

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JANUARY 24, 2023 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, January 24, 2023. In attendance were Pam Henderson, Mayor, David Griggs, Mayor Pro tem, and Commissioners Bob Pelletier, Scott Davis and Kenneth Ayers. Also in attendance were Eddie Cook, City Manager, Jennifer Shuler, City Attorney; Janice L. Peters, City Clerk; David Schultz, Director of Finance; Bill Frye, Public Works/Planning Director; Tim Legare, Leisure Services Director; and Bonnie Poole, Code Enforcement Director.

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

**PRESENTATIONS**

**BCSO Statistics**

Deputy McKenzie reviewed statistics for December 2022 and informed the public of a new app that will allow better communication between the Sheriff's Office and the public. He addressed a question from Barry Patterson, of 133 S. Berthe, as to whether the locations of accidents are tracked.

**MAYOR'S INSTRUCTIONS** - Call for Additions/Deletions to the Agenda; there was none. She reviewed the rules of public input.

**APPROVAL OF MINUTES/REVIEW OF FINANCIALS**

**January 10, 2023 Regular Meeting**

**Motion:**

Motion made by Commissioner Davis and seconded by Commissioner Ayers to approve the minutes of January 10, 2023. Motion carried unanimously.

**Financial Statements – Period ending December 31, 2022** – Auditors are onsite performing the annual audit.

**PUBLIC HEARING**

Mayor Henderson opened the Public Hearing

**Ordinance No. 1070 – SS Comp. Plan Amendment – 317 Leila Ave.**

City Attorney Shuler read the Ordinance by headnote as follows:

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CALLAWAY, ACTING UPON THE APPLICATION OF ARTHUR L. KINARD DESIGNATING FOR COMMERCIAL LAND USE A CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONSISTING OF APPROXIMATELY .17 MORE OR LESS ACRES; SAID PARCEL IS LOCATED AT 317 LEILA AVENUE, PARCEL ID 24327-000-000 AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP TO COMMERCIAL LAND USE FOR THE PARCEL; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.**

Mayor Henderson called for Public Participation; there was none.

**Motion:**

Motion made by Commissioner Pelletier and seconded by Commissioner Davis for approval of Ordinance No. 1070. Motion carried unanimously upon roll-call vote.

**Ordinance No. 1071 – Rezoning Request – 317 Leila Ave.**

City Attorney Shuler read the Ordinance by headnote as follows:

**AN ORDINANCE REZONING FROM RESIDENTIAL (R-6M) TO HIGHWAY COMMERCIAL A CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONSISTING OF APPROXIMATELY .17 MORE OR LESS ACRES; SAID PARCEL IS LOCATED AT 317 LEILA AVENUE, CALLAWAY, FLORIDA, PARCEL ID 24327-000-000; 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.**

Mayor Henderson called for Public Participation; there was none.

**Motion:**

Motion made by Commissioner Griggs and seconded by Commissioner Davis for approval of Ordinance No. 1071. Motion carried unanimously upon roll-call vote.

**Ordinance No. 1072 – Viola Abandonment**

City Attorney Shuler read the Ordinance by headnote as follows:

**AN ORDINANCE VACATING AND ABANDONING ALL OF THE CITY OF CALLAWAY'S INTEREST IN VIOLA AVENUE BETWEEN CHERRY STREET AND CHIPEWA STREET BLOCKS 24 AND 25 ALL ACCORDING TO AND APPEARING ON THE CALLAWAY PLAT RECORDED IN BAY COUNTY CLERK OF COURTS PLAT BOOK 5 PAGE 1; AS FURTHER ILLUSTRATED ON THE ATTACHED MAP; VESTING TITLE TO SAID PROPERTY IN PERSONS, FIRMS OR CORPORATIONS AS PROVIDED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND RECITING AN EFFECTIVE DATE.**

Commissioner Griggs asked for the procedure following abandonment, which was reviewed by City Attorney Shuler and further clarified by City Clerk Peters.

Mayor Henderson called for Public Participation.

The following citizens from the subject areas commented on the request:

- Ron Chouinard, 6900 Cherry St.
- Michael Lloyd, 111 S. Berthe Ave.

**Motion:**

Motion made by Commissioner Pelletier and seconded by Commissioner Griggs for approval of Ordinance No. 1072, abandoning the City's interest in Viola Avenue between Cherry Street and Chipewa Street.. Motion carried unanimously upon roll-call vote.

Mayor Henderson closed the public hearing.

## REGULAR AGENDA

### Resolution No. 23-02 – County Website Notice Publishing

City Attorney Shuler read the Resolution by headnote as follows:

**A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, AUTHORIZING PUBLICATION OF CITY NOTICES ON A PUBLICLY ACCESSIBLE WEBSITE AS AN ALTERNATIVE TO NEWSPAPER PUBLICATION; DIRECTING ANNUAL NOTICE BY NEWSPAPER PUBLICATION OF ALTERNATIVE MEANS OF RECEIVING CITY NOTICES; PROVIDING FOR MAINTENANCE OF A REGISTRY OF PERSONS DESIRING RECEIPT OF CITY NOTICES BY FIRST CLASS MAIL OR EMAIL; DIRECTING THAT A LINK TO THE NOTICE WEBSITE BE CONSPICUOUSLY POSTED ON THE CITY’S WEBSITE; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

City Manager Cook reviewed the process, advising the service will be free.

Mayor Henderson called for Public Participation.

