is not saying you are doing anything wrong but there are concerns, and it has to do with all the stuff that has come out in the past few days.

Motion by Commissioner Tinder: to table the item for another month or two.

Motion died for lack of second, motion failed.

Mayor stated item is still open for discussion.

Motion by Commissioner Aldridge: To approve Resolution #2022-09-398.

Second to the Motion

Commissioner Perno

The Mayor opened the floor for discussion.

Commissioner Warrick stated he had received a couple of emails and Facebook messages with the last court filing that came out and what it said in there. He called Ms. Gainer and asked her to tell him what happened. Ms. Gainer told him. Does that mean she did it, no it doesn't, and some people's concerns are what happens if a federal indictment is handed down. He stated he wanted to know the facts. Commissioner Warrick sought clarity from the City Attorney about whether the contract can be suspended with no pay or cancelled with no severance package if she were indeed found guilty. City Attorney confirmed if she was found guilty, she could be suspended without pay or severance pay with the contract. City Managers and attorney are still political appointees at the will of the Commission. Commissioner Warrick said that he has to base his decision on facts as they stand.

Mayor polled the Commissioners if they had been contacted via phone, text, Facebook, etc., regarding the City Manager's contract. Commissioner Aldridge stated he received one email, Commissioner Perno stated he received one email, Mayor Nelson received none, Commissioner Warrick stated he received one email and one Facebook message, Commissioner Tinder stated she received one email, one phone call, and one Facebook message.

Commissioner Perno stated he wanted to address Commissioner Warrick's comments about wanting to know the facts, this is based on court filings on a case that has not gone to trial and has been delayed numerous times. He stated if they waited then the deadline for the contract renewal would be missed to negotiate her contract. He stated he has concerns, and she has done a great job as City Manager. Her contract is based on performance, and he sees no reason to not grant her the contract extension, which she deserves.

Tony Bostick addressed the Commission and stated he was a 15-year employee of the Bay County Sheriff's office; he has photos with Ricky Ramie. He stated he can't help what the former Mayor did or care what Mr. White did, and everything is going to hinge on the dead man because a dead

man can't talk. He discussed the court documents and to support the current leadership. He stated there have been no indictments from Federal or local authorities regarding Ms. Gainer. He stated he has known Rickie Ramie for 20 years and he is a good man. He attends other City Commission meetings and other City Managers receive pay increases without a contract.

Ms. Moore addressed the commission and stated she has nothing personal against anyone on the Commission or Ms. Gainer. She stated she is looking at paperwork at what she has seen while researching the situation. That she is not racist, no one is racist. Mayor stated no one spoke of racism. She stated it was stated from someone in the audience. Mayor stated that is their opinion just like others have their opinion. She stated the testimony given was by Adam Albritton regarding the Tetra Tech scores, if the scores were changed, that raises questions in her mind. If something comes out wrong, then it can be addressed, and she hopes nothing has been done wrong. Ms. Gainer has done some good things, and some bad things have happened. Saying that was then and this is now, is not the right thing. Others have been accused and they no longer have their jobs. Nothing has been proven against former Mayor Anderson. If all the evidence is looked at, she is not guilty in her opinion. When this does go to trial there will be a lot of truth to hit the fan. If Ms. Gainer has done nothing wrong, she is very happy for that. Mr. Miller's widow spoke, and he was a kind man and she pointed out that while Mr. Miller supported Ms. Gainer, Margo did also.

Mayor Nelson stated that comments for this item, should be restricted to what is being voted on. This has nothing to do with James Finch, Margo Anderson, this is not a courtroom, and has nothing to do with what is happening with the trial, so stop making his meeting about that. People keep coming to meetings making it about that, and it is not about that. This is about the City of Lynn Haven current business. This is not Tallahassee and whatever happens over in Tallahassee, that will be handled in Tallahassee. No one needs to come here to make a defense for anyone. Justice will be served. Do not continue to come in here with that case litigation. If your public comments are not about the agenda items, he will call you out of order and ask for you to be removed.

Ms. McElroy addressed the board and stated everyone has a right to an opinion as it relates to the contract. This is a democracy; it is not your meeting Mayor. Mayor stated no one is speaking about the contract, and she agreed. There were other comments before the last comment, and you should have called it out then sir.

Mr. Langford, 1112 Louisiana Ave., thanked Ms. Gainer and said that some things are difficult to hear. He appreciates that there is a civilized forum and adult discussion. It is legitimate to look at things as to what if this or that happens and be prepared. What was the last contract extension, one year, four years? He thanked Ms. Gainer and the City Commission for all they do for the City. People have had allegations made against them, and true or not, chips will fall where they may.

City Attorney Obos stated the original contract was a 3-year term with a 90-day negotiation period and this one is a 4-year term. There is no norm, and many City Manager contracts automatically renew, and some are for one, five, or ten years. There is no standard he can think of.

Commissioner Warrick stated he researched contracts around the State and thought he would find a standard, however, there is a vast array, from no terms to retirement, resignation, or termination. Some have 12-month severance packages, and the City has a tiered severance package amount based on votes.

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye
Tinder	aye
Nelson	aye

Motion passed: 5-0

OLD BUSINESS

PUBLIC HEARING OPENED: (6.42 P.M)

Item # 13. Final Reading of Ordinance First Reading of Ordinance #1140 Application for Annexation; Parcel # 11537-020-000; Hwy 389; Preston Ray Homes.

