

**TUESDAY, OCT 12<sup>TH</sup>, 2021**  
**CITY COMMISSION MEETING – 9:00 A.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 9:00 A.M.

**Item #2. Invocation** by Lynn Haven resident and Pastor of Catalyst Church, Pastor Cameron Neuman, and the Pledge of Allegiance.

**Item #3. Public Commentary**

Mr. Walker 1106 Michigan Avenue - Said he is getting tired of being predatored on by this group. Feels that when things happen in the City it is blamed on the citizens and not the people responsible, like the shots fired at the park on Memorial Day. He spoke about the new events ordinance, then went on to read some document, stating that these Commissioners were around during the previous corrupt City management and Commission, and they did nothing.

Bob Schultz Pennsylvania Ave - said if they agree with Mr. Walker then “just don’t say nothing.”

**Item #4. Mayor’s Report**

The Mayor clarified that as far as he is aware the shots were not fired at the park on Memorial Day. Chief Ramie confirmed it was two streets over.

The Mayor said that regarding condoning the corrupt previous Commission, three of the current commissioners were not here as Mr. Walker intimated, and anyone saying they were around at the time is telling an outright lie.

Also, in regard to “burning in the hot seat”, certain things are pressed upon us, and these are sometimes uncomfortable things, but no he himself is not “burning in the hot seat”. There are uncomfortable things happening at the moment, but we are working on them, and we will correct mis-statements when we hear them. He knows that the City Manager holds the staff accountable for things that go wrong, not the community.

He has supported the schools’ sports games over the past few weeks and is looking forward to attending Mosley High School home coming game with the other Commissioners and City staff this Friday night.

The Mayor said he went out to meet with residents from Camryn’s Crossing and Andrews Plantation with the City Manager to discuss their stormwater issues. City Manager will give some feedback on that.

During the recent rain event we had more than 4 inches of rain and this caused severe flooding. The photos from this are with the City Manager and her staff so they can deal with it appropriately. It is important to know that our staff are not just sitting in their offices when it is flooding, they are out there monitoring the issues and trying to mitigate them immediately.

**A. City Government Week Proclamation**

The Mayor read and signed the proclamation.

**Item #5. Commissioners' Report**

Commissioner Aldridge - spoke with a few residents to resolve issues. At the TPO meeting last week the FDOT advised they will put the City's \$6.6m back for Fiscal year 2023 for the engineering of HW390 between 389 and 231, which should resolve a lot of the residents' traffic and safety issues. He also attended Planning Board meeting last week and they did a great job in their meeting. Looking forward to joining Mosley on Friday night.

Commissioner Perno - thanks to all City employees and first responders and how everyone handled last Friday. Had a resident show him photos of his flooding, at 6am was flooded, a pic of 9am was reduced and by midday the water was mostly gone. Had a few people reach out about the flooding and the City Manager responded promptly. Met with Lynn Haven Elementary School Grades K-3 and it was really neat to see the kids respond in the Rotary Club Early Act program - proud of the kids. He Looks forward to Friday night at Mosley.

Commissioner Warrick - also went out in the morning and afternoon last week after the rainstorm and kudos to the City employees. This is not something that happened overnight and will not be fixed overnight. Went to Belaire Estate, luckily none of the houses got flooded and by the afternoon the water was gone. Normally it takes a lot longer to recede, but this time it went very quickly. He went to the dedication at Cain Griffin park and learned a lot of history about the park.

Commissioner Warrick said he had attended the baseball open season day which was great. Noticed as he was leaving Ben Janke was cooking hotdogs on the grill, so kudos for stepping in and doing what needed to be done. Residents from Davis Lake wanted to meet about Davis Lake with staff and the Florida Wildlife people. It was a good discussion, and the wildlife person had a lot of answers, and it will take about 2 years to get the lake in the state they want it. He did a 20-hour online orientation class for elected officials and learned a lot about the various roles of elected officials. His "Time with the Commissioner" is still happening every month so everyone can come out and discuss whatever you want to discuss.

Commissioner Tinder - mostly talking and meeting with residents. Someone called her out about a lot of stormwater issues that are concerning near the Bayou. Met and spoke to residents in 18<sup>th</sup> street about water coming into their front yard. Whenever it rains, they have to put the washer and dryer up on bricks. Wishes we could action some of these things and reach out to these folks to find a resolution for them?

