

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
FEBRUARY 14, 2023 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, February 14, 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, Kevin Obos, 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

Sister City Report – City Manager

City Manager Cook gave an update of the Sister City partnership with West Palm Beach Gardens to assist the City of Wauchula.

GFOA Certificate of Achievement in Financial Reporting

City Manager Cook advised the City has once again received the GFOA Certificate of Achievement in Financial Reporting thanks to the excellent work of the Finance Department.

MAYOR'S INSTRUCTIONS - Call for Additions/Deletions to the Agenda. City Manager Cook requested Items 5 and 8 be pulled.

APPROVAL OF MINUTES/REVIEW OF FINANCIALS

January 24, 2023 Regular Meeting

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Pelletier to approve the minutes of January 24, 2023. Motion carried unanimously.

PUBLIC HEARING

Mayor Henderson opened the Public Hearing

Public Notice Process – Bay County Website

City Clerk Peters reviewed the requirement for the Public Hearing regarding the use of Bay County's designated webpage for Legal Notices.

Mayor Henderson called for Public Participation; there was none.

Mayor Henderson closed the public hearing.

REGULAR AGENDA

Ordinance No. 1073 – LDR Section 15.750.3 Change

City Attorney Obos read the Ordinance by headnote as follows:

AN ORDINANCE OF THE CITY OF CALLAWAY AMENDING ARTICLE V OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY RELATED TO TRAVEL TRAILERS IN RESIDENTIAL ZONING AREAS; AMENDING SECTION 15.750.3 TO INCREASE THE MAXIMUM BUFFER TO EIGHT (8) FEET IN HEIGHT; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

City Manager Cook briefly reviewed the change.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Pelletier for approval of Ordinance No. 1073. Motion carried unanimously upon roll-call vote.

Ordinance No. 1074 – SSCPA – 500 Block of Anita Drive

City Attorney Obos read the Ordinance by headnote as follows:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CALLAWAY, ACTING UPON THE APPLICATION OF F&P CAPITAL PROPERTIES, LLC, DESIGNATING FOR HIGH DENSITY RESIDENTIAL USE A CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONSISTING OF APPROXIMATELY 1.07 MORE OR LESS ACRES; SAID PARCEL IS LOCATED IN THE 500 BLOCK OF ANITA DRIVE, PARCEL ID 06258-010-000 AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP TO HIGH DENSITY RESIDENTIAL 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.

Planning Director Frye reviewed. Mr. Carroll, of McNeil Carroll Engineering reviewed as well, followed by discussion of access, which will be from Anita Drive, and stormwater retention.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Griggs for approval of Ordinance No. 1074. Motion carried unanimously upon roll-call vote.

Ordinance No. 1075 – Rezoning Request – 500 Block of Anita Drive

City Attorney Obos read the Ordinance by headnote as follows:

AN ORDINANCE REZONING FROM HIGHWAY COMMERCIAL TO MULTI-FAMILY HIGH DENSITY A CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONSISTING OF APPROXIMATELY 1.07 MORE OR LESS ACRES; SAID PARCEL IS LOCATED IN THE 500 BLOCK OF ANITA DRIVE, CALLAWAY, FLORIDA, PARCEL ID 06258-010-000; 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 Manager Cook advised this is the rezoning for the same property as the previous item. Director Frye advised no citizen calls were received regarding the request.

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. 1075. Motion carried unanimously upon roll-call vote.

Ordinance No. 1076 – Rezoning Request – 154 N. Comet Avenue

Item pulled due to Code Enforcement Liens.

Resolution No. 23-04 – Code Enforcement Nuisance Abatement Liens

City Attorney Obos read the Resolution by headnote as follows:

A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, APPROVING AMOUNTS TO BE LIENED ON CERTAIN PROPERTIES WITHIN THE CITY, TO WIT: 5808 LOIS STREET AND 6112 IVY ROAD, FOR COSTS INCURRED IN THE ABATEMENT OF NUISANCES UPON SUCH PROPERTIES, 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
06320-000-000	Bridgette Hanley Biddle	5808 Lois Street Callaway, FL 32404	\$ 4,254.48
07214-095-000	Alvin & Mary Leonard	6112 Ivy Road Callaway, FL 32404	\$ 7,001.90

City Manager Cook advised Code Enforcement is doing a great job.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Davis for approval of Resolution No. 23-04. Motion carried unanimously upon roll-call vote.

Bay County Agreement – Purchase of Booster Station

City Manager reviewed that recently Bay County Utility Department has been exploring options to increase water capacity in the Northeastern portion of the wholesale service area, specifically Star Avenue. This need is being driven by rapid development of Panama City North and the increased threat of wildfires due to Hurricane Michael. After exploring several options, the underutilized Callaway Booster Station, situated on a portion of Property ID# 06617-030-000, located at 8507 Highway 22, has been identified as an opportunity due to its location, capacity, and operational status.

After reviewing potential connections with the proposed pressure zone, staff recommend entering into a purchase agreement with the City of Callaway. The agreement would provide the City with \$240,000 per year for a period of 15 years (\$3,600,000.00), with the first payment due upon closing and each subsequent payment due on or before January 1st of each subsequent year.

The County wholesale system would become responsible for all operations and maintenance of the facility and at the conclusion of the agreement the County would maintain ownership of the facility.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Pelletier for approval of Bay County to Purchase Callaway Booster Station. Motion carried unanimously.

Variance for Height – 1117 S. Tyndall Parkway – Item Pulled

Development Order – Tyndall Parkway Apartments – 1117 S. Tyndall Parkway

Director Frey reviewed the request for the DO at 1117 S. Tyndall Parkway. Discussion followed of cleanup of the property, recreational areas, and drainage, which Mr. Carroll reviewed. Commission was advised that there will be two master meters and ownership will be required to be one entity for the entire property. The lift station was also reviewed.