City Manager Read the ordinance by title.

The Planning Director explained the item.

Mayor opened the floor for public comment. There was none.

Motion by Commissioner Warrick: To approve Ordinance 1140.

Second to the Motion Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Tinder	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (6.45 P.M)

PUBLIC HEARING OPENED: (6.45 P.M)

Item # 14. Final Reading of Ordinance #1141 Application for Future Land Use Map Amendment; Parcel # 11537-020-000; Bay County Residential to City of Lynn Haven Low Density Residential.

City Manager Read the ordinance by title.

The Planning Director explained the item.

Mayor opened the floor for public comment. There was none.

Motion by Commissioner Warrick: To approve Ordinance 1141.

Second to the Motion Commissioner Tinder

On Vote:

Warrick	aye
Tinder	aye
Aldridge	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (6.48 P.M)

PUBLIC HEARING OPENED: (6.48 P.M)

Item # 15. Final Reading of #1142 Application for Annexation; Parcel # 11352-010-000; E. Highway 390; Southern Coastal Homes.

City Manager Read the ordinance by title.

The Planning Director explained the item.

Mayor opened the floor for public comment. There was none.

Motion by Commissioner Perno: To approve Ordinance 1142.

Second to the Motion Commissioner Tinder

On Vote:

Perno	aye
Tinder	aye

Aldridge aye
Warrick aye
Nelson aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (6.51 P.M)

PUBLIC HEARING OPENED: (6.51 P.M)

Item # 16. Final Reading of Ordinance #1143 Application for Future Land Use Map Amendment; Parcel # 11352-010-000; Bay County Residential to City of Lynn Haven Low Density Residential.

City Manager Read the ordinance by title.

The Planning Director explained the item.

Mayor opened the floor for public comment. There was none.

Motion by Commissioner Aldridge: To approve Ordinance 1143.

Second to the Motion Commissioner Perno

On Vote:

Aldridge aye
Perno aye
Tinder aye
Warrick aye
Nelson aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (6.55 P.M)

NEW BUSINESS

QUASI-JUDICIAL PUBLIC HEARING OPENED: (6.55 P.M.)

The City Attorney asked if there was any ex-parte communication, and all confirmed there was none. The City Attorney swore in all persons who were going to participate.

Item # 17. Discussion and possible approval of Application for Development Order; Parcel #s 09054-000-000 & 09055-000-000; Major's Smokehouse, LLC.

The Planning Director explained the item.

Commissioner Tinder addressed Mr. Crook, Panhandle Engineering, and stated her concern was the rear of the building would be facing Highway 77, and Commissioner Aldridge has been working very hard about the aesthetics along Highway 77, and this is going to be the first building seen coming across the Bailey Bridge. She asked what trees and how tall they will be along Highway 77. Mr. Crook stated he did not know how tall the trees would be when planted, typically on the smaller side when newly planted for cost reasons. Mr. Crook stated the back of the building would be considered the North side. The side along 77 will have outdoor seating, which is not the front of the building but a more front of building look. The South side is the main entrance. The smoker will be on the North side, Northeast corner. Commissioner Tinder confirmed if the landscape plan would have to be met. Commissioner Aldridge verified if this development follows CRA guidelines. City Planner stated yes. Commissioner Tinder stated she had received a phone call regarding on-street parking. Mr. Crook stated the number of required parking spaces has been met, with 1-2 extra spaces, and added 3 spaces for golf cart parking.

Sam Peoples, 1902 Carolina Ave., encouraged Commission to approve Major's as it would bring in tax revenue and people from other areas would come there.

Motion by Commissioner Aldridge: To approve the Application for Development Order; Parcel #s 09054-000-000 & 09055-000-000; Major's Smokehouse, LLC.

Second to the Motion Commissioner Warrick

On Vote:

Aldridge	aye
Warrick	aye
Tinder	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

QUASI-JUDICIAL PUBLIC HEARING CLOSED: (7.04P.M.)

Item # 18. First Reading of Ordinance # 1135: Proposed Amendments to the City of Lynn Haven Unified Land Development Code; Adding Section 3.02.06; Deer Point Reservoir Protection Zone.

The City Manager read the Ordinance by title only.

Item #19. Discussion and possible approval of Resolution 2022-09-394 Approving a State-Funded grant agreement with the Florida Department of Transportation (FDOT) for Road Improvements; Authorizing the City Manager to execute the agreement and providing an effective date.

City Manager read the resolution by title only.

CRA Director / Grant Manager explained the item.

Motion by Commissioner Tinder: To approve Resolution 2022-09-394 Approving a State-Funded grant agreement with the Florida Department of Transportation (FDOT) for Road Improvements; Authorizing the City Manager to execute the agreement and providing an effective date.

Second to the Motion for discussion Commissioner Perno

On Vote:


Tinder	aye
Perno	aye
Warrick	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0


Item #20 Adjourn.

There being no further business the meeting adjourned at 7:10 P.M.

APPROVED THIS 11th DAY OF OCTOBER 2022.



Jesse Nelson, Mayor

ATTEST:


Vickie Gainer, City Manager