

**TUESDAY, MARCH 9, 2021
CITY COMMISSION MEETING – 9 A.M.**

Present:

Dan Russell, Mayor Pro Tem/Commissioner
Judy Tinder, Commissioner
Brandon Aldridge, Commissioner
Pat Perno, Commissioner
Vickie Gainer, City Manager
Chief Ricky Ramie, Sergeant at Arms
Kevin Obos, City Legal Counsel

Item #1. Call to order. By Mayor Pro Tem Russell at 9 A.M.

Item #2. Invocation/Pledge of Allegiance. Invocation by Ron Sharp.

Item #3. Mayor Pro Tem's Report. Mayor Pro Tem Russell stated it has been a busy week with citizens.

Item #4. Commissioner's Report. Commissioner Tinder stated being busy with code enforcement issues. Commissioner Aldridge enjoyed the Lynn Haven Bayou Park Reserve tour. He said don't go to the park yet because it is an active construction site. Commissioner Perno reported that he and Commissioner Aldridge attended the TPO meeting. He said unfortunately they did not approve the widening of Hwy 390 from HWY 77 to 231 in the 5 year work program. After being assured that it will come back in when the funding falls back in line, they voted to remove it from the agenda for now. He stated having a recap regarding the St Joe bay and St Andrews bay estuary programs. As a program in its infancy, he said various County Commissioners would be on the Policy Board. There will be a Management Board made up of various stakeholders like economic developers, land developers and environmental protection people. Interestingly 70% of our land is estuary and over half our population lives in that area so this is a tie in with the National Estuary program. We also have the most sea grassed, and most variant sea grassed land in Bay County and North America. Commissioner Perno also reported meeting with city Attorney and City Manager

Item #5. City Manager's Report. City Manager Gainer invited Kiki Roman to answer any questions regarding the expenditures. Commissioner Tinder inquired as to how much we have paid the architects so far. Kiki Roman said she would send it to her this afternoon. Kiki Roman stated we have a small balance in checking account of 501c3 she said we could send it to the state or another local charity such as the SAC.

Motion by Commissioner Tinder: To donate remaining funds to the SAC.
Second to the Motion: Commissioner Perno

On Vote:

Tinder	aye	
Perno	aye	
Aldridge	aye	
Mayor Pro Tem Russell	aye	Motion passed: 4-0

City Manager stated we had several first responders who came to the rescue back in December and because of their efforts Arianna Reagan is alive today. Fire Chief Delonjay came and recognized the individuals who were involved in this life saving event. He went on to speak highly of the first responders throughout the world. He called up two EMS workers presenting them with medals. He called up four members of the Lynn Haven Fire dept who stabilized the little girl until EMS arrived. City Manager pointed to the models of the City Sign entrances in the back of the room. She stated that all of the sketches were really good. She said they gave awards to all participants. She stated that the winning team will receive \$1,000 to the school of their choice and then a design build team will be put together to build the signs. She stated she had a \$12,000 check going to Tetra Tech for continued consulting services.

Item #6. City Attorney's Report. Kevin Obos reported that we have had a public participation policy since 1996 and that not until 2013 were citizens given the right to address the commission. This is in law today. This is subject to our policies and subject to the direction of the chair, Mayor Pro Tem. Regarding questions and answers they can be addressed if we reorganize the agenda, but we are not required to answer all questions during someone's 3 minutes. He stated that these could be asked to the City Manager and commissioners during other business hours.

Item # 7. Public Commentary.

Mrs. Walker said she did not quite understand the City Attorney due to her new hearing aids. She went on to quote the charter and state what went on at the previous meeting regarding her questions. She went on to explain she had been told that first she had to pose the questions to the City Commissioners or the City Manager before bringing them to the actual meeting. She had emailed all the Commissioners asking where she could find the new rules about speaking at public commentary. No one was sure. She eventually found the minutes of the relevant meeting where Mayor Pro Tem had stated that he himself had made the decision to streamline the meetings. She went on finally stating that Lynn Haven is not better when residents have to jump through hoops to receive simple answers to simple questions.