The following citizens commented on the issue:

- David Agosta, 6609 Pridgen St.
- Jesse (indecipherable), 1513 S. Berthe

City Clerk Peters reviewed current costs of newspaper advertising.

#### **Motion:**

Motion made by Commissioner Pelletier and seconded by Commissioner Griggs for approval of Resolution No. 23-02. Motion carried unanimously upon roll-call vote.

### Resolution No. 23-03 – Meeting & Holiday Schedule for Nov. & Dec.

City Attorney Shuler read the Resolution by headnote as follows:

**A RESOLUTION TO ADOPT A MEETING SCHEDULE FOR THE REGULAR MEETINGS AND WORKSHOPS OF THE CITY OF CALLAWAY BOARD OF CITY COMMISSIONERS FOR THE REMAINDER OF CALENDAR YEAR 2023; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH AND RECITING AN EFFECTIVE DATE.**

City Clerk Peters reviewed the item.

Mayor Henderson requested cancellation of the 2<sup>nd</sup> meetings in November & December as is the normal protocol for those months.

Mayor Henderson called for Public Participation.

David Agosta, 6609 Pridgen St., asked if this process must be done annually. Mayor Henderson confirmed and reviewed.

#### **Motion:**

Motion made by Commissioner Davis and seconded by Commissioner Ayers for approval of Resolution No. 23-03 with the deletion of the 2<sup>nd</sup> meeting in Nov. and Dec. Motion carried unanimously upon roll-call vote.

### **Variance for Height – 1117 S. Tyndall Parkway**

Director Frye reviewed the request, followed by discussion of the reason for the extra height.

Mayor Henderson called for Public Participation.

Dillon Segal, 1699 S. Gay Avenue, on behalf of the Dechellis', who own the mobile home park behind the property in question, indicated they have the same questions regarding the reason for the additional height.

Commissioner Pelletier tabled the item until the next meeting on February 14<sup>th</sup>.

### **Budget Amendment – Public Works**

City Manager Cook reviewed the request for a Budget Amendment for FY 22/23 for replacement of a Gator. The current Gator at Public Works has a blown engine and would cost more to repair than it is worth. Requesting to purchase a new Gator to replace the current one at a cost of \$15,339. Staff will put on the auction with a reserve of \$4,000, or trade in with the \$4,000 value reduction.

Mayor Henderson called for Public Participation; there was none.

#### **Motion:**

Motion made by Commissioner Pelletier and seconded by Commissioner Griggs for approval of the Budget Amendment to purchase the replacement Bobcat and send the old one to auction. Motion carried unanimously.

### **RV code 15.750.3 - Discussion**

Commissioner Davis began the discussion of parking Recreational Vehicles, mainly boats, motor homes and travel trailers, in residential areas. Commission was not in favor of amending the current code. Director Poole reviewed the statute regarding vehicles behind fences.

Commissioner Griggs pointed out that since our code now allows for 8' fencing, the not-to-exceed buffer should be increased from 7' to 8'. Staff will bring back an Ordinance amending buffer heights.

Mayor Henderson called for Public Participation.

Those speaking on the issue were as follows:

- Marla Clark, 511 Old Hickory, presented "Attachment A" relating to the issue and requested an allowance to be able to park her motor home on her driveway.
- Daniel Hatem, 206 Colinfurst Square, referenced a neighboring property which falls into this category of discussion. Director Poole addressed.

Commission discussion continued of setting a time limit for improvements to be completed for residences with damages from Hurricane Michael.

Public Input continued:

- Daniel Hatem, 206 Colinfurst Square, continued remarks regarding 204 Colinfurst Sq.

Discussion continued of the timeline given post Hurricane Michael for RV's being used for living spaces during reconstruction.

Staff will bring back a policy recommendation at the next meeting.

- Paul Bohac, 7010 Mike Lane, commented on the city's growth and land changes.

## **COMMISSION/STAFF COMMENTS**

The following were points of discussion:

### **Kenneth Ayers, Commissioner, Ward IV**

- Paving
- Chamber of Commerce Dinner
- Water Leak Update

### **David Griggs, Commissioner Ward II**

- TPO Public Hearing – 231 Project
- Street Striping
- Code Enforcement

### **Scott Davis, Commissioner Ward I**

- FPL

### **Eddie Cook, City Manager**

- Cherry Street Improvements Project
- Roundabout
- Lift Station Engineering
- Veteran's Park Ditch Shoring
- Gore Park Project
- Bank Shot Program
- Berthe Bridge Projects
- Sandy Creek Grant
- Hugh Thomas Project

### **Pamn Henderson, Mayor**

- Veteran's Wall/Walk Brick Project

## **PUBLIC PARTICIPATION**

Mayor Henderson asked for Public Participation.

Daniel Hatem 206 Collinfurst Sq., spoke about the hurricane damages.

David Agosta, 6609 Pridgen St., commented on the Sheriff's Office contract with the City of Callaway.

Jeff Beach, 6819 Cherry Street, referenced the Callaway Rebels Football organization and the concession at Gore Park.

Paul Bohac, 7010 Mike Lane, inquired of a turn lane off Berthe onto Cherry, which City Manager Cook addressed.

**ANNOUNCEMENTS**

Mayor Henderson read the announcements as follows:

- Feb. 7, 2023 Planning Board Meeting 6:00 P.M.
- Feb. 14, 2023 Regular Commission Meeting 6:00 P.M.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:05 p.m.

Attest: \_\_\_\_\_  
Pamn Henderson, Mayor

\_\_\_\_\_  
Janice L. Peters, MMC  
City Clerk

DRAFT