

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JULY 28, 2020 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, July 28, 2020. In attendance were Pam Henderson, Mayor, David Griggs, Mayor Pro tem, and Commissioners Scott Davis, Bob Pelletier, and Frank Mancinelli. Also in attendance were Eddie Cook, City Manager, Kevin Obos, City Attorney, Janice L. Peters, City Clerk, David Schultz, Director of Finance, Tim Legare, Director of Leisure Services, Bill Frye, Director of Public Works, Bonnie Poole, Director of Code Enforcement and Lisa Mayo, Director of Utility Billing.

The meeting was called to order by Mayor Henderson, followed by an invocation and the Pledge of Allegiance.

Mayor Henderson called for changes to the Agenda; there were none. There was however an Amended Agenda.

APPROVAL OF MINUTES

July 14, 2020 Regular Meeting

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Davis, to approve the minutes of July 14, 2020. Motion carried unanimously.

Financial Statement Period ending June 30, 2020

Commissioner Pelletier asked about the General Fund Expenditures for Leisure Services' budget. Finance Director Schultz advised it includes 428 money for Parks from FEMA, which has not been received yet. This will be rolled into next year's budget and separated by line items in the CIP Fund.

PUBLIC HEARINGS

Mayor Henderson opened the Public Hearing

Resolution No. 2020 – FY20-20 Budget Amendments

City Attorney Obos read Resolution No. 20-20 by headnote as follows:

**A RESOLUTION OF THE CITY OF CALLAWAY OF BAY COUNTY,
FLORIDA, AMENDING THE FINAL BUDGET FOR FISCAL YEAR 2019/20
AND PROVIDING AN EFFECTIVE DATE.**

Finance Director Schultz advised the changes are to fix negative balances for items, most of which have already been approved by Commission.

Regarding the Street Department, Commissioner Pelletier asked about the \$9,000 increase in salaries, which City Manager Cook and Finance Director Schultz reviewed.

Commissioner Griggs asked about the \$2,000 under the City Clerk's Expenditure Appropriations, which did not compute. Finance Director Schultz indicated it was an error in transferring calculations to the Word document, which Staff will correct.

Commissioner Davis asked how much in FEMA funds are still outstanding. Finance Director Schultz advised it is around \$4 Million and he is not sure when the funds will actually be received.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis, and seconded by Commissioner Griggs, for approval of Resolution No. 20-20, as amended. Motion carried unanimously upon roll-call vote.

Ordinance No. 1018 – Large Scale Comp Plan Amendment – 918 N. Tyndall Parkway

City Attorney Obos read Ordinance No. 1018 by headnote as follows:

AN ORDINANCE AMENDING ORDINANCE 684, KNOWN AS "THE CITY OF CALLAWAY COMPREHENSIVE GROWTH DEVELOPMENT PLAN OF 2025"; ACTING UPON THE APPLICATION OF TYNDALL TOWN ACQUISITION, LLC, FOR REVISIONS TO THE FUTURE LAND USE MAP; DESIGNATING FOR RESIDENTIAL HIGH DENSITY A CERTAIN PARCEL LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONSISTING OF APPROXIMATELY 27.03 ACRES, PARCEL ID 06018-080-000; SAID PARCEL LOCATED AT 918 NORTH TYNDALL PARKWAY; AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP FOR RESIDENTIAL HIGH DENSITY DESIGNATION FOR THE PARCEL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

City Manager Cook advised this is the 32 acre Galleria parcel, 27 acres are being requested for the amendment, the remaining 5 acres will remain Commercial for future growth. This is one of the companies acquired through NextSite and the site is behind Dairy Queen on Tyndall Parkway. The plan is for 300 apartments.

Planning Director Frye advised the Development Order permits will come to the Planning Board and Commission for approval at a later date. This is just for zoning changes. Discussion of the plan continued, which will be a gated community. City Attorney Obos indicated the state must approve the amendment, which will take about 30 days.

Commissioner Griggs asked about the retention pond. Director Frye advised the project will have its own. Commissioner Griggs then asked about the water and sewer capacity impact. Director Frye indicated that down the power line there is a huge 18" water line so this will not be an issue. However, sewer access will require the developer to install a few lift stations, which the City has capacity to handle.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Davis, for approval of Ordinance 1018. Motion carried unanimously upon roll-call vote.

