

The Lynn Haven City Commission held a regularly scheduled workshop on Monday, December 13 2010 at 4:00 p.m. to discuss the City Commission Agenda for Tuesday, December 14, 2010. The workshop was *adjourned at 4:45 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
DECEMBER 14, 2010 -5:01 P.M.**

The Lynn Haven City Commission held a regularly scheduled meeting on Tuesday, December 14, 2010 at 5:01 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 intends to run for re-election in April 2011.

A. Letter of Recognition: Mr. David Tomkinson & Brian Sullivan received a citizen letter of recognition for doing a good job.

Item #4. Commissioner's Report:

Commissioner Barnes wished everyone a Merry Christmas & Happy New Year. Commissioner Wittkopf stated that she attended Winter Wonderland and thought it was fantastic. She also wished everyone a Merry Christmas & Happy New Year. Commissioner Ashbrook wished everyone a Merry Christmas & Happy New Year. Commissioner Schad also stated that Winter Wonderland was very successful and wished everyone many blessings for a Merry Christmas & Happy New Year.

City Commission Meeting Minutes of December 14, 2010
Page Two

Item #5. City Manager's Report: A. Employee of the Month - November 2010: Mr. David Ventidos, Leisure Services, was awarded the Employee of the Month - November 2010 award for his hard work and dedication to the City.

City Manager Lynch reported that he has spoke with Ms. Janet Watermier, EDA, regarding the vacant Sallie Mae building and the Bay Haven Charter School. City Manager Lynch stated that Ms. Watermier has been working with a company that may want to locate in the vacant building but has been having trouble obtaining the keys to be able to show the building; this company has a potential 500 jobs. Mayor Kelley suggested the City Manager set a meeting with Ms. Watermier and all other affected parties to discuss options regarding the vacant Sallie Mae building.

Motion by Commissioner Ashbrook: To authorize the City Manager to set meeting with the EDA for discussions regarding the vacant Sallie Mae building.

Second to the motion: Commissioner Schad.

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

Motion passed: 5-0

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

PUBLIC HEARING OPENED: 5:14 p.m.

Item #7. Large Scale Plan Amendment - LSA-10-3, Water Facilities Supply Plan - Ord. 939: The proposed amendment consists of text revisions to the Future Land Use, Conservation, Infrastructure, and Intergovernmental Coordination Elements of the City's Comprehensive Plan, as well as the incorporation of the proposed Water Supply Facilities Work Plan.

There was no audience participation and the Public Hearing was closed at 5:21 p.m.

PUBLIC HEARING OPENED: 5:22 p.m.

Item #8. Small Scale Plan Amendment - SSA-10-3, Ginn-Hartzog, 26th Street & Jenks Avenue - Ordinance 940: Joey Ginn, Benjamins, LLC, and Cullen Hartzog have requested an amendment to the Future Land Use Map. The property is approx. 5.2± acres and is located southeast of the Jenks Avenue and 26th Street intersection. The current land use designation is Commercial and the applicants are requesting a land use designation of Medium Density Residential.

City Attorney Jackson reported that he is not comfortable with legal issues and asked that this item be approved contingent on Mr. Jackson speaking with Mr. Rob Williams. There was no audience participation and the Public Hearing was closed at 5:25 p.m.

PUBLIC HEARING OPENED: 5:25 p.m.

Item #9. Small Scale Plan Amendment - SSA-10-4, Panhandle Medical Group, 1705 Ohio Avenue - Ordinance 941: Panhandle Medical Group, LLC, has requested an amendment to the Future Land Use Map. The property is approx. 0.37± acres and is located at 1705 Ohio Avenue. The current County land use designation is Commercial in the County; the requested City land use designation is Commercial. There was no audience participation and the Public Hearing was closed at **5:26 p.m.**

CONSENT AGENDA:

Item #10. Minutes: 11/09/10 - 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

OLD BUSINESS:

Item #11. Second and final reading of Ordinance 937, annexation, (ANNX-10-1), Panhandle Medical Group, LLC, 1705 Ohio Avenue: Panhandle Medical Group, LLC, has requested the voluntary annexation of a parcel of property located east of Hwy 77 between 17th & 18th Street; the property is approx. 0.37± acres. Water and sewer are available. City Manager Lynch read Ord. 937 by title only.

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

Item #12 Second and final reading of Ordinance 938, Gulf Power Franchise Agreement: An ordinance of the City of Lynn Haven granting to the Gulf Power Company a franchise to maintain and operate an electric plant and an electric transmission and distributing system in the City of Lynn Haven to construct, maintain, operate and extend electric transmission and distribution lines in the streets and public places of the City. City Manager Lynch read Ord. 938 by title only.

