The Lynn Haven City Commission held a workshop on Monday, April 27, 2015 at 4:00 p.m. in the Chambers at 108 East 9th Street. The purpose of the workshop was to discuss the Commission Meeting Agenda for April 28, 2015. The workshop was adjourned at 4:16 p.m.

CITY COMMISSION MEETING MINUTES
APRIL 28, 2015 – 4:00 P.M.

Present: Margo Deal Anderson, Mayor
Roger Schad, Mayor Pro Tem/Commissioner
Joseph Ashbrook, Commissioner
Antonius G. Barnes, Commissioner
Joel B. Schubert, City Manager
Robert C. Jackson, City Attorney
Brian Blalock, Police Sergeant

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

Item #3. Mayor's Report: Mayor Anderson sincerely thanked everyone for coming today.

A. Proclamation – World Lupus Day: City Manager Schubert read this proclamation in its entirety.

B. Proclamation – Wreaths Across America: City Manager Schubert read this proclamation in its entirety.

Motion by Commissioner Schad: To approve both Proclamations as presented.
Second to the motion: Commissioner Friend.
On Vote: Schad: aye
Friend: aye
Barnes: aye
Ashbrook: aye
Anderson: aye Motion passed: 5-0

Item #4. Commissioner’s Report:
Commissioner Friend welcomed Mayor Anderson & stated that he looks forward to working with her.
Commissioner Barnes had no report.
Commissioner Schad congratulated everyone on the election.
Commissioner Ashbrook congratulated everyone on the election.

Item #5. City Manager’s Report: A. Employee of the Month – March: Mr. Charles Green, Utilities Lift Station Mechanic, was awarded the Employee of the Month Award for March 2015 for his hard work and dedication to the City.

B. Supervisor of the Quarter – Jan. – March: Mr. Sid David, Construction Supervisor, was awarded the Supervisor of the Quarter Award for his hard work and dedication to the City.

C. Ethics Training – 5/19: City Manager Schubert reported that ethics training will be on 5/19/2015 at The Chambers and is required by the State annually for certain elected officials and employees.


CONSENT AGENDA:
Item #7. Minutes: 3/24/2015 – Regular Meeting

Motion by Commissioner Barnes: To approve as presented.
Second to the motion: Commissioner Schad.
OLD BUSINESS:
Item #8. Second and final reading of Ordinance 996, Updating water systems regulations for backflow prevention and protection devices: This Ordinance is amending Chapter 70 of the Lynn Haven Code. City Manager Schubert read Ordinance 996 by title only. This was the second and final reading.

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

On Vote:  Barnes:  aye  Schad:  aye  Friend:  aye  Ashbrook: aye  Anderson: aye  Motion passed:  5-0

NEW BUSINESS:
Item #9. Discussion and possible action regarding award of bid for 17th Street drainage: Staff recommends approval to award 17th Street Drainage Improvements to Phoenix Construction in the amount of $335,132: The City received 3 bids on the project and Phoenix Construction came in as the low bidder for the base bid and deductive bid “A”. All base bids for 240’ of pipe were over the project budget and a deductive bid “A” was part of the original package that allowed for the deduction of pipe in 8’ sections which would allow the project to come within budget. Total award would be for 208’ of pipe and still leave a contingency.

Mr. Leon Miller was concerned with the work beginning on Colorado Avenue.
Mr. Jim Slonina, Panhandle Engineering, stated that you start at the end and work upstream improving so that it does not create flooding issues.
Mr. Miller said the Commission should listen to the people.
Mr. Virgil Duffell stated that he supports Mr. Miller and suggested the City see what the cost of guardrails would be.
Mr. Dale Robitaille commented on the piping of 17th Street ditch.
City Manager Schubert reported that we are exploring guardrails and working on acquiring federal funds – should have an answer in 6-9 months.
Mr. Richard Walker reported that the City had the money and squirreled it away on other projects.

