

Minutes from the City Commission meeting called April 13, 2021 at 9:00 A.M. There was a City Stormwater workshop prior to the meeting at 8AM.

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help, and it is not always until the voices are heard. Commissioner Tinder said it is very important to do the right thing and make it reasonably soon, so we do not impact the developer. For this workshop it should be held at 5pm to make it accessible to everyone.

Mayor Pro Tem Russell stated you all know I am pro-growth and pro-development, but I am going to ask the City Manager to ask the City Engineer to look at options for improving that intersection, using the impact fees.

On Vote:

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

Mayor Pro Tem Adjourned for a break at 11.00am
Mayor Pro Tem reconvened the meeting at 11.16am.

Quasi-Judicial Public Hearing

Item #15. Discussion and possible approval of Development Order Application – City of Lynn Haven City Hall and Police Station – Parcel #s: 09617-000-000; 09621-000-000 & 09622-000-000. City Attorney swore all parties in. All Commissioners confirmed no ex-parte communications on the matter. Amanda Richard gave details of this item, stating that a few items like parking spaces have not yet been thoroughly reviewed. Therefore, amended the recommendation accordingly. Ms. Richard introduced Mr. Joe Sorci to discuss the process more. Mr. Sorci stated that the dumpster enclosure should be moved to another location and still to be submitted for approval, thus gaining a parking space. He said to not expect any substantial changes. Ms. Richard confirmed it included a little bit of landscaping and the need for a few more car parking, and that these were considerations that were reviewed outside of their purview, but that Mr. Sorci suggested that they were good ideas to do because it was a better plan. No structural changes though.

Commissioner Tinder asked how many total parking places did they come up with in the end? Mr. Sorci confirmed about 46 or 48 and then some parallel parking on the streets.

Commissioner Aldridge asked if this is more like housekeeping changes rather than changes to the overall plan or budget? Mr. Sorci confirmed this.

Commissioner Perno inquired about the one onsite water retention pond and widening of the pond on 77, asking if that meant there will actually be a few? Mr. Sorci advised that the one by the library is not part of the treatment facility as it does not comply, and it dumps into the main trunk and is more of an aesthetic. For stormwater and retention, it is all in the pond East of Pennsylvania. Commissioner Perno asked, is there room for parking in front of where the retention pond is? Mr. Sorci replied yes.

Motion by Commissioner Aldridge: Approval pending the minor amendments outstanding on the site plans being approved by the reviewing engineer.

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Second to the Motion, for discussion: Commissioner Perno

On Vote:

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

Commissioner Perno asked if it is possible to beautify the retention pond and Mr. Sorci confirmed that Ms. Richard has already planned all that, including future opportunities to continue to beautify the area.

Item #16. Discussion and possible approval of Lift Station #33 and #46 repair bid award.
City Public Utilities Director explained the item.

Mayor Pro Tem Russell asked if this was budgeted? Public Utilities Director answered yes.

Motion by Commissioner Aldridge: To approve as presented.

Second to the Motion: Commissioner Tinder

On Vote:

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

Item #17. Discussion and possible approval of 24th Street Feasibility Study. City Public Works Director explained the item. Mayor Pro Tem Russell asked if the project budgeted cost is \$525k estimate, and it was confirmed by Mr. Baker. Mr. Baker advised that Bay County agreed to pay for half the cost of the construction. Mr. Baker also advised it could take up to a year to be permitted. The whole project was budgeted for this year, but just the engineering done this year and the rest the following year. Commissioner Tinder asked how much property we would need to buy up for the Canal Street. Mr. Baker answered about an addition 30ft.

Motion by Commissioner Aldridge: To approve as presented for Option 1 Canal Street

Second to the Motion: Commissioner Tinder

On Vote:

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

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Item #18. Discussion and possible approval of 24th Street Connector (Canal Street) Engineering Task Order. Mayor Pro Tem Russell confirmed the figure is \$95,450? City Public Works Director explained the item.

