

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 9, 2023 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, May 9, 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.

MAYOR’S INSTRUCTIONS - Call for Additions/Deletions to the Agenda. City Clerk Peters requested the addition of the CDBG Housing Rehabilitation Program-Bid Award & Updated List.

Motion:

Motion was made by Commissioner Griggs and seconded by Commissioner Pelletier to add the item for consideration. Motion carried unanimously.

APPROVAL OF MINUTES/REVIEW OF FINANCIALS

April 25, 2023 Regular Meeting

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Pelletier to approve the minutes of April 25, 2023. Motion carried unanimously.

REGULAR AGENDA

CDBG Housing Rehabilitation Program -Bid Award & Updated List

Dennis Dingman of Summit Professional Services reviewed as follows:

The homeowner application of Susan Waters of 206 Fox Avenue N. was received, scored, and ranked based on Appendix A of the City's Standard Housing Assistance Plan. Commission members advised of no familial relationships with the applicant and no conflicts were noted in the application received.

Sealed Bids were received and opened on March 24, 2023, for the one housing rehabilitation unit. The attached Bid Tabulation Form shows the Bids that were received. Summit Professional Services recommended the Award of the bid for rehabilitation of the housing unit to Florida Homes, Inc. for the following:

Property Owner	Address	Costs
Susan Waters	206 Fox Avenue N.	\$119,958.00

Mr. Dingman did not expect the cost to exceed the amount available in the grant. Discussion ensued of the requirements of the homeowner going forward.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Pelletier to adopt the updated applicant list date May 9, 2023. Motion carried unanimously.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Pelletier and approved by Commissioner Ayers to approve the bid award to Florida Homes, Inc. for the rehabilitation of Susan Waters' home for the not-to-exceed amount of the balance in the grant. Motion carried unanimously.

Ordinance No. 1078 – Amending Chapter 10 Offenses and Miscellaneous Provisions

City Attorney Obos read the Ordinance by headnote as follows:

AN ORDINANCE OF THE CITY OF CALLAWAY, FLORIDA AMENDING THE CALLAWAY CODE OF ORDINANCES, CHAPTER 10 – OFFENSES AND MISCELLANEOUS PROVISIONS; CREATING ARTICLE VII – SHOPPING CARTS TO REGULATE BUSINESSES WITHIN THE CITY THAT PROVIDE SHOPPING CARTS TO CUSTOMERS; ESTABLISHING SHOPPING CART RETENTIONS SYSTEM REQUIREMENTS; ESTABLISHING ENFORCEMENT PROCEDURES FOR CARTS FOUND ON PUBLIC OR PRIVATE PROPERTY; PROVIDING FOR CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

He reviewed, advising F.S. Chapter 506 already addresses criminal penalties for this issue. Discussion ensued of the options.

Commissioner Ayers recommended under section 10-85, add item 4(i.) Or any other retention process approved by the city. Discussion continued, during which Deputy McKenzie weighed in on the issue.

Mayor Henderson called for Public Participation.

Ron Shaner, 5711 Kevin Circle, spoke on the irresponsibility of shoppers to take carts off the property of the owner.

Paul Bohac, 7010 Mike Lane, wasn't sure there was any benefit to the City to take on this issue.

Discussion continued during which Director Frye explained their current process that has been followed over the years.

Commissioner Griggs tabled the item until the next meeting.

Ordinance No. 1079 – Amending Section 15.575 Accessory Structures

City Attorney Obos read the Ordinance by headnote as follows:

AN ORDINANCE OF THE CITY OF CALLAWAY, FLORIDA AMENDING LAND DEVELOPMENT REGULATION ARTICLE V, ZONING, SECTION 15.575 TO PROHIBIT CONEX BOXES AND CARGO SHIPPING CONTAINERS FOR USE AS ACCESSORY STRUCTURES AND BUILDINGS; PROVIDING FOR CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

He further clarified prohibited uses, followed by discussion.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Pelletier for approval of Ordinance No. 1079.

Mayor Henderson called for Public Participation; there was none.

Motion carried unanimously upon roll-call vote.

Ordinance No. 1080 – Amending the East Bay Development Plan & Design Guidelines

City Attorney Obos read the Ordinance 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.

He further reviewed the request, indicating one other lot has been acquired. Discussion followed of the Design Standards and the HOA.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis and seconded by Commissioner Pelletier for approval of Ordinance No. 1080. Motion carried unanimously upon roll-call vote.