On Vote:  Schad:  aye  Barnes:  aye  Friend:  aye  Ashbrook: aye  Anderson: aye  Motion passed:  5-0

Item #10. Discussion and possible action regarding award of bid for Water Main Replacement Project to North Florida Construction in the amount of $120,497: Staff recommend approval to award bid for Water Main Replacement Project to North Florida Construction in the amount of $120,497. As a continuing program for replacing of cast iron water mains within the City bids were received on the project which is located on Florida Avenue and Alley B from 12th Street to 8th Street. Four companies bid on the project.

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

On Vote: Schad: aye  
Friend: aye  
Barnes: aye  
Ashbrook: aye  
Anderson: aye  

Motion passed: 5-0

Item #11. Approval of agreement with Gulf Power for use of storm restoration staging site at Recreation Complex:  The contemplated use of this agreement will be for staging of personnel and equipment to support Gulf Power Company’s restoration efforts in the event of a storm. The duration of this agreement shall be from May 1, 2015 to December 31, 2016. Staff recommends approval.

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

On Vote: Ashbrook: aye  
Schad: aye  
Friend: aye  
Barnes: aye  
Anderson: aye  

Motion passed: 5-0

Item #12. Discussion and possible action regarding approval of sign easement located at Hilltop Lane and Hwy 390 with BH Hilltop Holdings, LLC:  BH Hilltop Holdings, LLC, owners of the new Beehive Assisted Living Facility on Hilltop Lane have agreed to grant the City a sign easement:  The proposed easement will be at the corner of Hilltop Lane and Hwy 390 on the west side of Hilltop. The City will own and maintain all parts of the sign with the exception of the two lower panels owned and maintained by Beehive. The City will also be responsible for the electricity required to illuminate the sign. Staff recommends approval.

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

On Vote: Ashbrook: aye  
Schad: aye  
Friend: aye  
Barnes: aye  
Anderson: aye  

Motion passed: 5-0

Item #13. First reading of Ordinance 997, Annexation, Perry & Murphy, 4836 Hwy 389:  Timothy & Anita Murphy, owners and applicants, have requested voluntary annexation into the city limits of Lynn Haven:  The property is approx. 4.293± acres and is contiguous to property lying within the city limits and it will not create an enclave. City Manager Schubert read Ord. 997 by title only. This was the first reading and no action was required.

Item #14. First reading of Ordinance 998, Small Scale Plan Amendment, SSA-15-1, Perry & Murphy, 4836 Hwy 389:  The property is approx. 4.29± acres and its current use designation is Residential in the County. The requested land use designation is the City’s Mixed Use. City Manager Schubert read Ord. 998 by title only. This was the first reading and no action was required.

Item #15. First reading of Ordinance 999, ULDC text change, Sec. 4.05.04, Accessory structures in Traditional Neighborhood Development areas:  An amendment to the above stated Section 4.05.04 of the ULDC will allow home buyers to have pools constructed on their property and should be a good marketing tool for D.R. Horton Homes to attract potential home buyers to the subdivision. City Manager Schubert read Ord. 999 by title only. This was the first reading and no action was required.
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Item #16. First reading of Ordinance 1000, ULDC text change, Sec. 6.05.16, Commercial by-pass lanes: An amendment to the above stated Section 6.05.16 of the ULDC will allow the City Commission to be able to review each project on its own merit, which would make it easier for property owners to utilize their property, support revitalization and encourage new development on infill lots. City Manager Schubert read Ord. 1000 by title only. This was the first reading and no action was required.

Item #17. First reading of Ordinance 1001, Real Estate Language Code Change: This code change proposes to amend Chapter Two, Article VI of the Lynn Haven Code of Ordinances; amending the procedures for the sale of City-owned Real Property: City Manager Schubert read Ord. 1001 by title only. This was the first reading and no action was required.