**Item #6. City Manager's Report**

**A. Employee of the month awards:**

- a. August 2021 - Rachel Bundy - Ms. Roman and Ms. Hodges spoke briefly about Rachel's achievements going above and beyond to be of assistance.
- b. September 2021 - William McAlinden - Chief Ramie spoke briefly about Bill's achievements going above and beyond as an investigator.
- c. October 2021 - Dennis Kustes - Mr. Kidwell spoke briefly about Dennis's achievements going above and beyond, even working an emergency job right now while he should be receiving an award, and Mr. Kidwell accepted the award on Dennis's behalf.

**B. Financial update. (Finance Director)**

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

**C. Stormwater update. (Public Works Director)**

Mr. Lightfoot provided a stormwater update, starting with addressing the issue Commissioner Tinder mentioned about 18th Street saying that the area is one of those affected by the HW390 construction, so hopefully as it now moves along it will be a huge improvement for that area.

Mr. Lightfoot said that as Commissioner Warrick had mentioned, the meeting with

the Davis Lake residents and FWC was a great meeting. They are concerned about the draw down of the lake during rain events, and then a permanent draw down in the winter to help with the grass. FWC and the City have a good plan for the draw down and then they are going to put some carp in it in February to help with the grass. Commissioner Warrick - Virginia & 12th is that where it kind of goes down, is that tied in with the project you mentioned earlier? - Mr. Lightfoot answered no, the stormwater ditch has been widened and the next step is to fix the sewer, which is the problem at Virginia and 12th.

The City Manager mentioned tree planting day and encouraged residents to please come fetch trees on Oct 23<sup>rd</sup> between 7am to 10am at Kinsaul park to plant these trees. This is a big part of us trying to fight stormwater and flooding issues.

Cyber security policy still being worked on as well as the Crisis Management policy to align with the Fire and Police departments.

Joe Footen's team built on-site shelters for the bus stops in-house and saved the City about \$20k in construction costs. These bus stops were covered under CRA, being in the CRA

Lynn Haven CRA values went up 17% last year from \$105k to \$123k. This is really good news.

The City Manager and her staff met with Camryn's Crossing residents the same day immediately after the storm and came up with a plan to clean out that area to stop the water from going into the back of their homes again.

Traffic engineering RFQ deadline is extended to 10/19 due to a few consultants' requests.

We are also running a public advertised bid to lease the 925 Hatcher Park property, which we have done in the past before Hurricane Michael. We will bring the bids to the Commission, and we will be looking for the highest bidder for this one.

We have the go ahead on the parks rebuild and anticipate the go ahead on the gymnasium buildings rebuild soon. Because we have been waiting several months on FEMA approval for our projects the prices of materials have now gone up. This means there will be some large change orders coming through and she wants to make the Commission aware of this. For instance, there is a \$109k change order for the shell of the sports building that she will approve because the price of the rebuild is \$5.2m and 10% is \$520k. There will be more coming through and, according to the purchase policy the City Manager can approve up to 10% of the cost of a project without bringing it before the commission. Although some of these costs are high, they are less than 10% of the original project cost and the City Manager assured the Commission she would always be transparent about any large change orders that she approved.

#### **Item #7. City Attorney's Report**

The attorney said he will meet with Planning Director about the ordinance about the changes to the Platt and will bring it back to the Planning Board and then the Commission.

Commissioner Tinder asked if it would come up for the first reading in November? Attorney answered yes. Commissioner Tinder asked if the second reading will be December, and be effective immediately? The Attorney said it would depend on the wording decided upon on the ordinance. Commissioner Tinder would like to entertain the idea of making it retroactive seeing as we have been dealing with it for so many months. The Attorney answered that once the ordinance is pending after the first reading, it can be enforced earliest at that time.

#### **CONSENT AGENDA:**

**Item #8. Approval of Minutes dd 9/28/21 - Regular meeting minutes.**

**Item #9. Approval of Beautification Board application for Ms. Shelley Frazier.**

**Item #10. Discussion and possible approval to hold one commission meeting in November**

**on the second Tuesday, November 9<sup>th</sup> 2021, and one meeting in December on the second Tuesday, December 14<sup>th</sup> 2021.**

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

Second to the Motion Commissioner Aldridge

On Vote:

Perno aye

Aldridge aye

Warrick aye

Tinder aye

Nelson aye

Motion passed: 5-0

**NEW BUSINESS**

**Item #11. Discussion and possible approval of License and Indemnification Agreement between the City of Lynn Haven and Havenwood Gardens, LTD.**

The Public Works Director explained the item.