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

Mayor Pro Tem Russell thanked the Public Works department.

Item #19. Discussion and possible approval for Stantec Consulting Services, Inc. to continue services for the City of Lynn Haven's possible Stormwater Assessment Implementation. City Manager explained the item. Commissioner Tinder asked for the cost. City Manager said their total cost for this agreement is \$59,688. Commissioner Tinder asked how long will it take them? City Manager confirmed before September 15th.

Motion by Commissioner Perno: To approve as presented.

Second to the Motion: Commissioner Tinder

On Vote:

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

Item #20. Discussion and possible approval regarding whether the City of Lynn Haven should escrow funds due in payment to Phoenix Construction until the investigation is complete. Mayor Pro Tem Russell spoke to the matter. He hopes for the best and that everyone is found innocent. But if by some chance they are convicted then it may be difficult to try to get that money back if the City does pay them. He then read an email send to City Manager and all Commissioners from Mr. Finch. Mayor Pro Tem Russell confirmed he is leaving this Commission in a few months, and he hopes that the city never considers accepting those kinds of gifts from a citizen ever again. The City should not ever want to be put in a position where a citizen thinks they have some sort of control or power over the City because he donates.

Counsel Obos advised that he received a call from Jack Williams yesterday, stating they would deem it a default payment if the City chose to escrow it rather than pay it.

Commissioner Tinder recommended dropping the whole thing. Nothing like this was done for any of the other first 5 people that have been found guilty. Commissioner Tinder feels we should not have borrowed the money in the first place. Commissioner Tinder remembers saying a few years ago that nothing should ever be given to the City anonymously.

Commissioner Aldridge agreed with Commissioner Tinder, stating the risk/reward of withholding payment right now is too great in potential harm. If we escrow it will start accruing interest. In Aug 1st when they are due in court we will know more.

Jody Moore said if it has not been applied to others it should not be applied here, even if I do not agree anyone should get away with wrong-doing. I would like to thank all of you for serving. Everyone of you stepped into this role during very contentious times.

Item #21. Discussion and possible approval regarding nominating a Grand Marshall for the 4th of July Celebrations. City Manager explained the item and suggested one. Mayor Walt Kelly has not been Grand Marshall before, and he might be a candidate we can think about. Commissioner Tinder would love to see Sharon Sheffield as Grand Marshall. Commissioner Aldridge and Mayor Pro Tem Russell said they thought she had been Grand Marshall a few years ago.

Motion by Commissioner Aldridge: To approve the City reach out to Mayor Sharon Sheffield to see if she has been a Grand Marshall before. If not, to nominate her, and if so, to nominate Mayor Walt Kelly.

Second to the Motion: Commissioner Tinder

On Vote:

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

Item #22. Discussion and possible approval of the Bid Award of the Municipal Buildings to Culpepper Construction, contingent upon contract negotiations. Mr. Sorci explained the item. Mr. Sorci referred to a document he had given to the Commissioner that Culpeper had initiated and created showing further value engineering savings off the base bid with a total price of \$14,488,654 (6.45% under budget).

Considering the issues of inflation due to the hurricane and pandemic, he would like to change his recommendation to awarding the value engineered base bid and all alternates at this time, and to lock in the pricing.

Commissioner Tinder asked if Culpeper offered a total price of \$12m? Mr. Sorci confirmed that was actually the base price, and the total base price with all alternates is \$14,488,654.

Commissioner Perno asked if bids for equipment was installed and in place? Joe advised mostly off state contract, and if not, it will be bid, installed, and set up.

Commissioner Aldridge reiterated Mr. Sorci's recommendation especially about the price escalation etc.

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Commissioner Tinder asked if Culpeper was owned by Roberts & Roberts. Culpeper confirmed Chuck Roberts was the owner of both companies.

Motion by Commissioner Aldridge: To approve as presented for the price of \$14,488,654.

