

**TUESDAY, FEBRUARY 22, 2022
CITY COMMISSION MEETING – 5:30 P.M.**

Present: Jesse Nelson, Mayor
Brandon Aldridge, Commissioner
Pat Perno, Commissioner
Jamie Warrick, Commissioner
Judy Tinder, Commissioner
Vickie Gainer, City Manager
Lt. Steve Enfinger, Sergeant at Arms
Kevin Obos, City Legal Counsel

Item #1. Call to order.

Mayor Nelson called the meeting to order at 5.30 P.M.

Item #2. Invocation by Pastor Craig Carter - Pastor Lynn Haven First United Methodist Church; and the Pledge of Allegiance.

Item #3. Public Commentary.

Jodi Moore - Amhurst Street - spoke about the library to ensure it is a beautiful space. Highlighted the importance to her of the library for the community.

George Hines - 1603 Rhode Island Avenue - said he has been enjoying the Black History Program and appreciates how the City is doing an outstanding job by having the Black History celebration for 28 days. However, Black History is 365 days for him and a lot of people in America. He said Lynn Haven is not a racist city but there are racists in Lynn Haven. They are not only in law enforcement, but they are also in the fire department and every facet of the City. Last week when a citizen spoke about only having 3 minutes to speak - they get three minutes in every state of Florida to speak on every occasion. The only thing he could conclude is it's because a black Mayor and a black City Manager gave them three minutes to speak, and they enforce the rules the same as when John Lynch, Mayor Gardener, and Margaret Anderson were here. Nobody got irate about it then. So, when people get irate about it now because we have black leadership, he gets offended by it, and he is here to voice that opinion. This is America and he fought 21.5 years in the military for them to have the attitudes that they have and for him to have the attitude that he has because this is a free country. He said that people come into an occasion such as this and speak to the few Caucasian people they know. He said that they're not white, his paper is white, that nobody in here is white and he's not black, he is African-American. He said he is an American of African descendants, so don't call him buddy because buddy is a dog from where he comes from. He said he is Sir if they don't know his name just like he calls them Sir when he meets them, or M'am. He said that's it - he wants equal respect because he gives respect.

Janet Thompson - Minnesota Ave - is so grateful and so many other people are. We love our dog park and call it the "Bark Park". Once it gets dark it is fairly lengthy and both the gates are completely dark, and we walk in the pitch black. Parking is an issue as well. They are not parking in a different area for the sports. Also, you provided chairs for us. They are pretty colored, but they break. There are about 20-25 people that linger at the park and we would be grateful for a few more picnic tables and chairs.

Christy McElroy - Port St Joe - said she had put in a public records request to Vickie Gainer after the Friday pre-meeting. Proceeded to read her request. Said that the grievance counsel seems to be a good idea. Proceeded to read the first paragraph of Vickie Gainer's response. Said she was surprised and provided a copy of the document to the Commissioners.

Gerri Parker - Rett Place - wanted to address what Mr. Hines said about the public commentary concerns being racist. She said that race has nothing to do with her objection to public commentary. Not only is it wrong, but it is also insulting to her core. Her main issue was that it was moved to item 3 from item 7. How does moving it from 7 to 3 improve decorum?

Item # 4. Mayor's Report.

- A. **Proclamation - North Bay Haven Girls Weightlifting team.**
The Mayor read the proclamation and proceed to present it to the team.

- B. **Proclamation - Lynn Haven Raiders Cheer team.**
The Mayor read the proclamation and proceeded to present it to the team.

The Mayor spoke about the several opportunities he had to be involved with the Community over the past two weeks and to deal with some citizen's concerns. He spoke with Joel Brown about rails to trails and potentially putting historical markers along the trail. He said he is looking forward to the spring concert series coming back, as well as the Town Hall meeting. He spoke about his visit to the state capital and the experience of speaking to various representatives.

Item # 5. Commissioners' Reports.

Commissioner Aldridge thanked the citizens for coming out to the meeting. Thanked the city staff and first responders for the great job they do.

Commissioner Perno - Thanks to the citizens, staff and first responders.

Commissioner Warrick - Held the Time with the Commissioner on Saturday and met with 6 people who showed up. Next one is March 19th at slim chickens so please come along. Still working on his letter to the Governor and hopes to have it out this week. Haven't heard back from the letter to the representatives.

Commissioner Tinder - Heard from many residents about Albibi's property. Dealt with a number of residents issues, which the staff have taken care of. City Manager took care of the lady with the trailer who needs an extension. Had an educational conversation with a few librarians and would like to invite them to come to the next workshop regarding the library rebuild - they had some great ideas. They said to reconsider using rollers on the shelves because they would quickly sag.

