

The Lynn Haven City Commission held a regularly scheduled workshop on Monday, April 26, 2010 at 4:00 p.m. in the Commission Meeting Room at City Hall. The purpose of the workshop was to discuss the Commission Agenda for April 27, 2010. The workshop was **4:46 p.m. adjourned p.m.**

Present: Walter T. Kelley, Mayor
Antonius G. Barnes, Mayor Pro Tem/Commissioner
Joseph Ashbrook, Commissioner
Roger Schad, Commissioner
Frances Wittkopf, Commissioner
John B. Lynch, City Manager
Robert C. Jackson, City Attorney
Dennis Kiah, Assistant Police Chief

**CITY OF LYNN HAVEN
CITY COMMISSION MEETING MINUTES
APRIL 27, 2010 -4:00 P.M.**

The Lynn Haven City Commission held a regularly scheduled meeting on Tuesday, April 27, 2010 at 4:00 p.m. in the Commission Meeting Room at City Hall.

Present: Walter T. Kelley, Mayor
Antonius G. Barnes, Mayor Pro Tem/Commissioner
Joseph Ashbrook, Commissioner
Roger Schad, Commissioner
Frances Wittkopf, Commissioner
John B. Lynch, City Manager
Robert C. Jackson, City Attorney
Dennis Kiah, Assistant Police Chief

Mayor Kelley called the meeting to order and Commissioner Barnes gave the Invocation. The Pledge of Allegiance followed.

Item #3. Mayor's Report: Mayor Kelley reported that he was in Tallahassee this past week with the Mayor's fly-in and also representing the Northwest Florida League of Cities.

Item #4. Commissioner's Report:

Commissioner Schad reported that he attended a dedication in Porter Park for a pavilion donated by the Lynn Haven Rotary Club.

Commissioner Ashbrook: no report.

Commissioner Wittkopf: no report.

Commissioner Barnes reported that he attended the EDA meeting last Thursday and the EOC grand opening later that same day.

City Commission Meeting Minutes of April 27, 2010
Page Two

Mayor Kelley reported that he attended the MPOAC meeting for the State Transportation Committee with the topic of discussion being the Amtrak Sunset Ltd. from Jacksonville to New Orleans - there is ongoing discussion to get this up and running again.

Item #5. City Manager's Report: City Manager Lynch read a letter to send to Derwin White, President, Lynn Haven Rotary Club, thanking them for the pavilion at Porter Park.

Motion by Commissioner Schad: To authorize sending the letter to the Rotary Club.

Second to the motion: Commissioner Barnes.

On Vote: Schad: aye
 Barnes: aye
 Wittkopf: aye
 Ashbrook: aye
 Kelley: aye Motion passed: 5-0

City Manager Lynch stated that an issue regarding the use of golf carts on city roads had been brought to his attention; golf carts are prohibited from operation on public roads unless the county or city makes a concession to allow them; the City would absorb the liability if approved.

Motion by Commissioner Ashbrook: To authorize the City Manager to draft a policy and bring back to the Commission for discussion and/or approval.

Second to the motion: Commissioner Schad.

On Vote: Schad: aye
 Barnes: aye
 Wittkopf: aye
 Ashbrook: aye
 Kelley: aye Motion passed: 5-0

Item #6. City Attorney's Report: No report.

PUBLIC HEARING OPENED: 4:17 p.m.

Item #7. Capital Improvement Element, Ordinance 931: The proposed amendments is to add text amendments to the Capital Improvements Element of the Comprehensive Plan. City Manager Lynch read Ordinance 931 by title only.

There was lengthy discussion regarding the legality of meeting times and whether or not a public hearing addressing this issue should be held after 5:01 p.m.

City Attorney Jackson stated that this issue had been discussed previously and it is his belief that a meeting where the public can speak can be considered a public hearing. He stated that he would research again and bring back to the Commission.

