

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MARCH 22, 2022 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, March 22, 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 Shuler, 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, and David Joyner, Fire Chief.

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

Mayor Henderson thanked the Sheriff's Department for Kite Day.

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 Extension of the Development Order for Hampton Inn as Item #12.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Griggs to approve the addition of Item #12, Extension of DO for Hampton Inn. Motion carried unanimously.

APPROVAL OF MINUTES/REVIEW OF FINANCIALS

March 8, 2022 Regular Meeting

Motion:

Motion made by Commissioner Mancinelli, and seconded by Commissioner Pelletier, to approve the minutes of March 8, 2022. Motion carried unanimously.

Financial Statements – Period ending February 28, 2022 - No Discussion

PUBLIC HEARING

Mayor Henderson opened the Public Hearing

Ordinance No. 1053 – Rezoning Request – 1117 S. Tyndall Parkway

City Attorney Shuler read Ordinance 1053 by headnote as follows:

AN ORDINANCE REZONING FROM RESIDENTIAL MULTI-FAMILY (R-MF) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONTAINING APPROXIMATELY 3.9 ACRES; LOCATED AT 1117 S. TYNDALL PARKWAY; PARCEL ID 07208-000-000; 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 asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of Ordinance No. 1053. Motion carried unanimously upon roll-call vote.

Ordinance No. 1054 – Abandonment of Madian Lane

City Attorney Shuler read Ordinance 1054 by headnote as follows:

AN ORDINANCE VACATING AND ABANDONING ALL OF THE CITY OF CALLAWAY'S INTEREST IN MADIAN LANE ALL ACCORDING TO AND APPEARING ON THE CALLAWAY SHORES UNIT ONE PLAT RECORDED IN BAY COUNTY CLERK OF COURTS PLAT BOOK 10 PAGE 81; 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 Pelletier commented that he did go see the property and felt abandoning the property to be in the best interest of the city.

Commissioner Griggs asked if the City will be obligated to do any more to the property than what has been done over the years if it is abandoned. Discussion ensued.

Mayor Henderson asked for Public Participation.

Robert Belt, 705 Madian Lane, property owner commented in favor of abandonment for him and his neighbors, for cleanup and road access to his house.

Paul Bohac, 7010 Mike Lane, comments read into record by Audra Boswell, ASC, in favor of not abandoning Madian Lane.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of Ordinance No. 1054. Motion carried 4-1 upon roll-call vote, with Commissioner Griggs voting in opposition.

Ordinance No. 1055 – Abandonment of Alleyway on Eleanor

City Attorney Shuler read Ordinance 1055 by headnote as follows:

AN ORDINANCE VACATING AND ABANDONING THE CITY OF CALLAWAY'S INTEREST IN THAT CERTAIN PORTION OF THE PLATTED PUBLIC ALLEY BOUNDED ON THE NORTH BY THE SOUTH LINE OF LOTS 1,2,3,4, BLOCK 22, BOUNDED ON THE SOUTH BY THE NORTH LINE OF LOTS 29,30,31,32, BLOCK 22, BOUNDED ON THE WEST BY THE EAST RIGHT OF WAY LINE OF ELEANOR AVENUE, BOUNDED ON THE EAST BY THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 4, ALL ACCORDING TO AND APPEARING ON THE PLAT OF CALLAWAY, AS PER PLAT RECORDED IN THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA, AT 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 Davis asked if there were any easements on this alley way. City Manager addressed there are no easements and the other property owners will still have access from the other side.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Mancinelli for approval of Ordinance No. 1055. Motion carried unanimously upon roll-call vote.

Ordinance No. 1056 – Corrective Ordinance (1047)

City Attorney Shuler read Ordinance 1056 by headnote as follows:

AN ORDINANCE AMENDING ORDINANCE 1047 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION OF 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; REPEALING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of Ordinance No. 1056. Motion carried unanimously upon roll-call vote.

Ordinance No. 1057– Corrective Ordinance (1048)

City Attorney Shuler read Ordinance 1057 by headnote as follows:

AN ORDINANCE AMENDING ORDINANCE 1048 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION OF 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; REPEALING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Mancinelli for approval of Ordinance No. 1057. Motion carried unanimously upon roll-call vote.

Mayor Henderson closed the Public Hearing.

REGULAR AGENDA

Award of Bid No. PW2022-01 Berthe Ave. Lift Station Installation

Audra Boswell, ASC reviewed that on Wednesday, January 5, 2022, staff issued an Invitation to Bid for the S. Berthe Fiberglass Lift Station. Two proposals were received as follows:

1. Marshall Brothers \$576,600.00 180 Day Completion
2. Royal American \$547,894.00 180 Day Completion

In regard to Bid Line Item #1 – General Provisions, which was limited to 5% of the total contract amount, both bidders exceed this amount. Following negotiations with the low bidder, Royal American, that item was reduced to the 5% max, bringing the total final bid to \$506,407.97.

It is the recommendation of staff and the Engineer of Record to award the bid to Royal American for the not-to-exceed amount of \$506,407.97.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval to move forward with Award of Bid to Royal American. Motion carried unanimously.

CEI Task Orders – Cherry Street and Jan & Genevieve Drainage Projects

City Manager reviewed the three projects and task orders for CEI of the projects. He recommended issuing the task orders with a not to exceed cost.