Mayor Nelson said that with regard to some of the public commentary comments - Regarding the aesthetics things - we are still waiting on our planning dept to come back to us with options. Regarding moving the Public Commentary agenda item to item 3 - as said before the move was to allow us to respond to public commentary queries, during the various reports, because members of the public were complaining that they did not receive any response.

Item # 6. City Manager's Report.

City Manager Gainer mentioned that Table Talk was held on the 17th and was very interesting, with a presentation by the Planning Director.

The Fire Department is almost 90% complete.

March 1st will be the celebration of Police Department accreditation in the Senior Activity Center at 5pm.

We are now working on the remodeling of all the City buildings. Today we had a few more bids held for some of the work and hope to bring them before the Commission soon.

Spring ball opening day is March 5th and registration numbers are great.

The City will ensure we have a lot more lights out at the park. It is a balance because we have houses around so when you put lights on, the surrounding houses are not happy. So, we will have to try to find a balance. Are in the process of getting some signs that say, "dog park parking only". We will take care of a lot of those things asked for.

Workshop at the Senior Center on March 10th at 5pm for Marina Island.

Corresponding in emails can be read differently than the words were intended. As you know I correspond often with Commissioner Tinder, and an email can be read in a very different tone to what was intended.

Thanks to everyone who has participated in the Black History month.

Once the city is rebuilt you will enjoy every aspect of it.

A. Warrant list update - there were no questions for the Finance Director.

Commissioner Tinder wanted to ask Chris Lightfoot about one of the residents who has two orange cones in the middle of her yard on two middle drains and is concerned about what is going to happen with them. Mr. Lightfoot indicated he would take care of it.

Item # 7. City Attorney's Report.

Nothing to report.

CONSENT AGENDA

Item # 8. Minutes dd 02/08/22 - Regular meeting minutes.

Item # 9. Approval to extend occupation of an RV at 305 Montana Avenue through the end of September 2022, while improving their home via Rebuild Florida.

Item #10. Approval to appoint Mr. Jerry Whitworth to the Board of Adjustment.

Mayor Nelson asked if anyone wanted to discuss anything on the consent agenda. No one did.

Motion by Commissioner Tinder: To approve all items on the Consent Agenda as presented.

Second to the Motion Commissioner Perno

On Vote:

Tinder	aye
Perno	aye
Aldridge	aye
Warrick	aye
Nelson	aye

Motion passed: 5-0

OLD BUSINESS

Public Hearing - opened 6.07 pm

Item # 11. Final Reading of Ordinance # 1127 - Application for Future Land Use Map Amendment - Albibi; Parcel #s: 08922-060-000 & 089925-010-000; Industrial to Low Density Residential.

City Manager read the item by title only. Attorney advised land use changes are a policy decision by the city.

Planning Director explained the item, saying that the Planning Board recommended unanimous approval.

Mayor Nelson said he had received a phone call from Carol Roberts and from various businesses who were adamantly against this change.

Commissioner Warrick asked for clarification of the mixed use and commercial North of the fuel depot, and the Planning Director clarified.

Commissioner Tinder said the map makes it more obvious to her why the people in those areas are concerned. She would hate to see the City take away industrial property for when we actually want

to grow. We get a lot more taxes from industry than homes. Not opposed to fuel depot project but thinks if this is done it would need to be done for the fuel depot if they asked and this change may be setting a precedent.

Commissioner Aldridge said that if you look at the map you will see it is completely surrounded by homes. So, if an industrial person built an industrial building there then the current homes will be looking out at the gray metal building. The building has been vacant since 1911, so hoping someone will develop an industrial building there is conjecture, whereas now we have a developer who is ready to develop something else now.

Commissioner Warrick - in his opinion in the future it will become more urgent to develop on the land when land becomes more valuable. If the land use is changed and people build residential you will never ever get that industrial land use back again.

Further discussion ensued.

Mayor Nelson said if we are unable to decide now, then the Board may table it for further discussion.

Commissioner Perno said he had talked to residents and given it a lot of thought, but did not feel he was ready to make a decision yet.

Motion by Commissioner Perno: To table Ordinance # 1127 for further discussion and to have a workshop on it.

Second to the Motion Commissioner Tinder

Mayor Nelson invited the public to speak.

A member of public said that the owner has owned the property for decades and there is no one knocking on their door for it. It is a difficult situated property. If you have a workshop, will it require another couple of readings? Attorney said it would be one more final reading. He said they are only planning 18-20 single family homes on that property.