City Commission Meeting Minutes of April 27, 2010
Page Three

The **PUBLIC HEARING** was closed *at 4:23 p.m.*

City Commission Meeting suspended for five (5) minutes.
City Commission Meeting was reconvened.

Motion by Commissioner Barnes: To move forward with sending the DCA unless otherwise specified.

Second to the motion: Commissioner Schad.

On Vote: Barnes: aye
Wittkopf: aye
Ashbrook: aye
Schad: aye
Kelley: aye

Motion passed: 5-0

CONSENT AGENDA:

Item #8. Minutes: 04/13/10 - Regular Meeting

Motion by Commissioner Schad: To approve as presented.

Second to the motion: Commissioner Barnes.

On Vote: Schad: aye
Barnes: aye
Wittkopf: aye
Ashbrook: aye
Kelley: aye

Motion passed: 5-0

Item #9. Approval of July 3rd parade route for Independence Day celebration: The annual parade will proceed east on 5th Street from Montana Avenue to SR Hwy 77, then South on SR Hwy 77 the West on 11th Street to Florida Avenue.

Motion by Commissioner Schad: To approve as presented.

Second to the motion: Commissioner Wittkopf.

On Vote: Schad: aye
Barnes: aye
Wittkopf: aye
Ashbrook: aye
Kelley: aye

Motion passed: 5-0

OLD BUSINESS:

Item #10. Second and final reading of Ordinance 931, Capital Improvement Element: City Manager Lynch read Ord. 931 by title only. This was the second and final reading.

City Commission Meeting Minutes of April 27, 2010

Page Four

Motion by Commissioner Barnes: To approve as presented.

Second to the motion: Commissioner Schad.

On Vote: Barnes: aye
Wittkopf: no
Ashbrook: aye
Schad: aye
Kelley: aye

Motion passed: 4-1

NEW BUSINESS:

Item #11. Resolution 2010-04-503, Fire Truck master lease agreement: A resolution authorizing the execution and delivery of a master lease agreement, equipment schedule No. 1 and related instruments for the acquisition of a fire truck with tax exempt financing. City Manager Lynch read Res. 2010-04-503 by title only.

Motion by Commissioner Barnes: To approve as presented.

Second to the motion: Commissioner Schad.

On Vote: Barnes: aye
Wittkopf: aye
Ashbrook: aye
Schad: aye
Kelley: aye

Motion passed: 5-0

Item #12. Resolution 2010-04-504, adopting the mid-year amended budget for FY2009-2010: A resolution amending the adopted General Fund and Community Redevelopment Agency budgets and the approved Enterprise Fund budgets for FY2009-2010. City Manager Lynch read Res. 2010-04-504 by title only.

Motion by Commissioner Schad: To approve as presented.

Second to the motion: Commissioner Ashbrook.

On Vote: Schad: aye
Barnes: aye
Wittkopf: aye
Ashbrook: aye
Kelley: aye

Motion passed: 5-0

Item #13. Discussion and possible action regarding approval of a license agreement with St. Joe Company: An agreement to provide an access road to enter land owned by St. Joe Company to inspect, examine, survey and perform tests, inspections, studies, environmental audits and other evaluations of the property - Camryn's Crossing.

Motion by Commissioner Schad: To approve as presented.

Second to the motion: Commissioner Wittkopf.

City Commission Meeting of April 27, 2010
Page Five

On Vote: Ashbrook: aye
 Schad: aye
 Barnes: aye
 Wittkopf: aye
 Kelley: aye

Motion passed: 5-0

Item #14. First reading of Ordinance 933, standards for maximum occupancy of residential dwelling units: City Manager Lynch read Ord. 933 by title only. This was the first reading and no action was required.

Item #15. Public Commentary:

Mr. Richard Walker talked about “we” and the constitution.

There was no further business to discuss and the meeting was *adjourned at 4:51 p.m.*

APPROVED THIS _____ DAY OF _____ 2010.

Walter T. Kelley, Mayor

ATTEST:

John B. Lynch, City Manager

Prepared by Laurie Baker