

**TUESDAY, SEPT 28, 2021  
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  
Chief Ricky Ramie, 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 Neil McGee of Lynn Haven United Methodist Church & Pledge of Allegiance.

*Public hearing opened at 5.31pm*

**Item #3A. Proposed Millage Rate for 2021 Tax Roll.**

The Mayor invited the Finance Director to explain the item. The City Manager provided comments: This year the millage rate would be reduced to 4.1 without changes to the water, sewer, or sanitation fees. The residents will no longer see the stormwater fee on their utility bills from October, but they will receive a non-ad valorem assessment. Last year the Commission told the City to tighten our budget, we did just that, but we will not let the Citizens down with below par work. It is our goal to be proactive and improve the level of service, productivity, and efficiency, in spite of a significantly reduced budget. The City Manager spoke about Tyler Notify, smoke testing program, and expanding advanced water treatment facility. The City Manager provided an update on the City’s fleet, and the grants funding received and being sought. The City Manager read resolution #2021-09-370. The Mayor opened the floor for comments. There were none.

Motion by Commissioner Perno: To approve Resolution #2021-09-370.

Second to the Motion Commissioner Warrick

On Vote:

Perno aye  
Warrick aye  
Tinder aye  
Aldridge aye  
Nelson aye

Motion passed: 5-0

**Item #3B. Proposed General Fund & Enterprise Fund Budget for FY 2021-2022**

The Mayor opened the floor for comments. There were none. The City Manager read the resolution #2021-09-371.

Motion by Commissioner Perno: To approve Resolution #2021-09-371.

Second to the Motion Commissioner Warrick

On Vote:

Perno aye  
Warrick aye  
Tinder aye  
Aldridge aye  
Nelson aye

Motion passed: 5-0

*Public hearing closed at 5.38pm*

Public Hearing opened at 5.39pm

**Item #4. Proposed Community Redevelopment Agency Budget for FY 2021-2022.**

The Mayor opened the floor for comments. There were none. The Mayor invited the Finance Director to speak to the item. The City Manager read the resolution #2021-09-372.

Motion by Commissioner Warrick: To approve Resolution #2021-09-372.

Second to the Motion Commissioner Perno

On Vote:

Warrick aye

Perno aye

Aldridge aye

Tinder aye

Nelson aye

Motion passed: 5-0

Public hearing closed at 5.40pm

**Item #5. Public Commentary.**

Mr. Walker 1106 Michigan Ave said at a recent strategic meeting the Commission asked the staff how the quality in life had improved from their perspective but did not allow the citizens to answer that question. If they had asked him, his answer would have been it has changed in 20 years and the last couple of years has been a drastic change so hard, he doesn't know how to even explain it. He said he is told by the City what he can and cannot do with his property, yet he is not allowed to speak.

Mr. Kidwell, Public Utilities Director, provided an update on what is being done to upgrade the City sewer system. Just today they found a major contributor to the 17th Street ditch issue which they will investigate tomorrow and hopefully sort that out. They have also identified an office building where the roof has dumped into the sewer system.

Johnny Beshearse 811 Louisiana Avenue - said his quality of life in Lynn Haven is great and he is happy. He has had several interactions with City employees over the past couple of weeks and he is very happy with the responses and outcomes. So, Thank you to the City employees for that.

Gerri Parker Rett place - read out a poll taken by neighbors about the Plat sizes which shows that people prefer to see the return to larger lot sizes. Regarding a comment she heard the Mayor saying in a previous meeting that no one was interested in the debt meeting that was held, she said she didn't think the public had the opportunity to review the debt before that meeting and asked if that was correct. The City Manager confirmed correct. Ms. Parker said that she felt in that regard a Budget Committee would be helpful.

Bob Shultz 509 Pennsylvania Avenue - when are we going to get our library started?

**Item #6. Mayor's Report.**

The Mayor spoke about his community engagement over the past 2 weeks. He is working on a Mayor's Youth Council initiative and will report back on it. He would like to see more engagement with the youth of the City. The Mayor followed up with citizens about the budget committee and many are not in favor of a budget committee. They feel the Commission should be responsible for maintaining fiscal accountability for the City. He also understands that this is possibly the first time the City has ever had a debt review committee, which he brought before the commission himself in order to provide transparency for the residents. The Mayor spoke about his many other citizen concern issues, including receiving many letters about Florida Avenue. He visited Summer's Landing Assisted Living facility and has pledged to and would like to ensure they get a great Christmas tree and gifts to give them a good Christmas. He has therefore, as Mayor, adopted 45 residents, so if anyone is interested in helping our seniors, by adopting a senior, please see him after the meeting or send him an email. The Mayor spoke about his positive meeting with the

residents of Mowat Highlands about Andrew's Place new subdivision and the engineers with their new stormwater plan and the impact on Dundee Landing. This weekend is open day for baseball and softball season so please go out and support. Becca Hardin advised the Mayor that the City is listed as #16 of the best cities where you can retire for cheap. The City of Lynn Haven is also in the top 10 safest cities in Florida. This all shows there is an awesome quality of life in this City and the Mayor commends the Fire and Police Departments.