Commissioner Aldridge said you have to keep in mind whether the 18-wheelers can get in and out of the property if it is kept and built as industrial. This will impact residential homes. Imagine the emails we are going to be getting from residents about the noise.

Mr. Albibi - said he has owned the property for 30 years and have not had any industries interested in buying the property. It has gulf power easement on it and gulf power will impose restrictions on building. He doesn't think the property is even useful for industrial.

Cliff Myers - said his property is right next to it and changing the land use would impact him severely. They bought their land from the school and appreciates Lynn Haven for holding the zoning. There are up to 2000 employees that go there. Surrounded by industrial and would appreciate if you consider that it was put that way for a reason. Regarding them owning it for a longtime and no one is interested, he said they actually made an offer to buy from Mr. Albibi. For the very first time two Fridays ago, one of the Commissioners called to just find out information and doing their job. He thanked the Commissioners that they are trying.

Mr. Walker - 1106 Michigan Avenue - is there an easement on that property? Attorney said it looks like a hundred foot gulf power easement. Mr. Walker said they have a decision to make - do they want commercial, or do they want residential? They don't need to kick it down the road. Business brings in employees, employees buy residences, they both pay taxes. What is good for this city? Is it businesses with a lot of people?

Harvey (unintelligible) 1020 Arthur Drive - owns the building on the curve. They moved there because it was going to be an industrial park and they don't want to see that change. The closer the houses get to industry the less industry you will have. What industrial land we have we should retain.

Commissioner Aldridge - the gulf power right of way, how will that play a role if there was industry or homes going in there? Attorney said - If it was residential, they would build around it or put a road along it. Commissioner Aldridge asked if it was an industrial building, they would not allow it to be built over the easement, correct? Attorney said correct.

Commissioner Tinder - stormwater - interested how homes would be affected if built in that area and who will pay for all that. Mayor said he can get those details, although that is not something they should be basing their decision on. Attorney - they could put an apartment complex on there right now and you would have to try to resolve any stormwater issues.

Commissioner Tinder asked why the development permit was included. Director said it was included in the requestors packet, although it should not have been.

Another member of the public said she would assume an electrical corridor going through a residential area is not really healthy for the residents.

On Vote:

Perno	aye
Tinder	aye
Aldridge	no
Warrick	no
Nelson	aye

Motion passed: 3-2

Public Hearing - closed 6.44 pm

Public Hearing - opened 6.44 pm

Item # 12. Final Reading of Ordinance # 1128 - Application for Future Land use Map Amendment - Market Shops of Lynn Haven; Parcel # 11667-280-004; Mixed Use to Commercial.

City Manager read the ordinance by title only.

Planning Director explained the item, saying that the Planning Board recommended unanimous approval.

Motion by Commissioner Aldridge: To approve Ordinance # 1128.

Second to the Motion

Commissioner Warrick

Mr. Walker - Michigan Avenue - no objection to this but it looks like a paper exercise because in the Property Appraisers office it looks like it is all commercial already, there is no mixed-use. Planning Director advised no that this is in Lynn Haven, and it is not a paper exercise. The Property Appraisers office has a different method of categorization. Currently it is mixed use and applicant is requesting that it be changed to commercial.

On Vote:

Aldridge	aye
Warrick	aye
Tinder	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

Public Hearing - closed 6.49 pm

NEW BUSINESS

Item # 13. Discussion and possible approval to award Bid No. 21/22-06 for Ground Storage Tank Repairs and Painting to Onyx Blasting and Coating.

Director of Utilities explained the item.

Commissioner Tinder asked if these funds are in the budget. Utilities Director advised yes.

Motion by Commissioner Aldridge: To approve awarding Bid No. 21/22-06 for Ground Storage Tank Repairs and Painting to Onyx Blasting and Coating.

Second to the Motion

Commissioner Warrick

On Vote:

Aldridge	aye
Warrick	aye
Tinder	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

Item 14. Discussion about new legislation that may affect local municipalities.

Mayor said the discussion was held on Friday so will not re-discuss it again. He would like to encourage all to email the actual committee to ask that they change the legislation. And email your State Representatives to ask them to pass the bill to designate certain areas to be smoke-free in our public areas.

Session begins March 11th so get your emails in by then.

Item # 15. Adjourn.


There being no further business the meeting adjourned at 6:53 P.M.

APPROVED THIS 8th DAY OF MARCH 2022.



 Jesse Nelson, Mayor

ATTEST:



 Vickie Gainer, City Manager

prepared by

Cicelia J. Holliday