Ordinance No. 1019 – Rezoning – 918 N. Tyndall Parkway

City Attorney Obos read Ordinance No. 1019 by headnote as follows:

AN ORDINANCE REZONING FROM COMMERCIAL AND AGRICULTURAL TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (R-MFHD) THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONTAINING APPROXIMATELY 27.03 ACRES; LOCATED AT 918 N. TYNDALL PARKWAY; PARCEL ID 06018-080-000; ALL AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

City Attorney Obos advised this is the Zoning companion to the Large Scale Comp Plan Amendment as discussed. City Manager Cook advised the Planning Board has recommended approval.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Mancinelli, for approval of Ordinance 1019. Motion carried unanimously upon roll-call vote.

Mayor Henderson closed the public hearing.

REGULAR AGENDA

Resolution No. 20-21 – Code Enforcement Lien - Hagler

City Attorney Obos read Resolution No. 20-21 by headnote as follows:

A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, APPROVING AMOUNTS TO BE LIENED ON CERTAIN PROPERTY WITHIN THE CITY, TO WIT: 1513 & 1515 S. KIMBREL AVENUE, FOR FINES, FEES AND COSTS INCURRED IN FAILING TO COMPLY WITH THE CALLAWAY CODE OF ORDINANCES, AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO RECORD THE LIEN AND NOTIFY INTERESTED PARTIES OF SUCH LIEN, AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

City Manager Cook reviewed. Discussion ensued of the continued violations regarding the boats and possible legal actions.

Commissioner Pelletier asked that pictures be included with future lien requests, which staff will provide.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Pelletier, for approval of Resolution No. 20-21. Motion carried unanimously upon roll-call vote.

Resolution No. 20-22 – Abatement Lien - Sanders

City Attorney Obos read Resolution No. 20-22 by headnote as follows:

A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, APPROVING AMOUNT TO BE LIENED ON CERTAIN PROPERTY WITHIN THE CITY, TO WIT: 6215 CHRISTEN DRIVE FOR COSTS INCURRED IN THE ABATEMENT OF NUISANCES UPON SUCH PROPERTY, AUTHORIZING THE

APPROPRIATE OFFICERS OF THE CITY TO RECORD THE LIEN AND NOTIFY INTERESTED PARTIES OF SUCH LIEN, AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

City Manager Cook reviewed the abatement, which was done by the City staff.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Davis, for approval of Resolution No. 20-22. Motion carried unanimously upon roll-call vote.

Resolution No. 20-23 – Utility Billing Manual Update

City Attorney Obos read Resolution No. 20-23 by headnote as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA ADOPTING AN UPDATED UTILITY BILLING POLICY MANUAL; REPEALING RESOLUTION NO. 19-34 AND ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

The requested changes were reviewed, relating to requests for leak adjustments and pool filling adjustments for a minimum of 6,000 gallons, with a limit of two requests per year. Commissioner Griggs expressed appreciation for the improvements to Utility Billing processes.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis, and seconded by Commissioner Mancinelli, for approval of Resolution No. 20-23. Motion carried unanimously upon roll-call vote.

City Manager Cook advised that as of last Monday there were 900 on the disconnect list and staff was able to get it down to less than 200. It was noted that there are about eight customers on payment plans at this time.

Resolution No. 20-24 – State of Emergency Extension for Hurricane Michael

City Attorney Obos read Resolution No. 20-24 by headnote as follows:

A RESOLUTION AND PROCLAMATION OF THE CITY OF CALLAWAY, FLORIDA, EXTENDING THE STATE OF EMERGENCY REGARDING HURRICANE MICHAEL AS PROCLAIMED IN RESOLUTION NO. 20-16.

City Manager Cook reviewed.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis, and seconded by Commissioner Griggs, for approval of Resolution No. 20-24. Motion carried unanimously upon roll-call vote.

Resolution No. 20-25 – Tax Assessments for Abatement Liens

City Attorney Obos read Resolution No. 20-25 by headnote as follows:

A RESOLUTION OF THE CITY COMMISSION OF CALLAWAY, FLORIDA, RELATING TO THE DELIVERY OF NUISANCE ABATEMENT RELATED SERVICES WITHIN THE CITY; PROVIDING FOR NUISANCE ABATEMENT ASSESSMENTS WITHIN THE CITY'S MUNICIPAL BOUNDARIES; ESTIMATING THE SERVICE COST TO PROVIDE NUISANCE ABATEMENT RELATED SERVICES AND PROGRAMS; ESTABLISHING THE METHOD OF ASSESSING THE NUISANCE ABATEMENT RELATED SERVICE COST AGAINST REAL PROPERTY SPECIALLY BENEFITED; DIRECTING THE CITY MANAGER TO PREPARE A PRELIMINARY NUISANCE ABATEMENT ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED NUISANCE ABATEMENT ASSESSMENTS; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Obos explained the process for adding the liens to the tax roll.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Davis, for approval of Resolution No. 20-25. Motion carried unanimously upon roll-call vote.

