

TUESDAY, OCTOBER 11TH, 2022
CITY COMMISSION MEETING – 9:00 A.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 9:01 A.M.

Item # 2. Invocation and the Pledge of Allegiance.

By Pastor Eric Schroeder of Radiant New Life Church.

Item # 3. Public Commentary.

Ms. Moore – Amhurst Street – said she feels like the Mayor played favorites at the last meeting and treated people differently, saying that a good leader treats everyone the same. At the last meeting people said she didn't live in Lynn Haven, and she said she is always clear that she doesn't live in Lynn Haven, even though she is only 5 minutes away. However, the real topic was that score sheets were changed to ensure a specific company qualified, and she has every right to question it because it is FEMA money, and it is a Federal issue. A gentleman has come here a few times, from a different city, and although he has every right to speak too, she is interested and would like to know why Mr. Tony Bostick comes all the way over here to Lynn Haven to speak. Mayor Nelson said she should ask Mr. Bostick that question. Ms. Moore asked if anyone on the Commission is close personal friends with him. Mayor Nelson said he knows him. Ms. Moore asked if they are close and personal friends. Mayor Nelson said it depends on what she defines as close and personal, and they are simply acquaintances.

Mr. Lou Jones – Lions Organization – referred to the document handout in front of the Commissioners and proceeded to explain the services of the Lions Organization. Commissioner Perno invited the Lions to continue speaking if they weren't finished because there were two of them. The Lions Organization second representative continued explaining their services, and what they would like to do in Lynn Haven as well.

Item # 4. Mayor's Report.

Mayor Nelson read and signed the Proclamation for Florida City Government Week.

Mayor Nelson officially apologized to the citizens of Lynn Haven for the things that happened after Hurricane Michael. He sincerely apologized that the City government abused their power and the funds of the City. He said that those that are here now and didn't take part in that corruption, are still sorry it happened, and he asked that they be given the opportunity to make it better and go forward to continue with the great things that are now happening in spite of the illegal and unethical things that were done.

The Mayor said thanks to the citizens and first responders who participated in the disaster relief drive for South Florida.

Mayor Nelson said that although October 10th was the anniversary of the Hurricane Michael disaster, October 11th is a day of hope because that is the day others streamed in to help Lynn Haven, and the City began to rebuild.

Item # 5. Commissioners' Reports.

Commissioner Aldridge – agrees with the Mayor to lift up and pray for those affected by Hurricane Ian and asked that we all continue to lift them up for strength.

Commissioner Perno – Day 30 without rain. Hopes the people down South have the same resilience and hope that Lynn Haven had 4 years ago. Thanks, first responders and city employees. Thanked the Lion Organization for serving their communities well.

Commissioner Warrick – Echoes the thoughts about Hurricane Michael and Hurricane Ian. Regarding the past of the City and the debt they accumulated leading up to Hurricane Michael, he said the Commission are going to make tough decision that won't make everyone happy but understand the decisions will be made according to what is best for the residents. The City's debt has reduced substantially. October 22nd at Taco Way is the next Time With The Commissioner event.

Commissioner Tinder – had a few residential issue queries and the corner of Harvard and 390 especially, also the building across from Sheffield Park. She said she was once a member of Lions in Callaway and will be joining again and encourages people to get involved with them.

Item # 6. City Manager's Report.

A. Warrant list update – There were no questions.

City Manager commended the Commission for sending in and querying documentation on any of the check requests and other payments that the City makes. The Commissioners see everything the City does, and she thinks this is important. She reminded them that it does not bother her or her staff at all. She thanked the Commissioners for being very diligent in that regard.

Baseball and basketball have started and are going well.

Several big events coming up, largest one being the Annual Halloween Carnival on Oct 31st 5.30pm-8.30pm, and every year the City tries to get better organized with each event.

Regarding the rebuild – City Hall is on track again. Ball fields are still on target. Landscaping down for ball fields by end of October. Sports complex target January 2023. Finally started on public works building.

Florida City Government Week from Oct 17th – Oct 21st. We have some activities planned and residents will see them promoted very soon on the City website.

Item # 7. City Attorney's Report.

City Attorney Obos had nothing to report.

CONSENT AGENDA

Item # 8. Minutes dd 09/27/22 - Regular meeting minutes.

Item # 9. Approval to hold one commission meeting in November on the second Tuesday, November 8th, 2022, and one meeting in December on the second Tuesday, December 13th, 2022.

Item # 10. Approval to appoint Mrs. Rita Miller as the Commission appointed position on the Lynn Haven Firefighters' Pension Board.

Motion by Commissioner Perno: to approve the consent agenda

Second to the Motion Commissioner Tinder

On Vote:

Perno	aye
Tinder	aye
Warrick	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0

OLD BUSINESS

PUBLIC HEARING OPENED: (9:29 A.M)

Item # 11. Final 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.

City Manager Read the Ordinance by title.

The Planning Director exhibited the map on the overhead monitors.

City Attorney Obos explained the item.

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

Motion by Commissioner Perno: To approve Ordinance 1135.

Second to the Motion Commissioner Warrick

On Vote:

Perno	aye
Warrick	aye
Tinder	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0

PUBLIC HEARING CLOSED (9:32 A.M)

NEW BUSINESS

Item # 12. Discussion and possible approval of the City's welcome monument signs construction plans and bid advertisement.

The Director of Economic Development introduced Mr. Marcus Gemsch of Florida Architects who explained the item.