CONSENT AGENDA:

Item #8. Minutes: 2/23/21- regular meeting minutes.

Item #9. Approval of the FDOT parade route road closure application.

Item #10. Approval of time extensions for RV's, trailers, and pods on private property for residents affected by Hurricane Michael, in accordance with Ordinance #1071.

Commissioner Tinder inquired about parade route and asked about the date for RV's being extended. Mayor Pro Tem thinks it needs to be pushed till after election.

Motion by Commissioner Aldridge: To approve as presented.
Second to the Motion: Commissioner Perno

On Vote:

Aldridge	aye	
Perno	aye	
Tinder	aye	
Mayor Pro Tem Russell	aye	Motion passed: 4-0

OLD BUSINESS: None

NEW BUSINESS:

Item #11. Discussion and possible approval to choose option 1 (100%) funding or option 2 (50% funding) for an annual non ad valorem stormwater assessment beginning with the tax roll for FY 2022 and authorizing the City Manager and staff to proceed with creation of the assessment.

Commissioner Tinder asked if we have any idea of the overall cost of the entire project. Mayor Pro Tem stated this is an ongoing issue given continued development in the area. Impervious means water won't penetrate. She inquired if people have more impervious surfaces will they pay less. No, just the opposite, per Mayor Pro Tem. City Manager informed Stantec is here to answer further questions. Mayor informed that we are looking at doing away with charging on the utility bill for stormwater and putting it instead on property tax assessments. The Stantec representative stated there are two classes of properties and went on to describe the two tier system. Commissioner Tinder asked further questions regarding fees for households and businesses. He stated they would vary based on size of parcel and impervious area. Commissioner Tinder inquired; how will we benefit from this option. She asked when we would have funds to start. City Manager informed in fiscal year 22. Mayor Pro Tem stated that in the past we have transferred money from enterprise funds, and he wants to stop doing this. He stated it is the right thing to do. The Stantec representative stated that over the next three years they are phasing out this enterprise fund transfers. Perno stated 100% option would impact all property owners. He stated we are hoping to use this as a catalyst to roll back the millage rate. Mayor Pro Tem said we have to do something, and that by using this method it ensures people with vacant lots also share the cost from strictly the utility customers. Commissioner Aldridge said the City is seeing a lot of expansion and stated that when we raised the millage rate, we hoped to bring it back down. City Attorney stated that the non valorem assessments coincide with the advalorem assessment process so as the City gets into the budget process all of these options could be looked at during that process. Commissioner Aldridge inquired if we could change this at any time during budget year. City Attorney Obos stated we could reduce rate later. Tinder originally thought it great that renters would not have to pay stormwater but related how some of the renters she spoke to reminded her that actually the landlords would just raise their rent to cover it. She asked if commission should wait to see if new commission should decide on these changes. Kevin stated no formal resolutions would happen until after elections.

Motion by Commissioner Aldridge: To approve 100% option.
Second to the Motion: Commissioner Perno

Jamie Warrick inquired as to how residents could calculate the changes. Mayor Pro Tem explained simply, if your house is under 2900 square foot you pay and extra \$28, or if over 2900 sq foot then an extra \$97. He asked if it was normal for cities to charge vacant lot owners. Stantec explained each community is unique, and typically it's a mix.

On Vote:

Aldridge	aye	
Perno	aye	
Tinder	aye	
Mayor Pro Tem Russell	aye	Motion passed: 4-0

Item #12. First Reading of Ordinance #1110 by Title Only Small Scale Future Land Use Map Amendment Application Parcel #s 09322-000-000 & 09323-000-000; Low Density Residential to Public/Institutional. City Manager read the Ordinance.

Item #13. First reading of Ordinance #1111 by Title Only of a Small Scale Future Land Use Map Amendment Application – Parcel # 11074-010-000; Commercial to Low Density Residential. City Manager read the Ordinance.