DRMP: Cherry Street Resurfacing, Sidewalks & Drainage Improvements

Baskerville–Donovan: Jan Dr. & Genevieve Avenue Drainage

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of CEI Task Orders to DRMP and Baskerville-Donovan. Motion carried unanimously.

Professional Services Agreement Renewals

City Manager advised in 2017 staff issued request for qualifications for professional engineers. Five finalists were evaluated and those are Baskerville-Donovan, Dewberry, DRMP, McNeil Carrol and Panhandle Engineering. There are many current projects going and these contracts are due to either to go back out to RFQ for new engineers or the City has the right to do a five-year extension. We are pleased with our engineers and staff recommend we renew the contract for an additional five years with our current engineers. Brief discussion ensued.

Mayor Henderson asked for Public Participation; there was none.

Motion:

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

Garbage Haulers Agreement Renewals

City Manager reviewed and advised this is our three (3) year renewal for the permits to service the citizens. All have returned their applications for renewal.

Letters will be sent with copies of their agreements reminding them that the Commission gave notice in 2020 of a three-year notice of intent to possibly go to a single hauler.

Commissioner Pelletier commented that he has received complaints about the start time, and if that was specifically in the City Ordinance. City Manager advised that it is in the Ordinance and is being addressed by Code Enforcement concerning the start times, and we will look at addressing in the letter being sent out to the haulers. Discussion ensued.

Commissioner Griggs commented that our Ordinance says put everything you can in a 96-gallon can and asked if the haulers providing this 96-gallon can; discussion continued.

Mayor Henderson asked for Public Participation.

Don Hennings, 431 Tanya Pass, commented on the garbage can lids not being closed all the way due to garbage can being too full and garbage blowing everywhere.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of Agreement Renewals. Motion carried unanimously.

Mutual Aid Agreement Callaway Fire Department & Panama City Beach FD

City Manager and Chief Joyner reviewed the Mutual Aid Agreement with Panama City Beach.

Commissioner Mancinelli commented that the Fire Department responded so quickly professionally and did a fantastic job during the fires. Brief discussion ensued.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of Mutual Aid Agreement. Motion carried unanimously.

Playground Equipment Brittney Woods & Callaway Recreational Complex

City Manager reviewed and advised Tim Legare has been working on the procurement of the playground equipment. The break down for funding is between the CRA and general fund. There is a shortfall at the Sports Complex but due to some Leisure Services capitals not being available for purchase during the fiscal year, and short staffing in the first quarter of the year, it can be funded without any budget amendments.

Mayor Henderson asked if all of this will be ADA accessible. City Manager and Director Legare addressed.

City Manager and Director Shultz advised that this was approved in the Budget and in the CRA Budget.

Commissioner Pelletier asked about the grand opening for Veteran's Park. City Manager advised it will happen once the additional equipment has been installed.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Pelletier for approval of playground equipment at Brittany Woods & Callaway Recreational Complex. Motion carried unanimously.

Development Order Extension – Hampton Inn Hotel at 920 N. Tyndall Parkway

City Manager advised in 2017 Commission approved the DO for Hampton Inn on Tyndall Pkwy. On March 10, 2020, Commission approved a 2-year extension to the DO, which has since expired. The Developer has requested another 2-year extension.

Planning Director Frye advised the owners have several reasons why they haven't started yet. One of those being they are in negotiations with Hampton Inn on the design, and all that has to be approved.

Commissioner Mancinelli asked about changes they are negotiating. Director Frye addressed the changes being made, which does not change the footprint or infrastructure. It is changing the signage, cabinetry, and color of linens. Discussion ensued.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Mancinelli and seconded by Commissioner Davis for approval of DO Extension for Hampton Inn Hotel. Motion carried unanimously.

PRESENTATIONS

Deputy McKenzie reviewed statistics for February 2022. He gave a brief update regarding Kite Day, thanking Leisure Services and the Fire Department for all their help.

COMMISSION/STAFF COMMENTS

Pamn Henderson, Mayor

- FPL – wants City to join other neighboring cities in sending a letter to FPL for review/investigation of rate increase. City Manager addressed.

Scott Davis, Commissioner Ward I

- Gore Park – adding park equipment. City Manager addressed.

David Griggs, Commissioner Ward II

- Speed Limit Signs for Fox. City Manager will check on it.

Eddie Cook, City Manager

City Manager Cook reviewed updates of the following:

- CDBG-DR 14 Lift Stations - bids are going out for engineering.
- Lake Cleanup

PUBLIC PARTICIPATION

Mayor Henderson asked for Public Participation; there was none.

ANNOUNCEMENTS

Mayor Henderson read the announcements as follows:

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| • March 28, 2022 | League of Women Voters -Candidate Debate at Rutherford High School | 6-8 P.M. |
| • April 5, 2022 | Planning Board Meeting (Potential) | 6:00 P.M. |
| • April 12, 2022 | Regular Commission Meeting | 6:00 P.M. |
| • April 19, 2022 | Municipal Election | 7 a.m. – 7 p.m. |

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:20 p.m.

Audra Boswell, Administrative Services

Attest: _____
Pamn Henderson, Mayor