**Item #7. Commissioners' Report.**

Commissioner Aldridge - thanks City Manager and staff for their work.

Commissioner Perno - Thanks City Manager and staff for the work they do including the work they did on the budget, the first responders and health care workers, and citizens for getting through the hurricane season. His heart goes out to anyone who experiences flooding. Thanks to all citizens who come to meetings.

The Mayor said to not forget about the fall concert series, and food truck Friday.

Commissioner Warrick - attended the meeting at Mowat Highlands about Andrew's Place and was impressed with the developer's desire to be proactive and cooperative. Bear in mind we have had a lot of rain. When new developments come in, he would like to look at if there are any other mitigations. Time with a Commissioner had 6 people turn up. Mr. Cutchens spoke about his book on the history of Lynn Haven and some of the stormwater issues sound very similar to what is being experienced today. Commissioner Warrick had met today with the City Manager, Bobby Baker, and Chris Lightfoot to discuss their stormwater plan for the future. He also appreciates the hard work of the City staff.

Commissioner Tinder - dealing with residents on various issues.

**Item #8. City Manager's Report.**

The City Manager spoke about the opening day of the baseball/softball which will begin at 9.30am, and prior to the event they will have an unveiling of the new historical marker for the Cain Griffin Green Family (including the former Mayor Sharon Sheffield and her Daughter) at 9am.

Remember about Halloween trunk or treat on Oct 30<sup>th</sup> from 5.30 to 8.30pm.

Reminder that on September 30<sup>th</sup> we will be ending waiver of late fees. The Charter Review committee is working hard and working well together.

The City Manager advised that she is working on a few new policies - Crisis Management (working closely with Police and Fire Departments, and IT Cyber Security - required for insurance purposes as part of our Insurance and Risk Management.

Next Table Talk is September 30<sup>th</sup> at 5.30pm.

The City will be re-advertising the Public Works bid for the remodel of Public Works because no bids came in on time on the scheduled day.

The ditch digging bid is due in on 10/5 - which will help the City tremendously. You will soon see a map online that will outline the timeline for each ditch.

Traffic engineer RFQ is due 10/12. City Hall rebuild - some materials are already delivered, and you will see some work happening next week.

The sports complex project just came out of TPHO/SHPO review and there were no comments so we should be able to release those projects within the next few weeks.

The gymnasium project should come out of TPHO/SHPO in the next two weeks.

Preconstruction meeting for Fire Station 1 was held and construction anticipated to last about 145 days starting October 4<sup>th</sup>.

Mr. Schultz - we are still in the planning stages with the library in negotiation with Mott McDonald to find a design that suits the City and budget. FEMA changed their level of cover for the library to zero because they feel that our insurance should cover it, but hopefully next month we will have

some preliminary plans for the Commission to look at.

The City Manager explained that the City will be paying homage to our Veterans and as a City, every Friday we will wear red shirts to remember every person deployed, as suggested by John Lane.

A. Financial update.

Ms. Roman asked if there were questions. There were none.

**Item #9. City Attorney's Report.**

Nothing to report.

**CONSENT AGENDA:**

**Item #10. Minutes of the regular 9/15/21 meeting.**

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

Second to the Motion

Commissioner Tinder

On Vote:

Aldridge

aye

Tinder

aye

Perno

aye

Warrick

aye

Nelson

aye

Motion passed: 5-0

**OLD BUSINESS:**

**Item #11. Final reading of Ordinance #1117 - Proposed Amendments to Section 4.02.01(B) of the Unified Land Development Code (1911 Historic Plat Overlay).**

The City Manager read the ordinance by title only.

Ms. Richard explained the item and offered to answer any questions. The Mayor asked if there were comments from the Commissioners. The Mayor said he received a letter from a resident saying that originally it was 17,500sq ft and was changed to 15,500sq ft and asked if there was any validity in that. Ms. Richard said she did not know.