Quasi-Judicial hearing

Item #14. Development Order Application – Neubauer Property-Parcel # 11805-000-000; 3434 Highway 77. Amanda Richard gave details of the development order. City attorney inquired as to if anyone had exparte communications. Commissioner Perno said he took a call from Neubauer this morning stating they could not attend the meeting. No one else reported any exparte communications. Commissioner Perno stated this was laid out beautifully and feels it will receive an “Apple of My Eye Award” in the future.

Motion by Commissioner Tinder: To approve as presented.
Second to the Motion: Commissioner Aldridge

On Vote:

Tinder	aye	
Aldridge	aye	
Perno	aye	
Mayor Pro Tem Russell	aye	Motion passed: 4-0

Item #15. Discussion regarding location of the April 20th Commission meeting as elections will be held in the Senior Activity Club. City manager suggested moving it to City Hall. Mayor said that is an option or we can change date.

Motion by Commissioner Tinder: To move the Commission meeting to 27th of April
Second to the Motion: Commissioner Aldridge

After discussion it was determined that actually the meeting is already set for the 27th of April so

no change was needed.

Commissioner Tinder rescinded her motion.
Commissioner Aldridge rescinded his Second.

Revisited again after item #16. City Manager clarified that the Sr. Center closed April 9th - 21st and again between May 7th – 19th in case there is a run-off. City Manager stated that for the date of the 13th for the Commissioner meeting the SAC will be closed.

Amanda informed of Planning Commission the date on the 6th is also a Planning Committee meeting date.

Motion by Commissioner Aldridge: Move meetings to the temp City Hall where there are conflicts with elections.

Second to the Motion: Commissioner Perno

On Vote:

Aldridge	aye	
Perno	aye	
Tinder	aye	
Mayor Pro Tem Russell	aye	Motion passed: 4-0

Item #16. Discussion and possible approval of three proposed projects regarding the CBDG- HRP grant application. Ben Janke introduced Mr. Daryl Cox with Integrity Group. Mr. Cox stated we received some positive news regarding the next step in the approval process for the property at West 10th. He said they will be setting up a site visit near the end of the month or possibly April and although nothing is guaranteed, he is very confident that the W 10th street increase of water main pipes will be approved. He went on to give further details regarding the guidelines for the projects. Ben Janke went on to explain the scope of the various projects.

Motion by Commissioner Aldridge: To approve as presented.

Second to the Motion: Commissioner Tinder

Commissioner Tinder inquired if we were starting projects before the money comes in. Mr. Janke informed no and explained process. He stated that today we are only seeking approval for 3 different applications. Each will come back to City Commission for final approval.

Commissioner Aldridge inquired if there are there ever any projects where money is moveable. Mr. Cox said rarely, and that there are pretty tight guidelines to become eligible for change.

On Vote:

Aldridge	aye	
Tinder	aye	
Perno	aye	
Mayor Pro Tem Russell	aye	Motion passed: 4-0

Back to item #15.

Item #17. Discussion and possible approval of the Development Order Extension Request-

Ashley's Place Apartments. Amanda Richards gave the details of the development order explaining that the applicant is requesting a 12 month extension. Mayor Pro Tem inquired if it was sold during the 12 month period. Ms. Richards said yes. Mayor Pro Tem asked if it is the intent of the developer to build or to hold onto it and sell it. Amanda relayed what Chris Forehand said, that constructions costs had gone up. Chris Forehand informed that he anticipated building within the next 12 months.

Motion by Commissioner Perno: To approve as presented.
Second to the Motion: Commissioner Aldridge

On Vote:

Perno	aye	
Aldridge	aye	
Tinder	aye	
Mayor Pro Tem Russell	aye	Motion passed: 4-0

Kevin Obos clarified that it is not illegal to transfer enterprise funds. He said it is common. Mayor Pro Tem stated he wished the enterprise funds could stand alone.

Item #18. Adjourn. There was no further city business, meeting adjourned at 10:07 A.M.

APPROVED THIS 23rd March DAY OF 2021 2020.



Dan Russell, Mayor Pro Tem

ATTEST:



Vickie Gainer, City Manager