Commissioner Tinder queried the name of Mr. Gemsch's company, and Mr. Gemsch said Florida Architects.

Commissioner Perno asked when they will be installed, and Mr. Gemsch answered they still have to go out to bid to get a contractor to do them. Commissioner Tinder asked if that means it will come back to the Commission and the City Manager confirmed yes.

City Manager reminded all that Nathaniel Reeve from Mosley High School was the student that had submitted the winning sketch during the competition the Commission had run.

Motion by Commissioner Aldridge: To approve the City's welcome monument signs construction plans and bid advertisement.

Second to the Motion Commissioner Tinder

On Vote:

Aldridge	aye
Tinder	aye
Perno	aye
Warrick	aye
Nelson	aye

Motion passed: 5-0

Item # 13. Discussion and possible approval of Reimbursement Agreement with James Finch & Associates for Sewer Line Upgrade along CR-389 in the amount of \$122,000.

The Chief Infrastructure Director Explained the item.

Commissioner Tinder asked if he had any idea of the length of time the upgrade will take.

Director explained no idea how long at this stage.

Commissioner Perno asked any idea how much the impact fee intake will be? Attorney explained that the City receives impact fees from residents who will use that line so it will depend on the extent of the development. The City will take half that impact fee and set it aside for this until the \$122k is paid out or until it reaches 10 years.

Motion by Commissioner Warrick: To approve the Reimbursement Agreement with James Finch & Associates for Sewer Line Upgrade along CR-389 in the amount of \$122,000.

Second to the Motion Commissioner Perno

Mr. Beshearse – said that the documents initially estimated a project cost of \$122k and later in the document it refers to a reimbursement up to the total of the project cost. He would prefer an actual cap on the actual \$122k reimbursement, taking into account that potential change orders could affect the ultimate project cost.

The City Attorney explained they had defined the project cost as the \$122k.

On Vote:

Warrick	aye
Perno	aye
Aldridge	aye
Tinder	aye
Nelson	aye

Motion passed: 5-0

Item # 14. Discussion and possible approval of the Task Order to Panhandle Engineering for the Engineering Services on the FDOT Legislative Paving Phase III project in the amount of \$160,325.

The Chief Infrastructure Director Explained the item.

Motion by Commissioner Aldridge: To approve the Task Order to Panhandle Engineering for the Engineering Services on the FDOT Legislative Paving Phase III project in the amount of \$160,325.

Second to the Motion for discussion Commissioner Perno

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye
Tinder	no
Nelson	aye

Motion passed: 4-1

QUASI-JUDICIAL PUBLIC HEARING OPENED: (9:41 A.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 # 15. Discussion and possible approval of Development Order – Climate Controlled Storage at Market Shops.

The Director of Planning & Development explained the item.

Commissioner Perno asked how tall it is? Director explained 3-storeys.

Commissioner Tinder said that would be taller than Aldi's. Director confirmed it will be.

Commissioner Tinder queried if it is less than our restrictions. Director said yes.

Commissioner Perno asked when Aldi’s would make the retention pond comply with the requirements? Director said perhaps the Infrastructure Director could investigate that.

Commissioner Perno said it is there, but it is overgrown, and they said they would clear it out. The Chief Infrastructure Director said it was part of the development order and He will have his department check it out.

Motion by Commissioner Warrick: To approve the Development Order for a three-story Climate Controlled Storage building at Market Shops on Parcel # 11667-280-004.

Second to the Motion Commissioner Aldridge

On Vote:

Warrick	aye
Aldridge	aye
Tinder	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

QUASI-JUDICIAL PUBLIC HEARING CLOSED: (9:47 A.M.)

Item # 16. Discussion and possible approval of Development Order Extension Request – Diego’s Burrito Factory.

The Director of Planning & Development explained the item, and that it is simply a request for an extension of the already approved Development Order from October 12th last year.

Motion by Commissioner Tinder: To approve the 12-month extension to the Development Order originally approved on October 12, 2021, for the Diego’s Burrito Factory construction.

Second to the Motion Commissioner Perno

On Vote:

Tinder	aye
Perno	aye
Aldridge	aye
Warrick	aye
Nelson	aye

Motion passed: 5-0

Item # 17. Discussion and possible approval of Resolution #2022-10-399 to approve the FDOT supplemental agreement for the construction of the Rails to Trails project.

The Director of Economic Development explained the item.

Commissioner Tinder asked if this going from \$231k to \$290? Director explained yes. Commissioner Tinder asked if this would give the State a lot of say on this project? Attorney explained it is their funds granted to the City and was already approved previously.

City Manager read the Resolution by title only.

Motion by Commissioner Aldridge: To approve Resolution #2022-10-399.

Second to the Motion Commissioner Perno

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye

Minutes from the City Commission meeting called October 11, 2022 at 9:00 A.M.

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Tinder
Nelson

aye
aye

Motion passed: 5-0

Item #20 Adjourn.

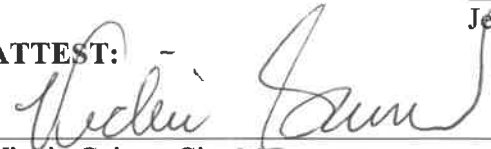
There being no further business the meeting adjourned at 9.52 A.M.

APPROVED THIS 25th DAY OF October 2022.



Jesse Nelson, Mayor

ATTEST:



Vickie Gainer, City Manager

prepared by
Cicelia Holliday