

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JANUARY 11, 2022 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, January 11, 2022. In attendance were Pam Henderson, Mayor, David Griggs, Mayor Pro tem, and Commissioners Scott Davis, and Bob Pelletier. Also in attendance were Eddie Cook, City Manager; Kevin Obos, City Attorney; Audra Boswell, ASC; David Schultz, Director of Finance; Bill Frye, Public Works/Planning Director; Tim Legare, Leisure Services Director; Bonnie Poole, Code Enforcement Director. Commissioner Mancinelli was not in attendance.

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

PRESENTATIONS

MAYOR'S INSTRUCTIONS - Call for Additions/Deletions to the Agenda.

Mayor Henderson called for additions/deletions to the agenda; there were none.

APPROVAL OF MINUTES

December 14, 2021 Regular Meeting

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Davis to approve the minutes of December 14, 2021. Motion carried unanimously.

Financial Statements – Period ending November 30, 2021 – No Discussion

PUBLIC HEARING(S)

Mayor Henderson opened the Public Hearing.

Ordinance No. 1044 – East Bay Development

City Attorney Obos read Ordinance No. 1044 by headnote as follows:

AN ORDINANCE OF THE CITY OF CALLAWAY, FLORIDA AMENDING ORDINANCE 769 OF THE CITY RELATED TO THE EAST BAY DEVELOPMENT; AMENDING THE APPROVED PLAN OF DEVELOPMENT AND DESIGN GUIDELINES APPLICABLE TO THAT DEVELOPMENT, 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 AS PROVIDED BY LAW.

City Manager advised this is amending the design guidelines for the development.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Davis, for approval of Ordinance No. 1044. Motion carried unanimously upon roll-call vote.

REGULAR AGENDA

Ordinance No. 1045 – Camping Restrictions

City Attorney Obos read Ordinance No. 1045 by headnote as follows:

AN ORDINANCE FOR THE CITY OF CALLAWAY, FLORIDA AMENDING THE CALLAWAY CODE OF ORDINANCES CHAPTER 10, ARTICLE I, OFFENSES AND MISCELLANEOUS PROVISIONS; ADDING RESTRICTIONS ON CAMPING; INCLUDING DEFINITIONS AND PENALTIES; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

City Manager advised that the city has encountered a growing problem with trespassers and camping on private land that has resulted in vandalism, litter, and the creation of sanitary nuisances. This has come out of the request of the Sheriff's Office. City Manager presented some pictures that were taken today by Deputy Kip McKenzie. These encampments are being found more and more and this will help the sheriff's office alleviate these issues.

Deputy Kip McKenzie with the Sheriff's office discussed the issues of the encampment clutter and litter, and the trails it leaves between properties. Deputy McKenzie addressed the pictures and the locations of where the pictures were taken. He states that drugs have been found in these encampments. He reviewed that as of now it takes time contacting owners of the properties to get trespassing affidavits, so the Sheriff's Office is requesting this ordinance to help with cutting down on the steps it takes with this issue. Discussion ensued.

Commissioner Pelletier expressed concern of who would be responsible for clean-up of these properties. City Manager addressed clean-up responsibility ultimately being with the property owner. Discussion ensued.

City Manager asked if there could be an emergency order to waive the second reading of this Ordinance. City Attorney, Kevin Obos addressed, and second reading will take place.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis, and seconded by Commissioner Pelletier, for approval of Ordinance No. 1045. Motion carried unanimously upon roll-call vote.

Ordinance No. 1046 – Redistricting of Callaway Wards

City Attorney Obos read Ordinance No. 1046 by headnote as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA AMENDING SECTION 6-22 OF THE CALLAWAY CODE OF ORDINANCES; REDEFINING THE BOUNDARY LINES OF THE WARDS IN THE CITY OF CALLAWAY; REPEALING ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Manager advised that the county provided the new census data which showed our wards are skewed by population and must be within a certain percentage of each other for equal representation across the city. The revision was created by the county without any input from staff or anyone else. To keep it transparent no city employee was involved in the redistricting.

This does need to be passed before February 1st before the elections open. The redistricting does not affect any current sitting Commissioners.

Commissioner Pelletier asked what census was used to determine the wards. City Manager & City Attorney addressed that it was the 2020 census.

City Manager made note that there was a typo in the Section Heading that should be amended to Section 6-22 of the Callaway Code of Ordinances and would be corrected for the second reading. He also stated that a street name was misspelled and had been corrected.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Pelletier, for approval of Ordinance No. 1046. Motion carried unanimously upon roll-call vote.

