

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JANUARY 25, 2022 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, January 25, 2022. 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; Jennifer Schuler, City Attorney; Janice L. Peters, City Clerk; David Schultz, Director of Finance; Bill Frye, Public Works/Planning Director; Tim Legare, Leisure Services Director; Bonnie Poole, Code Enforcement Director.

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

**PRESENTATIONS**

Presentation                      Bay County Sheriff's Office

Corp. Ferrell reviewed statistics for December 2021.

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

Mayor Henderson called for additions/deletions to the agenda.

City Manager Cook requested the addition of a Change Order for the Berthe Bridge project.

**Motion:**

Motion was made by Commissioner Mancinelli and seconded by Commissioner Davis to approve the addition to the agenda. Motion carried unanimously.

**APPROVAL OF MINUTES**

**January 11, 2022              Regular Meeting**

**Motion:**

Motion made by Commissioner Pelletier and seconded by Commissioner Davis to approve the minutes of January 11, 2022. Motion carried unanimously.

**Financial Statements – Period ending December 31, 2021 – No Discussion**

Mayor Henderson asked about collection of Ad valorem at 84%. Finance Director Schultz advised that is normal for this time period in the budget.

**PUBLIC HEARNG(S)**

Mayor Henderson opened the Public Hearing.

**Ordinance No. 1045 – Camping Restrictions**

City Attorney Schuler 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 Cook briefly reviewed.

Mayor Henderson asked for Public Participation; there was none.

**Motion:**

Motion made by Commissioner Pelletier and seconded by Commissioner Mancinelli for approval of the final reading of Ordinance No. 1045. Motion carried unanimously upon roll-call vote.

**Ordinance No. 1046 – Redistricting of Callaway Wards**

City Attorney Schuler 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 Cook advised no comments or concerns have been received.

Mayor Henderson asked for Public Participation; there was none.

**Motion:**

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of the final reading of Ordinance No. 1046. Motion carried unanimously upon roll-call vote.

**Resolution No. 22-02 – First Quarter Budget Amendments**

City Attorney Schuler read Resolution 22-02 by headnote as follows:

**A RESOLUTION OF THE CITY OF CALLAWAY OF BAY COUNTY, FLORIDA, AMENDING THE FINAL BUDGET FOR FISCAL YEAR 2021/22 AND PROVIDING AN EFFECTIVE DATE.**

City Manager Cook advised the amendments have previously been approved by Commission.

Finance Director Schultz advised the bulk of the money is coming from Reserves.

Fire Chief Joyner advised the City's Fire Department received \$30,000 from Firehouse Subs, which were spent to purchase new Jaws of Life equipment.

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. 22-02. Motion carried unanimously upon roll-call vote

Mayor Henderson closed the Public Hearing.

## REGULAR AGENDA

### Ordinance No. 1047 – Small Scale Comprehensive Plan Amendment

City Attorney Schuler read Ordinance No. 1047 by headnote as follows:

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CALLAWAY, ACTING UPON THE APPLICATION OF CALLAWAY BAYOU LANDING, LLC., DESIGNATING FOR MULTI-FAMILY HIGH DENSITY RESIDENTIAL USE A CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONSISTING OF APPROXIMATELY 6.7 MORE OR LESS ACRES; SAID PARCEL IS LOCATED ON HWY. 22 JUST EAST OF CALLAWAY BAYOU, CALLAWAY, FLORIDA, PARCEL ID 06617-020-000, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP FOR MULTI-FAMILY HIGH DENSITY RESIDENTIAL FOR THE PARCEL; REPEALING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.**

Director Frye reviewed, advising they are 247 proposed units. Ray Greer reviewed as well, advising they will be similar to D.R. Horton homes. Regarding elevation he advised the elevation is good and no wetlands will be touched. He further commented on the total development plans for the entire property.

Mayor Henderson asked for Public Participation; there was none.

#### **Motion:**

Motion made by Commissioner Griggs and seconded by Commissioner Pelletier, for approval of the first reading of Ordinance No. 1047. Motion carried unanimously upon roll-call vote.

### Ordinance No. 1048 – Rezoning of property Hwy. 22 just East of Callaway Bayou

City Attorney Schuler read Ordinance No. 1048 by headnote as follows:

**AN ORDINANCE REZONING FROM COMMERCIAL TO MULTI-FAMILY HIGH DENSITY RESIDENTIAL THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONTAINING APPROXIMATELY 6.7 ACRES; LOCATED ON HWY. 22 JUST EAST OF CALLAWAY BAYOU; PARCEL ID 06617-020-000; 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.**

Director Frye advised this is the rezoning of the same property in the previous item.

Mayor Henderson asked for Public Participation; there was none.

#### **Motion:**

Motion made by Commissioner Mancinelli and seconded by Commissioner Davis, for approval of the first reading of Ordinance No. 1048. Motion carried unanimously upon roll-call vote.

### Release of Easement – Partial Release – Slim Chickens

Director Frye advised FDOT is requiring Slim Chickens to put in a North bound right turn lane. The 20 wide section of easement is needed for the Right-of-Way of this turn lane. The Public Works Department has determined that the city has no utilities or infrastructure on the portion to be abandoned. Brief discussion ensued.

Mayor Henderson asked for Public Participation; there was none.

**Motion:**

Motion made by Commissioner Griggs and seconded by Commissioner Mancinelli for approval of Partial Release of Easement to Slim Chickens. Motion carried unanimously.