Item #18. Discussion and possible action regarding approval of Development Order and Certificate of Concurrency for Arbor Trace, Phase 2 (this is a quasi-judicial hearing): The applicant has requested the approval of a DO for expansion of the Arbor Trace apartment complex that currently exists between State Avenue and Jenks Avenue. The parcel to be used for the expansion is approx. 10.7 acres; the owner/applicant proposes to construct seven (7) new apartment buildings totaling 168 additional dwelling units. All parties who wish to provide testimony was sworn in by City Attorney Jackson. City Attorney Jackson stated that this is a quasi-judicial hearing and any Mayor/Commission who has ex-parte communication must disclose at this time – Anderson, Schad, Barnes, Ashbrook & Friend disclosed that they have had no ex-parte communication.

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

On Vote:
Schad: aye
Friend: aye
Barnes: aye
Ashbrook: aye
Anderson: aye

Motion passed: 5-0

Item #19. Discussion and possible action regarding approval of annual 4th of July fireworks display in the amount of $23,000 to Pyro Shows, Inc.:

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

On Vote:
Schad: aye
Friend: aye
Barnes: aye
Ashbrook: aye
Anderson: aye

Motion passed: 5-0

Item #20. Approval of contract for Liquid Sludge Hauling with Bay Environmental, Inc. in the amount of $59,230.70 per 1000 gallons:

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

On Vote:
Schad: aye
Friend: aye
Barnes: aye
Ashbrook: aye
Anderson: aye

Motion passed: 5-0
Item #21. Appointment of Mayor Pro Tem:

Motion by Commissioner Ashbrook: To appoint Commissioner Barnes as the Mayor Pro Tem.
Second to the motion: Commissioner Schad.
On Vote: Ashbrook: aye
Schad: aye
Friend: aye
Barnes: aye
Anderson: aye  Motion passed: 5-0

Item #22. Appointment of Treasurer:

Motion by Commissioner Schad: To appoint Mayor Anderson as the Treasurer.
Second to the motion: Commissioner Ashbrook.
On Vote: Schad: aye
Friend: aye
Barnes: aye
Ashbrook: aye
Anderson: aye  Motion passed: 5-0

Item #23. Resolution 2014-04-615, Updated Bay County Transportation Planning Organization Interlocal Agreement:

City Manager Schubert read this Resolution by title only. Commissioner Friend stated that this is a housekeeping measure with the TPO and the City; the TPO has this agreement with other municipalities.

Motion by Commissioner Barnes: To approve the agreement as presented.
Second to the motion: Commissioner Ashbrook.
On Vote: Barnes: aye
Ashbrook: aye
Schad: aye
Friend: aye
Anderson: aye  Motion passed: 5-0

Motion by Commissioner Barnes: To approve appointing Commissioner Ashbrook to the TPO Board.
Second to the motion: Commissioner Schad.
On Vote: Barnes: aye
Ashbrook: aye
Schad: aye
Friend: aye
Anderson: no  Motion passed: 4-1

Item #24. Public Commentary:

Mr. Dale Robitaille stated that the Mayor only has one vote. He suggested people attend the meeting.
Mr. Richard Walker wanted to know how much the City pays the TPO & he would like to see a more detailed report.
Commissioner Friend stated that TPO meetings are open to the public.
Mr. Leon Miller wanted to know the status of Hwy 390.
Commissioner Friend stated that Hwy 390 is a County owned road – negotiations are going on between the State and the Bay County.
Mr. Virgil Duffell encouraged youth involvement.
Ms. Laurie Johnson stated that she is concerned with the condition of Porter Park.
Mayor Anderson stated that Porter Park is a priority of hers and she plans to work to repair the park. City Manager Schubert reported that $200,000 is the budget for repairs this fiscal year and the seawall and safety are priorities. Mr. Brad Bennicoff asked about marginal returns on properties and 20’ setbacks. City Manager Schubert stated that the City is due a rate study. Ms. Nancy Singleton commented on ditch work on the right of way in front of her home; she presented a $25 invoice for work she did. Mayor Anderson stated that it would be her pleasure to reimburse Ms. Singleton personally for work she did on the ditch.

There was no further business to discuss and the meeting was adjourned at 5:10 p.m.

APPROVED THIS _____________ DAY OF ________________ 2015.

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Margo Deal Anderson, Mayor

ATTEST:

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Joel B. Schubert, City Manager

Prepared by Laurie Baker