Resolution No. 22-01 – Code Enforcement Liens 116, 118 & 134 Kacy Lane

City Attorney Obos read Resolution No. 22-01 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: 116, 118, & 134 KACY LANE, 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 LIENS; NOTIFY INTERESTED PARTIES OF SUCH LIENS; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

PROPERTY ID NO.	PRESENT OWNERS	ADDRESS OF SUBJECT PROPERTY	AMOUNT OF LIEN
06494-114-000	Richard W & Diana M Gomer	116 Kacy Lane Callaway, FL 32404	\$297.60
06494-112-000	Richard W & Diana M Gomer	118 Kacy Lane Callaway, FL 32404	\$297.60
06494-130-000	Richard W & Diana M Gomer	134 Kacy Lane Callaway, FL 32404	\$297.60

City Manager gave some background on these three properties. They were on the demo list and were in the process of being tore down when we found the property owners. The property owners were deceased, and properties were in probate. They came out of probate a couple of months ago, and Bonnie has since met with the daughters. The daughters have secured and corrected all the violations on the properties. They will be removed from the demo list and are being sold, so we want to get the liens completed to recoup administrative cost.

Mayor Henderson thanked Code Enforcement for getting this done as it shows we are making progress and cleaning up the city.

Commissioner Davis asked about the fines not being paid upfront and if they went before the Magistrate. City Manager and Code Enforcement Director, Bonnie Poole, addressed, that these were not fines, but administrative costs, and will be liens on the property.

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. 22-01. Motion carried unanimously upon roll-call vote

COMMISSION/STAFF COMMENTS**Scott Davis, Commissioner Ward I**Roundabout

Commissioner Davis asked for update on roundabout. City Attorney, Kevin Obos addressed that he did inquire today on this, and the gentleman is still trying to push it forward to get an answer from his corporate on the matter.

Shopping Center

City Manager addressed that he had conference call with the State. Some things have changed, and they are doing the environmental study which has to be completed ahead of time. They are paying for the engineering and architectural work done. He is expecting to get agreement with the state within the next 30 to 45 days. Once this is in place, we will start the process.

Gulf Power Poles

Commissioner Davis commented that they have at least fixed one pole.

Seneca Ditch

Commissioner Davis asked about overgrown ditch. City Manager advised he will look into it.

David Griggs, Commissioner Ward IIFlorida Power & Light

Commissioner Griggs stated that the Florida Power & Light (FPL) bill has a charge for "Gross Receipts Tax". He did call FPL to inquire, but FPL could not really explain. He is questioning as citizens if we are paying that 1% gross receipts to FPL which then transfers to Panama City. He requested that the City Manager and Finance Director check on that for citizens.

City Manager said he would request a complete breakdown from FPL.

Cherry Street

Commissioner Griggs commented on the homes being used to help people on Cherry Street. He stated that unless there is something illegal going on than the city has no jurisdiction, as there are no ordinances that cover that situation. If there is any disruptive activity or illegal activity than the Sheriff's Office would be involved.

Bob Pelletier, Commissioner Ward IIISigns

Commissioner Pelletier asked about progress on signs. City Manager advised they are still being worked on. Bill Frye advised there is a small punch list they are working to complete.

Eddie Cook, City Manager

City Manager Cook reviewed updates of the following:

- Introduction of Leisure Services new Staff/Event Assistant, Kylee Trenholm.
- Update with pictures of Fox Lake Clean-up

- Possible clean-up of Bayou Area
- Update on upcoming bids
- Veterans Park opened

PUBLIC PARTICIPATION

Mayor Henderson asked for Public Participation.

Ron Shaner, 5711 Kevin Circle, made comment that he is glad the tax on the FPL bill is going to be checked on. He wanted to share with Commission that he saw the City Manager on Tyndall Parkway cleaning up around the new sign. He believes the City Manager is practicing what he preaches, and he appreciates that. Also, he wanted to acknowledge that the City Hall remodel is nice, staff takes good care of him, and it is a pleasure to even pay his bill he thinks is too much, you still come out feeling better.

Commissioner Griggs asked about the City Hall sign. City Manager addressed they are supposed to have it started before the end of January.

ANNOUNCEMENTS

Mayor Henderson read the announcements as follows:

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| • Jan. 16, 2022 | Historical Society Meeting | 2:00 PM - Community Center |
| • Jan. 17, 2022 | Martin Luther King Holiday | City Offices Closed |
| • Jan. 18, 2022 | Planning Board Meeting | 6:00 PM |
| • Jan. 25, 2022 | Commission Meeting | 6:00 PM |

Commissioner Davis asked about update on Gore Park plans. City Manager advised that the due date was pushed back and is due end of January. He states we cannot start until FEMA gives the final approval.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:45 p.m.

Audra Boswell, ASC

Attest: _____
Pamn Henderson, Mayor