Commissioner Perno said that on Friday they spoke about perhaps changing the lot sizes to 11,000sq ft and there was confusion about the odd lot numbers. Commissioner Tinder also said she felt it needed to be looked at further. Commissioner Perno feels it should be put before the attorney and Ms. Richard to do more research and would like to table it one more time to allow it to go before the planning board again. The attorney explained there would be significant enough amendments that they would need to re-write the entire ordinance. The Mayor said one thing to keep in mind, is that we have already heard from our Boards, and we have already had a recommendation from our CRA Board. Commissioner Perno said if we can get it worded right, we could get it before the planning board again. Commissioner Tinder said she has no problem with changing down in size, but if we do make the change, it should be made effective immediately. The Mayor said some of the lots will stay 11,250sq ft even if we make the other changes.

Mr. Beshearse - 811 Louisiana Avenue said he had looked historically and in 1997 the ULDC provided specific additional requirements (which he read out) saying the requirements have gone backwards and forwards over the years. ULDC speaks to minimum size of less than 5 units per acre (which equals about 10,800sq ft So, 7,500sq ft lot does not work in the current ULDC so feels the Commission does need to make some kind of a change here, and he feels the 11,250sq ft seems to be a good compromise. Of the improved parcels only 27 were 7,500sq ft, 45 parcels that were 11,250sq ft and 66 parcels that were 15,000sq ft. He feels that the 11,250sq ft is pretty normal

within the plat.

Mr. Walker - said he enjoyed the statistics, but said you have to walk with their shoes and live there and see what is happening. He said he lives there. Instead of 3 houses there are now 6. He feels the Commission has kicked this down the street for two months instead of making a decision. The only person benefiting here is the developer.

Commissioner Tinder said the particular issue Mr. Walker is talking about is that there is no water on that street and no sewer. They are piping it from a block away, and no street numbers on those particular 4 homes, and wondered if they are even permitted.

Commissioner Perno added that on those lots there is a pile of trees that were torn down and just laying down on those lots since the last meeting.

Greg Kidwell, Public Utilities Director, said that it might be beneficial to explain how a developer goes about getting water and sewer to various lots. Not all lots have water and sewer readily available, but services can be provided if the developer provides it, and the lines are private lines maintained by the homeowner.

Commissioner Tinder - asked so if things go wrong, it won't cost the City. Mr. Kidwell said correct, and it won't need to be serviced by the City.

Motion by Commissioner Perno: To table the item until further discussion about the wording with the City Attorney, to ensure clear language throughout the ordinance.

Second to the Motion Commissioner Aldridge

On Vote:

Perno	aye
Aldridge	aye
Warrick	no
Tinder	no
Nelson	aye

Motion passed: 3-2

**Item #12. Final reading of Ordinance #1118 - Proposed Small scale future land use map amendment - SSA 21-06 - 1220 Ohio Ave; mixed use to commercial.**

The City Manager read the ordinance by title only.

The Planning Director explained the ordinance and offered to answer any questions. The Mayor asked if there were comments from the Commissioners or the public.

Commissioner Tinder asked Ms. Richard if there had been any letters or comments from the residents? Ms. Richard said not.

Motion by Commissioner Warrick: To approve Ordinance #1118.

Second to the Motion Commissioner Aldridge

On Vote:

Warrick	aye
Aldridge	aye
Tinder	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

**Item #13. Final reading of Ordinance #1119 - Proposed Small scale future land use map amendment - SSA 21-07 - Florida Ave. Parcel #09178-010-000; mixed use to commercial.**

The City Manager read the ordinance by title only.

The Planning Director explained the ordinance. The Planning Commission failed to make a recommendation. A motion was not seconded so it died on the floor.

The Mayor asked if there were comments from the Commissioners or the public.

Stan Kirkland - 312 Florida Avenue - was not aware there was a request in front of the Commission about this change. He said it is a nice quiet neighborhood and although he likes the developer, he strongly disagrees with him about changing the use of that property to commercial use.

Ms. Richard reiterated there is mixed use and commercial although no commercial further North. Land use changes are governed by the State. It must go to the state before the commission can take action on it. In this instance staff has recommended denial of the request.

Rusty Ralph - 107 W. 3rd street - said the general thing tonight seems to be about quality of life and spoke about growing up in Lynn Haven. His career took him away but came back and would like to protect their great quality of life and changing the land use zone will have a negative impact on that quality of life.

Mr. Davis 219 New York Ave - agrees with everything the last two gentlemen have said and doesn't want this land use change.