**Platt-Lois & Fox-Right-of-Way/Easement Construction Agreement**

Director Frye advised that William Platt, owner of the property located at Lois Street & N. Fox Avenue has applied for a Right-of-Way/Easement Construction Agreement with the City to construct a driveway down a city owned storm water easement to his property. He added that this is the only way Mr. Platt has to access his property, which is landlocked. Discussion ensued.

Commissioner Pelletier tabled the item until the next meeting on February 8, 2022, pending additional stipulations.

**Hartzog-7225 Cherry – License & Indemnification Agreement/Utility Easement**

Director Frye advised that Mr. Al Hartzog is the owner of the property at 7225 Cherry Street where the City of Callaway has a storm water culvert pipe running diagonally across without an easement. In an effort to keep the pipe from cutting through the middle of the property, the City will acquire an easement from the west side of the property where the storm water enters the property straight to Cherry Street. Once new pipe system is installed, the city will remove the old rusted out pipe and backfill the ditch left behind. In return for Mr. Hartzog giving the City the new easement, the City will remove the old white house from the property by way of a controlled burn/training exercise for the Fire Department.

Mayor Henderson asked for Public Participation; there was none.

**Motion:**

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of Hartzog License & Indemnification Agreement/Utility Easement. Motion carried unanimously.

**Planning Board – Vice-Chair Ratification**

City Clerk Peters advised that every two years the current Vice-Chairman of the Planning Board assumes the role of Chairman and a new Vice-Chairman is nominated. It is the responsibility of the City Commission, to ratify that nomination, although the Planning Board must nominate a board member to recommend to the Commission. Nomination was made to appoint Tony Roman as the next Vice-Chairman.

City Clerk Peters added that Bob Bell assumed the position of Chairman.

Mayor Henderson asked for Public Participation; there was none.

**Motion:**

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for ratification of the appointment of Tony Roman of the Planning Board. Motion carried unanimously.

### **Development Order – Approval of Renewal/Extension – Storage Depot**

City Manager Cook advised the original Development Order was approved by the City Commission on January 13, 2020. The developer, Mr. Jeremy Odom has put off construction with no intentions of abandoning the project. Mr. Odom plans to begin construction around the end of March this year.

Mayor Henderson asked for Public Participation; there was none.

#### **Motion:**

Motion made by Commissioner Davis and seconded by Commissioner Griggs for approval of Renewal/Extension-Storage Depot. Motion carried unanimously.

### **Berthe Bridge Replacement Change Order and Baskerville-Donovan Contract Modification**

City Manager Cook advised FDOT has been reviewing the engineering for the Berthe Bridge replacement. The original FEMA specifications were for a bridge replacement with our current standard of 50 years. While this is not on an FDOT road, it is partially funded through the state. They are requiring a 75-year life span for the new structure. This can be achieved by either increasing the base footing from 18” to 24” which would require additional engineering or replacing all internal structures with stainless steel. Cost analysis of the two options show the increasing the footer will be a significant cost savings compared to using stainless steel. This change order covers the additional engineering that will be required to increase the footer size to 24” and meet the 75-year bridge life span.

Baskerville-Donovan is the engineer of record and is requesting a Contract Modification in the amount of \$15,000 to cover additional labor hours necessary to alter the original Scope of Work design and resubmittal of the updated 100% Construction Plans.

Mayor Henderson asked for Public Participation; there was none.

#### **Motion:**

Motion made by Commissioner Mancinelli and seconded by Commissioner Griggs for approval. Motion carried unanimously.

### **COMMISSION/STAFF COMMENTS**

#### **Frank Mancinelli, Commissioner Ward IV**

##### Fox Lake Cleanup

Commissioner Mancinelli advised he is pleased with the progress on Fox Lake cleanup and asked if there are plans to cleanup Baby Bayou. City Manager Cook advised he is looking into the issue.

#### **Bob Pelletier, Commissioner Ward III**

##### Aldi Property

Commissioner Pelletier inquired about the cleanup of the property and the start of the project. City Manager Cook advised an NOV will be issued by Code Enforcement tomorrow.

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

### Property Demos

Commissioner Griggs asked how many demo properties are left. Director Poole advised 16.

### Fox One-way Street to Lois

Commissioner Griggs asked if the street could be changed to a two-way. Director Frye addressed the subject and did not see a problem with making it a two-way street. The City Attorney will look into the matter.

### Code Enforcement

He commented on unregistered vehicles.

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

### Derelict Property on Lois

5808 Lois is on the demo list according to Director Poole, along with 3 others.

### Beacon Point Shopping Center

City Manager Cook advised environmental studies are being done and the state is finalizing the process on their end.

## **Janice Peters, City Clerk**

### CDBG Applications

City Clerk Peters advised that CDBG Applications are still being received by the City and applications are available at City Hall.

## **Eddie Cook, City Manager**

City Manager Cook reviewed updates of the following:

- HMGP Grants – 6 projects
- Gore Park
- Work Order Software has been implemented
- Pole Barns are in permitting
- BRR Sidewalk beginning next week
- Roundabout – Appraisal has been ordered

## **PUBLIC PARTICIPATION**

Mayor Henderson asked for Public Participation;

David Raggio, 619 S. Berthe, commented on the view and safety of the water in Baby Bayou, which is behind his home, as well as the Fox Lake cleanup.

Don Hennings, 431 Tanya Pass, commented on the Façade Grant and recommended the residents of Cherry Street be notified individually.

## **ANNOUNCEMENTS**

Mayor Henderson read the announcements as follows:

- Feb. 1, 2022                      Planning Board Meeting                      6:00 PM
- Feb. 8, 2022                      Commission Meeting                      6:00 PM

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:26 p.m.

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

Attest: \_\_\_\_\_  
Pam Henderson, Mayor