

MONDAY, OCTOBER 9, 2023
CITY COMMISSION MEETING – 9:00 A.M.

Present: Jesse Nelson, Mayor *[Remote]*
Sam Peebles, Commissioner
Pat Perno, Commissioner
Jamie Warrick, Mayor Pro Tem
Judy Vandergrift, Commissioner *[Remote]*
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 9:01 A.M.

Item # 2. Invocation and the Pledge of Allegiance.

The invocation was given followed by the Pledge of Allegiance.

Item # 3. Public Commentary.

Member of the public – spoke about the stormwater rates taxes on vacant land. He disagrees with the methodology employed by the city. He then spoke a bit about a large hole on his property from stormwater runoff, saying that Mr. Lightfoot didn't address the pipes and said he didn't know what they were for. Mrs. Gainer said she would meet with him about it after the meeting.

Mr. Shultz said that according to Roberts Rules he could yield his time to this gentleman. The Mayor said no, that although we follow Roberts Rules yielding time is at the Chairman's discretion.

Item # 4. Mayor's Report.

Mayor Pro Tem Warrick read the Proclamation for City Government Week and presented it to the City Manager.

Item # 5. Commissioners' Reports.

Commissioner Peebles – The past few weeks have been fun. He attended the legislative session where they, as a city, presented their requests. He thanked the city manager and all those involved in putting those requests together. They were the only municipality that did that. The city received an Apple of my Eye award from the Chamber of Commerce.

Commissioner Perno – Thanked everybody for being here. Asked that all keep our thoughts with what is going on in the world today.

Commissioner Warrick – Noticed that our parks and ground department won landscape of the month from the Lynn Haven Garden Club. We appreciate them and congratulations. Also attended the legislative session and encourages all to keep in touch with our representatives. A citizen came to speak with him about the right to entry relating to the property management code that is being revised. Our current code is open-ended, leaving it open so that state law overrides it. The state code says in order for them to enter a family residence you need approval from the property owner or a warrant. He would like to recommend including this specific language in our current proposed code. The Mayor said they will look at that and vote on it when it is covered in the workshop, saying that it has been discussed before as well.

Commissioner Vandergrift – nothing to report.

Item # 6. City Manager's Report.

A. Warrant list. There were no questions.

City Manager Gainer said that tomorrow is the grand opening for the new city hall, and she reiterated that everyone is invited. The city has again been named 14th safest city in Florida and #2 per capita. Also, we received a \$35k grant through the Fire House Subs Public Safety Board which goes to the fire department for several pieces of equipment. The new sports complex was named and received the Apple of My Eye award by Bay Chamber of Commerce. This is our third Apple of My Eye Award the city has received. Utility Department passed the clean water quality with DEP. Our Sports and Recreation team are looking into being incorporated with the NFL flag football going forward. Public Works will now be preparing for the car park across from Cain Griffin Park. There has been a lot of interest in Art in the Park, and we are trying to plan another one for December. Registration is still open for Co-ed softball. Congratulated Mrs. Hodges on being promoted to Assistant City Manager from Director of Human Resources and Risk Management.

Item # 7. City Attorney's Report.

City Attorney Kevin Obos – Nothing to report.

CONSENT AGENDA

Item # 8. Approval of Minutes dd 09/26/23 - Regular meeting minutes.

Item # 9. Approval to hold one commission meeting on November 14th, 2023, and one meeting in December on December 12th, 2023.

Item # 10. Approval of lease agreement with RDK Truck Sales for a side loader sanitation truck.

Item # 11. Approval of contract extension with King Tractor Services for ditch digging services, originally approved via RFP 20/21-04 on November 8, 2021, keeping prices the same.

Commissioner Warrick asked to pull items 9 and 10 off the consent agenda for further discussion.

Motion by

Commissioner Warrick to approve items 8 and 11 on the consent agenda and remove items 9 and 10 for further discussion.

Second to the Motion:

Commissioner Perno

On Vote:

Warrick	aye
Perno	aye
Peebles	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

OLD BUSINESS

Item # 12. Final Reading of Ordinance 1160 – adopting a modification to the re-employment requirements for the General Employees' Pension Fund.

The City Manager read the Ordinance by Title only.

The Mayor opened the floor for comment.

Commissioner Peebles asked for an explanation of the definition of “new hire” in relation to this ordinance. Mrs. Hodges explained that once they have been separated from the city for a year they are rehired as new hires.

Commissioner Peebles asked what the retirement age is. Mrs. Hodges said it is 55 and she went on to explain the vesting periods. Mrs. Hodges explained that the next two ordinances 1161 and 1162 were exactly the same but for the Firefighters and Police pension funds.

Motion by Commissioner Peebles to approve Ordinance 1160 – adopting a modification to the re-employment requirements for the General Employees’ Pension Fund.