Second to the Motion: Commissioner Tinder

Mayor Pro Tem Russell confirmed the motion is to approve the bid at \$14,488,654. Ms. Richard sought clarification that the landscaping is included. Mr. Sorci confirmed yes. Culpeper Construction representative spoke and advised they are excited to be part of the project in partnership with the City. Culpeper is a 90 year old company and was acquired by Chuck Roberts in 2013.

On Vote:

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

Mayor Pro Tem Russell thanked the bidder and City Manager for the work involved in the bid, stating that he was excited seeing a new name bidding on the project, and very happy with the figures.

City Manager thanked Florida Architects for their hard work in getting this ready for this Commission.

Mayor Pro Tem Russell stated he knows he put pressure on them that he wanted this under contract before he left the commission.

Item #23. Discussion and possible approval of the CDBG-HRP program grant application submittal. City Economic Development Director explained the item.

Motion by Mayor Pro Tem Russell: To approve as presented.

Second to the Motion: Commissioner Perno

On Vote:

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

Item #24. Discussion and possible approval to Resolution # 2021-04-355 waiving impact fees for the Lynn Haven Bayou Park and Preserve. City Manager read the resolution by title only.

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City Attorney explained the resolution. City Manager introduced Mr. Doug Hattaway to talk to the item on behalf of the Trust for Public Land.

Commissioner Aldridge confirmed it is a beautiful park and is excited for the public.

Mr. Doug Hattaway confirmed partnering with DEP.

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

Item #25. Discussion and possible approval of the Sports Complex Ball Fields bid award to Royal American – Choosing one of the five options. Mr. Forehand of Panhandle Engineering explained the item, describing each option listed in the report.

Option 1 – Base Bid with additional improvements \$7,877,866

Option 2 – All listed items excluded (but includes the basketball courts) \$6,713,120

Option 3 – excludes basketball courts \$6,454,897

Option 4 – excludes everything extra and 3 batting cages instead of 5 - \$6,251,133.40

Commissioner Tinder confirmed this is just for phase 1, and Mr. Forehand confirmed yes.

Commissioner Tinder asked if the funds were available. City Manager confirmed yes, it is in the budget to sustain and handle any one of the options.

Commissioner Perno asked if we go with the lesser option would it not cost more if we want to change it later? Mr. Forehand confirmed yes.

Motion by Commissioner Perno: To approve as presented with option #1 to not exceed \$7,877,866 and to include value engineering to save costs.

Second to the Motion, with discussion: Commissioner Aldridge

Commissioner Aldridge asked what the difference was between the \$6.2m and the 1st option. Mr. Forehand answered everything on the list minus the extra batting cages.

City Manager confirmed while deciding to approve the 1st option, the City will and must be frugal with what it does. Mr. Forehand confirmed that they will.

Mr. Forehand agreed and suggested the City would save just over a hundred thousand in tax savings and could still save money through value engineering.

Commissioner Perno asked to amend his motion to include value engineering.

City Manager confirmed Yes.

Commissioner Tinder asked if the City was going out to bid phase 2 after completion of phase 1.

City Manager confirmed yes that phase 2 is already out to bid. That will come back to the Commission and they will decide whether to move onto phase 2, which is the sports complex building.

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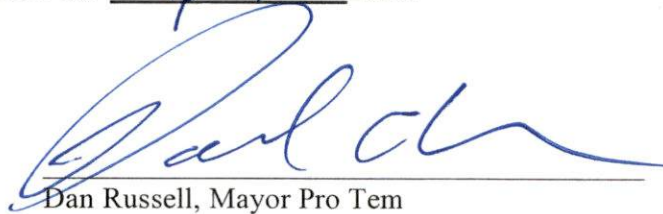
On Vote:

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

Mayor Pro Tem Russell confirmed he is happy to see names not seen in the bidding process before.

Item #14. Adjourn. There was no further City business, meeting adjourned 12:21P.M.

APPROVED THIS 27th DAY OF April 2021.


Dan Russell, Mayor Pro Tem

ATTEST:


Vickie Gainer, City Manager

prepared by Cicelia J Holliday