Tetra Tech – Change Order No. 2 – Hazard Mitigation Grant Program

City Manager Cook reviewed the Change Order for a no-cost time extension and the projects included in the grant, which were:

- Storm Shutters – Leisure Services
- Generators – City Hall and Public Works
- Stormwater Mitigation – Berthe Bridge

Motion:

Motion made by Commissioner Mancinelli, and seconded by Commissioner Davis, for approval of the Change Order.

Mayor Henderson asked for Public Participation; there was none. Motion carried unanimously.

Health Insurance – Employee Rates

City Manager Cook and Finance Director Schultz reviewed the three plans and approximately \$11.82 increase in premium coverage per employee per month.

Should Commission absorb the increases, it would cost the City \$52,468 additionally per year. He also reviewed costs of passing the increased costs on to the employee in different increments. Discussion ensued of the details of the City's current plans and benefits, as well as the proposed 5% raise in the budget for all employees.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis, and seconded by Commissioner Pelletier, for approval of the Employee Health Insurance Rate increase to be absorbed by the City. Motion carried 4-1, with Commissioner Griggs voting in opposition.

Baskerville-Donovan – Task Order – Cherry Street Drainage – Larry Dr. to Minneola St.

City Manager Cook reviewed the task order, which deals with drainage. The details of the Cherry Street project was reviewed as well.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Mancinelli, for approval of the Task Order. Motion carried unanimously.

Baskerville-Donovan Task Order – Cherry St. Drainage – Genevieve Ave. Pipeline

City Manager Cook reviewed the task order for engineering in the amount of \$15,410, which also deals with drainage within the Cherry Street project. The goal is for the city staff to do the work.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Davis, for approval of the Task Order for the not-to-exceed amount of \$15,410. Motion carried unanimously.

Panhandle Engineering Task Order – Callaway Complex Loop Road

City Manager Cook reviewed the task order to obtain a permit for the Arts & Conference Center. The task order will be for the not-to-exceed amount of \$6,250. The road however is complete. Commissioner Griggs asked the City Manager to negotiation for a lesser amount.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Mancinelli, to approve the Task Order for the not-to-exceed amount of \$6,250. Motion carried unanimously.

Farmer's Market Use of City Seal

City Manager Cook reviewed the request, which can be rescinded. City Attorney Obos confirmed that there is no liability in their use of the Seal, as long as Commission approves. Commissioner Griggs pointed out that it is a Farmers Market being held in the City of Callaway, it is not a market being put on “by” the City of Callaway.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis, and seconded by Commissioner Pelletier, for the promoters of the Farmer's Market to use the City Seal in its advertisements. Motion carried 3-2 with Mayor Henderson and Commissioner Griggs voting in opposition.

COMMISSION & STAFF COMMENTS

Frank Mancinelli, Commissioner Ward IV

7th Street from Tyndall to Gay

Commissioner Mancinelli asked about the washboard condition of the street. He was advised it is a County road.

Apartment Complex on Tyndall

He asked if the complex across from Domino's on Tyndall is on the FEMA list for demolition. City Manager Cook advised it is and it is also in the process of being sold.

Bob Pelletier, Commissioner Ward III

Sheriff's Office calls to Walmart

Commissioner Pelletier noted the excess numbers of calls the Sheriff's office responds to at Walmart, which is over 500 for the last 4 months.

Eddie Cook, City Manager

PPDR Voluntary

The demolition on these are properties are scheduled to begin within two weeks.

Backflow Prevention Meters

Commissioner Pelletier asked why emphasis is being put on irrigation and not the house itself. Director Frye reviewed the requirement by EPA to protect drinking water. The purpose is to keep fertilizer and the likes from contaminating the drinking water during the loss of water pressure. He also advised the meter for a home would be much more expensive versus the irrigation system, which are owned and maintained by the customer and must be tested by a licensed plumber.

PUBLIC PARTICIPATION

Mayor Henderson called for Public Participation; there was none.

ANNOUNCEMENTS

Mayor Henderson read the announcements.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:50 p.m.

Janice L. Peters, City Clerk

Attest: _____
Pamn Henderson, Mayor