City Commission Meeting Minutes of December 14, 2010
Page Four

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 #13. Second and final reading of Ordinance 939, Large Scale Plan Amendment - LSA-10-3, Water Facilities Supply Plan: The proposed amendment consists of text revisions to the Future Land Use, Conservation, Infrastructure, and Intergovernmental Coordination Elements of the City's Comprehensive Plan, as well as the incorporation of the proposed Water Supply Facilities Work Plan. City Manager Lynch read Ord. 939 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 #14. Second and final reading of Ordinance 940, Small Scale Plan Amendment - LSA-10-3, Ginn-Hartzog, 26th Street and Jenks Avenue: Joey Ginn, Benjamins, LLC, and Cullen Hartzog have requested an amendment to the Future Land Use Map. The property is approx. 5.2± acres and is located southeast of the Jenks Avenue and 26th Street intersection. The current land use designation is Commercial and the applicants are requesting a land use designation of Medium Density Residential. City Manager Lynch read Ord. 940 by title only.

Motion by Commissioner Schad: To approve based on the contingency requested by City Attorney Jackson.
Second to the motion: Commissioner Wittkopf.

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

Motion passed: 5-0

City Commission Meeting Minutes of December 14, 2010
Page Six

Motion by Commissioner Schad: To approve based on the contingency of City Attorney Jackson.

Second to the motion: Commissioner Barnes.

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

Motion passed: 5-0

Item #18. Discussion and possible action regarding approval of a Development Order and Certificate of Concurrency (DO 10-8) for Trane 2010 expansion: Trane Commercial Systems has requested the approval of a CC/DO in order to add 56,000 sq. ft. of new storage area and 28,000 sq. ft. of new parking area; there will be approx. 270 employees added in 2010. The property is approx. 6.26± and is located at 400 Aberdeen Loop.

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

Item #19. Resolution 2010-12-522, related to the Let's Move Campaign: A resolution supported by the Florida League of Mayors and headed by the First Lady of the United States, the President's Task Force on Childhood Obesity and Secretary of Health & Human Services' in an effort to solve the challenge of childhood obesity. City Manager Lynch read Res. 2010-12-522 by title only.

Motion by Commissioner Barnes: To approve Resolution 2010-12-522 as presented.

Motion failed for lack of a second to the motion.

Item #20. Discussion and possible action regarding approval of Change Order #2 to the contract with BCL Civil Contractors, Inc. on the Mosley Drive Pedestrian Improvements project: As the Mosley Sidewalk project nears completion there a couple of items that can be improved upon to further enhance pedestrian safety as follows: (1) Install white thermoplastic stripes along each side of the crosswalk stamping that has been installed in the vicinity of Mosley High & The Hammocks. (2) There is a water retention problem at the lift station east of The Hammocks.

City Commission Meeting Minutes of December 14, 2010
Page Seven

This problem is due to the lift station driveway being considerably higher than the sidewalk and will require reconstruction of the driveway and modified drainage in the area. (3) The dirt entrance into the Mosley driving course has some erosion caused by vehicular traffic which will eventually cause the sidewalk to crack. A concrete apron is needed here to prevent future maintenance problems. The projected cost for Change Order #2 is \$17,280. Staff recommends approval.

Motion by Commissioner Ashbrook: To approve as presented.
Second to the motion: Commissioner Schad.

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

Motion passed: 5-0

Item #21. Discussion and possible action awarding contract for Camryn's Crossing Environmental Resource Permit (ERP) Stormwater Improvements - Deductive Alternate #2: Staff recommends approval to award the Camryn's Crossing ERP Stormwater Improvements, Deductive Alternate #2, to Marshall Brothers Industrial for the price of \$269,868.

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 #22. Discussion and possible action regarding bid rejection for Phase II of Water Plant #2 Improvements and award a Design/Build Contract for installation of SCADA (Supervisory Control and Data Acquisition) and Mitigation Plan: Staff recommends to reject all bids received on July 9, 2009 for Phase II Water Plant #2 Improvements and award a Design/Build Contract to Phoenix Construction Services for installation of SCADA (Supervisory Control and Data Acquisition) at the Advanced Wastewater Plant #2. This contract should also include installation of new high service pumps, chlorination system and backup emergency generator at Water Plant #2. Staff recommends a new RFQ and to consider a mitigation plan.

Motion by Commissioner Schad: To accept the recommendation of staff as presented.
Second to the motion: Commissioner Ashbrook.

City Commission Meeting Minutes of December 14, 2010

Page Eight

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

Motion passed: 5-0

Item #19. Public Commentary: None.

There was no further business to discuss and the meeting was *adjourned at 5:50 p.m.*

APPROVED THIS _____ DAY OF _____ 2010.

Walter T. Kelley, Mayor

ATTEST:

John B. Lynch, City Manager

Prepared by Laurie Baker