

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 24, 2022 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, May 24, 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; 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/PROCLAMATIONS

BCSO Statistics

Deputy McKenzie reviewed statistics for April 2022 and reviewed an incident of a plane crash at Sandy Creek and the response times of the Callaway Fire Department.

Proclamation – Mayoral Presentation

Mayor Henderson read the Proclamation for Flood Safety Awareness Week and Juneteenth.

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 the request for lien reduction/forgiveness regarding 6408 Heather Marie Lane.

Motion:

Motion made by Commissioner Pelletier, and seconded by Commissioner Mancinelli, to add the item to the agenda as Item #4. Motion carried unanimously.

APPROVAL OF MINUTES/REVIEW OF FINANCIALS

May 10, 2022 Regular Meeting

City Clerk Peters advised that the spelling of Reverend Ehrichs had been corrected and two references to Attorney Shuler had been changed to Attorney Obos.

Motion:

Motion made by Commissioner Griggs, and seconded by Commissioner Davis, to approve the minutes of May 10, 2022. Motion carried unanimously.

Financial Statements – Period ending April 30, 2022 – No Discussion

PUBLIC HEARING

Mayor Henderson opened the Public Hearing

Resolution No. 20-08 – FY2021/22 Budget Amendment

City Attorney Shuler read Resolution No. 20-08 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 reviewed the amendments, most of which had already been approved at previous meetings.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Mancinelli for approval of Resolution No. 20-08. Motion carried unanimously upon roll-call vote.

Ordinance No. 1058 – LDR Amendment – Fencing Heights

City Attorney Shuler read Resolution No. 20-08 by headnote as follows:

AN ORDINANCE FOR THE CITY OF CALLAWAY, FLORIDA AMENDING THE CITY OF CALLAWAY LAND DEVELOPMENT REGULATIONS REGARDING FENCES, WALLS, AND HEDGES; RESTRICTING FENCES WITHIN TEN FEET OF THE RIGHT OF WAY AND REMOVING THE PROHIBITION ON NON-OPAQUE FENCE MATERIALS; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

City Manager Cook reviewed the proposed changes which affect the front and sides of the property. Allowances would be for 8' from the front of the house to within 10' of the right-of-way then 4' thereafter and across the front. Regarding the last sentence addition to Section 15.750.5(b), "beyond the front façade of the house" was removed. Discussion ensued.

Mayor Henderson called for Public Participation.

Kathy Christodoulou, 224 Sukoshi Dr., felt people should be able to have whatever kind of fence they want on their own property.

Fred Philp, 246 Morning Creek Way, commented on paying HOA fees while under development whereby the HOA is doing nothing. He was advised to contact the Dept. of Professional Regulations.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Pelletier for approval of Ordinance No. 1058. Motion carried unanimously upon roll-call vote.

Mayor Henderson closed the public hearing.

REGULAR AGENDA

Development Order – Gay Avenue Townhomes – 403 N. Gay Ave.

Director Frye advised Bright Corner, LLC has submitted application to construct a 40-unit townhome subdivision. The Public Works Department and Fire Department have reviewed the plans for the Townhome Subdivision and have no outstanding issues or concerns. The Planning Department has found that the plans meet the requirements of LDR, and Comprehensive Plan. Discussion ensued of drainage and retention.

Mayor Henderson asked for Public Participation.

Deputy McKenzie asked if the roads were going to be the same as in Callaway Corners, citing ongoing problems with narrow brick roads and the problems with access for emergency services.

Motion:

Motion made by Commissioner Davis and seconded by Commissioner Griggs for approval of the Development Order of Gay Avenue Townhomes. Motion carried unanimously.

Code Enforcement Lien – 6408 Heather Marie Lane

City Manager Cook reviewed, advising Mr. Howard had received permission to act on the behalf of the owner, Ms. Marian Fyles. Mayor Henderson, although was not in favor but would consider accepting half if Commission is in agreement. Mr. Howard explained his financial state, adding his brother lives in the home.

Commissioner Pelletier expressed that he has an issue with the case, which has been ongoing for two years. He also pointed out that there are other liens that have not been reduced. He was against the reduction or waiver. Discussion continued concerning precedence.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Mancinelli for denial of the request for waiver/reduction of the Code Enforcement lien for 6408 Heather Marie Lane. Motion carried unanimously.

COMMISSION/STAFF COMMENTS

The following were points of discussion:

Pamn Henderson, Mayor

- Amnesty Day at the Steelfield June 3rd & 4th.
- July 13th Webinar for Ethics Training by the Florida League of Cities

Scott Davis, Commissioner Ward I

- Apartment Complex Solid Waste Rules
- 505 Old Hickory Property – Code Enforcement sent notice to mow.
- Gay Avenue Townhomes – Individual Water Meter

Janice L. Peters, City Clerk

- Park Place Phase 2 Plat for Commission Signatures

Eddie Cook, City Manager

- FPL Power Poles along Cherry Street

PUBLIC PARTICIPATION

Mayor Henderson asked for Public Participation.

Michelle Moffett, 251 Morning Creek Way, advised of a loose vicious dog problem in their neighborhood. Animal Control has been called to no avail. They will not respond. The dogs in question are Pitbulls and have killed at least 3 cats and attacked people.

It was pointed out that the city has an agreement with Animal Control for services. The City Manager will speak with the citizens after the meeting and be in contact with Animal Control.

Melissa Gerber, 250 Morning Creek Road, spoke of the loose dogs also, requesting information on who to contact. Discussion continued.

Deputy Kip McKenzie also advised they'd had problems with Animal Control responding as well, but the Sheriff's Office is available if needed.

Commissioner Pelletier expressed concern that Animal Control is not responding. City Manager Cook will contact them.

ANNOUNCEMENTS

Mayor Henderson read the announcements as follows:

- May 30, 2022 Memorial Day Holiday City Offices Closed
- June 7, 2022 Planning Board Meeting 6:00 P.M.
- June 14, 2022 Regular Commission Meeting 6:00 P.M.
- June 3 & 4 Bay County Amnesty Days

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:16 p.m.

Janice L. Peters, MMC
City Clerk

Attest: _____
Pamn Henderson, Mayor