Jodi Harrod - 210 Florida Ave - is against the land use change. This change will bring commercial traffic to a residential area, as well as dumpsters and commercial hazards. She plans on retiring and spending the rest of her life at 210 Florida Ave. She implored the Commission to please vote no.

Bob Garret - Coastline Engineering - the only reason for requesting the land use change is because the clients business will occupy one of the bays of this business. He said they can build what they want to build right now and make it retail commercial as the land use is already set for that, however his client's business couldn't be in the one bay for the type of business he would like to operate in that bay. The CRA approved but said they should change it to commercial.

Brian McKay 401 Florida Avenue - Resident there since 1960. Owns the house North of the project and owns both properties. The tractor trailer and boat are now tagged and code compliant.

Joe Hair - 210 Florida Ave - 4 generations of his family living in that neighborhood since 1975. There is a resident that doesn't live on that road trying to change the land use to be able to build a three bay mechanic business. This would be destructive and detrimental to this neighborhood. He would like to retire and live in a residential neighborhood not a commercial one.

Neil Mcgee 316 Florida Ave - been here 20 years. We all live in that neighborhood because it is a "neighborhood" not commercial. Nothing against the owner and this is simply his opinion although not his business. The owner doesn't live on that street, but the other residents do. If it was your neighborhood, would you want that to be across the street from you?

Ms. Richard let everyone know that mixed use does allow for certain types of commercial and allow businesses to be run, but less intense.

The Mayor asked if there was a motion on the floor. There being no motion presented by any Commissioners, there is no further action with Ordinance 1119.

**NEW BUSINESS:**

**Item #14. Discussion and possible approval to extend Mr. Emory Pitts contract to 12 months to provide building inspection services to the City.**

The Human Resources Director explained the item.

Commissioner Tinder - if we extended it and then within that year, we find someone that we want to hire are we obligated to continue to pay him?

Mrs. Hodges - on speaking to other City's they hold vendors to fill specialty areas so it would likely suit the City to have this vendor. The inspector candidate recruitment is going to be just as difficult.

Commissioner Tinder - does Mr. Pitts work for anyone else in the City? The attorney said it is not an exclusive contract.

Mrs. Hodge - This is simply an update as she believes the City Manager has discretion to make this decision. The attorney - said that is correct.

Motion by Commissioner Tinder: To approve the extension of Mr. Emory Pitts contract to 12 months to provide building inspection services to the City.

Second to the Motion Commissioner Aldridge

On Vote:

Tinder	aye
Aldridge	aye
Perno	aye
Warrick	aye
Nelson	aye

Motion passed: 5-0

**Item #15. Discussion and possible approval to Award the Legislative Road Paving project bid Phase II to Roberts & Roberts.**

The Public Works Director explained the item.

Motion by Commissioner Aldridge: To approve the award of the Legislative Road Paving project bid Phase II to Roberts & Roberts.

Second to the Motion Commissioner Tinder

On Vote:

Aldridge	aye
Tinder	aye
Perno	aye
Warrick	aye
Nelson	aye

Motion passed: 5-0

**Item #16. Discussion and possible approval of Resolution #2021-09-373 opting into the State-wide Opioid litigation settlement plan.**

The City Manager read the resolution #2021-09-373. The City Attorney explained the item.

Motion by Commissioner Perno: To approve Resolution #2021-09-373.

Second to the Motion Commissioner Warrick

On Vote:

Perno	aye
Warrick	aye
Tinder	aye
Aldridge	aye
Nelson	aye

Motion passed: 5-0

**Item #17. Discussion and possible approval of Resolution #2021-09-374 setting the stormwater utility fees located on the utility bill to \$0.00.**

The City Manager read the resolution #2021-09-274. The City Manager explained the item.

The Mayor, with the cycling is there still a remote possibility that someone may see something on their next bill? City Manager said not.

Motion by Commissioner Perno: To approve Resolution #2021-09-374.

Second to the Motion Commissioner Tinder

On Vote:

Perno	aye
Tinder	aye
Aldridge	aye
Warrick	aye
Nelson	aye

Motion passed: 5-0

**Item #18. Adjourn.**

There being no further business the meeting was adjourned at 7:15 P.M.

APPROVED THIS 12<sup>th</sup> DAY OF OCTOBER 2021.



\_\_\_\_\_  
Jesse Nelson, Mayor

ATTEST:



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Vickie Gainer, City Manager

prepared by Cicelia J Holliday