Motion by Commissioner Warrick: To approve License and Indemnification Agreement between the City of Lynn Haven and Havenwood Gardens, LTD.

Second to the Motion Commissioner Perno

Mr. Walker asked the Public Works Director what the water table level on 11<sup>th</sup> street is right now? The Mayor asked how the question is relevant to this item that is a request from the owner of the property to have a contract with us to allow him to dig ditches.

Mr. Walker apologized he was on the wrong item and will address the correct item at the time it comes up.

On Vote:

Warrick aye

Perno aye

Aldridge aye

Tinder aye

Nelson aye

Motion passed: 5-0

**Item #12. Discussion and possible approval to award the Ditch Digging services to King Tractor Services.**

The Public Works Director explained the item.

Addressing Mr. Walker's question Mr. Lightfoot said we do not have water table details, but this specific contract will be to clean the existing ditches out and not digging new ditches.

Commissioner Tinder asked are you going to be digging new ditches or just existing ditches? Mr. Lightfoot confirmed just cleaning and re-digging existing ditches. Any new ditches decided on would need to be dug by a separate contractor under another contract through the HMGP Project. Commissioner Tinder explained she noticed up on Virginia that a lady who lives there had ditches dug on both sides of her driveway by the City, who also rebuilt her driveway up with sandbags that covered a pipe and paved over the sandbags. She asked why did we do that as she hadn't seen water there? Mr. Lightfoot said it would likely have been because it was a failing driveway culvert if they replaced the pipe. Commissioner Tinder asked if the homeowners pay for those culverts. Mr. Lightfoot explained that they pay for the initial culvert when they decide to put a driveway into their yard, but an existing failing culvert is replaced by the City.

Motion by Commissioner Aldridge: To approve the award of the Ditch Digging services to King Tractor Services.

Second to the Motion

Commissioner Perno

Mr. Walker thanked Mr. Lightfoot for the answer, however he thinks the water table is above our grass, so ditches are not going to help as that is down below the water table and exposing the connection between the water table and sewer services. Mr. Lightfoot said if we clean the ditch out and the water and sewer are exposed (which shouldn't be the case) they will work with Public Utilities to fix that issue. As far as the water table being above the grass, he said that as soon as we started digging the ditch at Camryn's Crossing and Andrews Plantation the water started draining off their grass immediately and the grass was already drying out.

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye
Tinder	aye
Nelson	aye

Motion passed: 5-0

*Quasi-Judicial Public Hearing*

The Attorney swore in anyone intending to speak and checked for ex-parte communication about the item. Commissioner Aldridge attended the Planning Board meeting, Commissioner Warrick spoke with a resident, Mayor Nelson spoke with Mr. Bolinger and residents. The Attorney asked that any decisions they make now must not be made based on those discussions.

**Item #13. Development Order Application – North Bay Haven Charter Academy; Marine Science & Administrative Building – 1 Buccaneer Drive.**

The Planning Director explained the item, stating the Planning Board recommended approval unanimously.

Motion by Commissioner Aldridge: To approve the Development Order Application for North Bay Haven Charter Academy; Marine Science & Administrative Building - 1 Buccaneer Drive.

Second to the Motion

Commissioner Perno

Mr. Walker said that around the perimeter is a conservatory area and asked if any of it would be infringing on that area? Ms. Richard said not.

On Vote:

Aldridge	aye
Perno	aye
Warrick	aye
Tinder	aye
Nelson	aye

Motion passed: 5-0

*Quasi-Judicial Public Hearing*

Attorney swore in anyone intending to speak and checked for any ex-parte communication about the item. There was none.

**Item #14. Development Order Application – Diego's Burrito Factory – 1809 Ohio Ave.**

The Planning Director explained the item. Planning Board recommended unanimous approval.

Motion by Commissioner Warrick: To approve the Development Order Application for Diego's Burrito Factory - 1809 Ohio Ave.

Second to the Motion

Commissioner Aldridge

On Vote:

Warrick	aye
---------	-----

**Minutes from the City Commission meeting called October 12, 2021 at 9:00 A.M.**

**Page 6**


Aldridge	aye
Tinder	aye
Perno	aye
Nelson	aye

Motion passed: 5-0

**Item #15. Adjourn.**

There being no further business the meeting adjourned at 10:09 A.M.

**APPROVED THIS 26<sup>th</sup> DAY OF OCTOBER 2021.**

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

**ATTEST:**

  
\_\_\_\_\_  
Vickie Gainer, City Manager

prepared by

Cicelia J. Holliday