Second to the Motion: Commissioner Perno

On Vote:

Peebles aye
Perno aye
Warrick aye
Vandergrift aye
Nelson aye

Motion passed: 5-0

Item # 13. Final Reading of Ordinance 1161 – adopting a modification to the re-employment requirements for the Firefighters’ Pension Fund.

The City Manager read the Ordinance by Title only.

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

Motion by Commissioner Perno to approve Ordinance 1161 – adopting a modification to the re-employment requirements for the Firefighters’ Pension Fund.

Second to the Motion: Commissioner Warrick

On Vote:

Perno aye
Warrick aye
Peebles aye
Vandergrift aye
Nelson aye

Motion passed: 5-0

Item # 14. Final Reading of Ordinance 1162 – adopting a modification to the re-employment requirements for the Police Pension Fund.

The City Manager read the Ordinance by Title only.

The Mayor opened the floor for comment. There were no comments.

Motion by Commissioner Perno to approve Ordinance 1162 – adopting a modification to the re-employment requirements for the Police Pension Fund.

Second to the Motion: Commissioner Peebles

On Vote:

Perno aye
Peebles aye
Warrick aye
Vandergrift aye
Nelson aye

Motion passed: 5-0

NEW BUSINESS

Item # 9. Approval to hold one commission meeting on November 14th, 2023, and one meeting in December on December 12th, 2023

Commissioner Peebles would prefer it to be an evening meeting because morning meetings statistically have lower attendance for people that work. He shared some statistics.

The City Manager asked permission to respond, and the Mayor granted permission. The City Manager explained that at these two meetings the agenda is very light, and we are cognizant of what is on the agenda.

Commissioner Warrick said that although he feels consistency is important, his opinion is that he would rather have both meetings in the evening to incorporate most of the working-class people.

The Mayor said that on the flip side there are people who also work during the day that prefer the morning meetings. Also, if there is anything people want to address, he encourages them to send emails and make phone calls. He encourages people to address their issues immediately by contacting the city or their commissioner rather than waiting for public commentary at a commission meeting. The Mayor said if there is no motion there will be two meetings in November and two meetings in December.

Motion by Commissioner Perno to approve having one meeting on November 14th, 2023, and one meeting on December 12th, 2023, at 4pm at each meeting.

Second to the Motion: Commissioner Peebles

On Vote:

Perno	aye
Peebles	aye
Warrick	no
Vandergrift	no
Nelson	no

Motion failed: 3-2

Item # 10. Approval of lease agreement with RDK Truck Sales for a side loader sanitation truck.

Commissioner Warrick asked if it is more financially beneficial to lease as opposed to buying one? Mr. Lightfoot explained we had purchased two trucks for more than \$400k a piece. One of those trucks has been down for two weeks and although is under warrantee we do not have a replacement truck. If that same truck were under lease, they would bring us another truck immediately. The 24-month lease would be \$204k. If we purchased another truck for \$400k and kept it for 5-10 years, we would only get between \$25k - \$100k for that truck on resale. We would also not save any money on insurance because whether we hire or purchase, we are required to keep the same amount of insurance.

Commissioner Warrick spoke about the city also paying out maintenance costs. Mr. Lightfoot agreed, explaining that last year we spent more than \$100k on just maintenance, and that those costs would not occur if we hired a truck.

Commissioner Warrick asked if we need a minimum of three trucks daily. Mr. Lightfoot said yes.

Commissioner Warrick asked if he felt it was financially beneficial to lease rather than purchase a new truck. Mr. Lightfoot said yes, and many other municipalities are starting to use this method rather than owning their trucks and the costs that come with owning.

Commissioner Perno queried the annual cost. Mr. Lightfoot said \$204k over 2 years.

Motion by Commissioner Warrick to approve the lease agreement with RDK Truck Sales for a side loader sanitation truck.

Second to the Motion: Commissioner Peebles

On Vote:

Warrick	aye
Peebles	aye
Perno	aye
Vandergrift	aye
Nelson	aye

Motion passed: 5-0

Mayor Nelson advised the Commission they could revisit Item #9 if they wished to make another motion. The Commission agreed they would like to.

Item # 9. Approval to hold one commission meeting on November 14th, 2023, and one meeting on December 12th, 2023

Motion by Commissioner Warrick to approve holding one commission meeting on November 14th, 2023, and one meeting on December 12th, 2023.

Second to the Motion: Commissioner Peebles

On Vote:

Warrick	aye
Peebles	aye
Perno	aye
Vandergrift	aye
Nelson	aye


Motion passed: 5-0

Commissioner Perno sought clarity about the times of the meetings that had been approved. Mayor Nelson confirmed it was at the 9am session that is normally held on the approved dates.

Item # 15. Adjourn.

There being no further business the meeting adjourned at 09.43 A.M.

APPROVED THIS 24th DAY OF October 2023.



Jesse Nelson, Mayor

ATTEST:


Vickie Gainer, City Manager

prepared by
Cicelia Rushing