Mayor Henderson called for Public Participation.

Don Hennings, 431 Tanya Pass, inquired of the gym.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Ayers for approval of the approval of DO for 1117 S. Tyndall Parkway, contingent on the addition of playground equipment. Motion carried unanimously.

Surplus Equipment – Public Works

The City Manager reviewed that the Public Works Department is requesting approval to surplus several items. The surplus will be sold in accordance with our local contract with Florida Auction Network in the next scheduled auction or with GovDeals.com.

Director Frye reviewed specifics of the equipment, advising the auction would be the best option.

- 2017 Infrared Asphalt Recycler
- 2018 Paladin Ground Shark Rotary Cutter
- 2018 John Deere Rotary Cutter

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Davis for the approval to sell the surplus equipment. Motion carried unanimously.

IT Services – On Systems, Inc. Agreement Renewal

The City Manager reviewed currently the city is on a month-to month agreement with On Systems for the handling of all the city’s IT services as the initial agreement from 2015 was for 1 year with month-to-month renewals. Microsoft only does 1-year terms for their services and are threatening price increases for customers with old agreements that are month-to-month.

Staff recommends approval of the 3-year initial term with successive 1-year automatic renewals unless 60-day notice is given by either party of intent of non-renewal.

On Systems has provided excellent service from the beginning and went above and beyond in getting the city up and running after Hurricane Michael. Their processes of using the Cloud and off-site servers for backup resulted in no loss of information for the city during that time.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Pelletier for the approval of Agreement Renewal with On Systems, Inc. Motion carried unanimously.

Bid Award – CM2023-02 Pole Barn Project

On January 17, 2023, staff issued Bid No. CM2023-02 for the installation of 6 Pole Barns, one at Public Works and 5 at Leisure Services. Three (3) bids were received as follows:

1. Michael L. Anderson, Inc.	\$89,330.00
2. Tool Time	\$98,952.00
3. Gulf Coast Construction Specialist	\$183,847.93

The recommendation of staff is to award the bid to Michael L. Anderson, Inc. for the not-to-exceed amount of \$89,330.00.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Griggs for the approval of bid award to Michael L. Anderson, Inc. Motion carried unanimously.

CDBG Grant Funds – Approval of Expenditure

City Clerk Peters reviewed that Mr. Dennis Dingman, after advertising for homeowner applications for the 3rd time, only one CDBG Housing Application was received, from Susan Waters at 206 N. Fox Avenue. Although we are still missing a few items which we've asked for, her application qualifies for the CDBG program. An inspection of the house was conducted on Monday, February 6th. It's in very bad condition inside and out but can be rehabilitated.

Until we go through the bidding process, we cannot be certain about the exact cost, we believe there are enough funds in the program to rehabilitate it. The Property Appraiser's office appraises the building value at \$63,273 and based on its condition we believe it will cost between \$90K and \$115K to rehabilitate. This will just about use up all of the funds remaining in the City's CDBG award.

She asked for Commission approval to exceed the amount spent per home as outlined on page 10, Section VI. Paragraph B, in the City's Housing Assistance Plan (HAP) for this one time only in order to use up the remaining funds. On page 10, Section VI. Paragraph B of the HAP it states under B. Cost Feasibility "As an additional means of guarding against CDBG Program penalties for exceeding the average allowable CDBG funds per housing unit, the cost of rehabilitation and improvements may not exceed the after-rehabilitation value of the housing unit. Further, an average maximum amount of \$82,250 per single family detached structure shall be used. She advised these limits may be exceeded but must be specifically addressed and approved by the City Commission of Callaway as exceeding these limits."

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis and seconded by Commissioner Pelletier for the approval of the request to use the remainder of the grant money for this property contingent upon receiving all necessary information. Motion carried unanimously.

COMMISSION/STAFF COMMENTS

The following were points of discussion:

Pamn Henderson, Mayor

- FDEO kudos to the City Clerk for her work on bids.
- Hurricane Michael damages limitation for repairs/RV living.

Eddie Cook, City Manager

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| <ul style="list-style-type: none">• Cherry Street Improvements Project• Veteran's Park Project• Berthe Ditch Bid• Sandy Creek & Hugh Thomas Bids• 7th Street & Tyndall Pkwy. Flooding | <ul style="list-style-type: none">• Gore Park Project Progressing• Lannie Rowe & Fox Lakes• Berthe Bridge• Hwy 22 Flooding Issues• Aldi's Flooding Issues |
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David Griggs, Commissioner Ward II

- Aldi's
- Kimbrel Drainage

Kenneth Ayers, Commissioner, Ward IV

- 1117 S. Tyndall Pkwy.

Janice L. Peters, city Clerk

- Environmental Reviews for Beacon Point Plaza, notice, and issuance of bids.

PUBLIC PARTICIPATION

Mayor Henderson asked for Public Participation.

Don Hennings, 431 Tanya Pass, inquired of Public Records and the syncing of the traffic lights on Tyndall.

Jerry Thomas, 641 Camelia Avenue, commented on the flooding at Aldi on 7th & Camellia.

ANNOUNCEMENTS

Mayor Henderson read the announcements as follows:

- February 19, 2023 Historical Society Meeting 2:00 P.M. - 522 Beulah Avenue
- ~~February 21, 2023 Planning Board 6:00 P.M. (Potential)~~
- February 28, 2023 Regular Commission Meeting 6:00 P.M.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:00 p.m.

Attest:

Pam Henderson, Mayor

Janice L. Peters, MMC
City Clerk