Resolution No. 23-10 – Code Enforcement Liens for Nuisance Abatement

City Attorney Obos read the Resolution by headnote as follows:

A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, APPROVING AMOUNT TO BE LIENED ON CERTAIN PROPERTY WITHIN THE CITY, TO WIT: 145 COMET AVENUE FOR COSTS INCURRED IN THE ABATEMENT OF NUISANCES UPON SUCH PROPERTY, AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO RECORD THE LIEN, NOTIFY INTERESTED PARTIES OF SUCH LIEN, AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

PROPERTY ID NO.	PRESENT OWNERS	ADDRESS OF SUBJECT PROPERTY	AMOUNT OF LIEN
06134-000-000	Donald F. Fidler	145 Comet Avenue Callaway, FL 32404	\$860.56

City Clerk Peters indicated a mistake had been made on the original lien in the amount. The original lien will be released upon recording of this lien.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Ayers for approval of Resolution No. 23-10. Motion carried unanimously upon roll-call vote.

Resolution No. 23-11 – Purchasing Policy Amendment

City Attorney Obos read the Resolution by headnote as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA, AMENDING THE PURCHASING MANUAL FOR THE CITY OF CALLAWAY; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

He reviewed the prohibited communication being addressed. Discussion followed.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Davis for approval of Resolution No. 23-11. Motion carried unanimously upon roll-call vote.

Bid Award – CM2023-06 South Berthe Avenue Drainage

City Clerk Peters advised on March 23, 2023, staff issued Bid No. CM2023-06 for the S. Berthe Avenue Drainage Improvements, associated with replacement of the Berthe Bridge. Four (4) bids were received as follows:

1. BCL Civil Contractors, Inc.	\$539,410.00
2. GCUC	\$727,876.33
3. Marshall Brothers	\$816,677.99
4. R.J. Gorman Contracting	\$443,224.69

The recommendation of staff is to award the bid to R.J. Gorman Contracting for the not-to-exceed amount of \$443,224.69.

City Manager Cook inquired of the budget. Finance Director Schultz advised money is left in ARPA funds to cover the overage of around \$70,000. City Manager Cook further reviewed the project, which will run from Lake Drive to the bridge.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Davis for approval of Bid Award to R.J. Gorman Contracting. Motion carried unanimously.

Surplus – Fire Department Engine

Fire Chief Joyner advised the design of engine 3 makes it difficult/challenging to operate safely in our newly developed neighborhoods. Crews advised regularly that when the emergency is at the end of a dead-end road or cul-de-sac they would just nose in and back straight out. All the tools and brackets are being stowed until the new engine gets here in June 2023. Chief expects to receive \$30-40,000 at auction with a reserve. Discussion ensued of options.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Ayers as amended, for approval to dispose of surplus via GovDeals auction with an appropriate reserve. Motion carried unanimously.

COMMISSION/STAFF COMMENTS - The following were points of discussion:

Pamn Henderson, Mayor

- Tyndall AFB trip to Texas
- Tyndall Groundbreaking for Tyndall Commons
- Bay County League of Cities Dinner

Bob Pelletier, Commissioner, Ward III

- Berthe Tree Removal – FPL

Kenneth Ayers, Commissioner, Ward IV

- Estuary Program
- Bayway Trolley – Sunday Runs
- Tyndall – Retiree Medical Services
- Speedbump Status
- Website Projects & Status
- Forsyth St. Containers
- Roundabout Workshop

Eddie Cook, City Manager

- Cherry Street
- Berthe Bridge
- Veteran’s Park
- Gore Park
- City Hall Flag Pole
- Aldi’s Drainage
- 24-Hour Daycare

David Griggs, Commissioner Ward II

- Facebook Information

PUBLIC PARTICIPATION

Mayor Henderson asked for Public Participation.

Larry Lawrence, 7003 Benton, inquired of direction to the City’s Code, which City Clerk Peters directed him to.

ANNOUNCEMENTS

Mayor Henderson read the announcements as follows:

May 18, 2023	Advisability Hearing	6:00 P.M.	
May 21, 2023	Historical Society Meeting	2:00 P.M.	522 Beulah Avenue
May 16, 2023	Planning Board	6:00 P.M.	
May 23, 2023	Regular Commission Meeting	6:00 P.M.	

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:25 p.m.

Attest: _____
Pamn Henderson, Mayor

Janice L. Peters, MMC
City Clerk

DRAFT