

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JULY 11, 2023 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, July 11, 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; 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

Mayor Henderson and Commission presented Deputy Kip McKenzie a proclamation recognizing him having received the Bay County “Deputy Sheriff of the Year” award.

MAYOR’S INSTRUCTIONS - Call for Additions/Deletions to the Agenda; there were none.

APPROVAL OF MINUTES

June 27, 2023 Regular Meeting

Two typographical errors were noted and corrected.

Motion:

Motion made by Commissioner Davis and seconded by Commissioner Griggs to approve the minutes of June 27, 2023, as noted. Motion carried unanimously.

PUBLIC HEARING

Mayor Henderson opened the Public Hearing

Ordinance No. 1082 – Right-of-Way Abandonment

City Attorney Obos read the Ordinance by headnote as follows:

AN ORDINANCE VACATING AND ABANDONING THE CITY OF CALLAWAY'S INTEREST IN THAT PORTION OF THE SOUTH COMET AVENUE (FORMERLY KNOWN AS ETHEL AVENUE) TWENTY-FOOT RIGHT OF WAY LYING SOUTH OF MINNEOLA STREET, EAST OF LOT 1, BLOCK 68, CALLAWAY PLAT, AND WEST OF LOT 16, BLOCK 67, CALLAWAY PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED IN THE PUBLIC RECORDS 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.

He advised this is the 2nd reading and requested approval contingent upon the City’s receipt of deed from Ms. Collier. Brief discussion ensued in which Commissioner Griggs pointed out a reference error in the Vacant Land Contract wherein Item 2 references Item #21, which should read Item #23. City Attorney Obos will make the change prior to signing.

City Manager Cook advised this is a swap of the right-of-way at Comet for additional land where needed.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Ayers for approval of Ordinance No. 1082 contingent upon receipt of the deed from Ms. Collier, as amended. Motion carried unanimously upon roll-call vote.

Mayor Henderson closed the public hearing.

REGULAR AGENDA

Ordinance No. 1083 – Rezoning – 250 N. Tyndall Parkway

City Attorney Obos read the Ordinance by headnote as follows:

AN ORDINANCE REZONING FROM HIGHWAY COMMERCIAL TO MIXED USE A CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONSISTING OF APPROXIMATELY .7216 MORE OR LESS ACRES; SAID PARCEL IS LOCATED AT 250 N. TYNDALL PARKWAY, CALLAWAY, FLORIDA, PARCEL ID 06091-020-000; 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 reviewed, advising the petitioner is requesting a rezoning to allow for a mixed-use development consisting of retail commercial and multi-family residential, adding that the property is in the Central Corridor Overlay District of the CRA and petitioner is aware that he will have to adhere to the LDR regulations, including the overlay district. Discussion ensued of the current stormwater ditch, which Director Frye indicated will not be affected.

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. 1083. Motion carried 4-1 upon roll-call vote with Commissioner Ayers voting in opposition.

Resolution No. 23-15 Purchasing Manual Update

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.

City Manager Cook reviewed the recommendations to replace his involvement in the bid protest policy with that of the City Attorney's firm, as well as to remove the City Clerk from the process.

Discussion followed, wherein City Clerk Peters stated that the City Clerk is the Custodian of Records and the policy further stating that the protester must include with the formal written protest a bid protest bond in the form of a certified check, cashier's check, or money order, which shall be made payable to the City in an amount equal to either five percent (5%) of the lowest acceptable bid, or \$5,000, whichever is less, to be deposited with the City Clerk where it will be put into an account and the protester will receive a dated receipt. Thereafter she will make contact with the City Attorney for resolution. She felt the City Clerk could not be excluded from the process.

Commission agreed with removal of the City Manager's involvement but not the City Clerk.

Mayor Henderson called for Public Participation.

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Pelletier for approval of Resolution No. 23-15 referencing paragraph 1, 3 and 4, removing the City Manager and substituting the City Attorney's firm but leaving paragraph 2 as is. Motion carried unanimously upon roll-call vote.

Trim Notice – FY2023/24 Max Millage

Finance Director Schultz reviewed the requested max millage of 2.9900 for the FY2023/24 Budget, reiterating this is just setting the max millage, not the final millage. He expressed that, following further review of projected revenues and additional services needed, he would actually recommend the 3.2756 or 3.3686. Discussion ensued of the ad valorem, pending increases in the Sheriff's Office agreement, health insurance and needed capital improvements, as well as staff. He stated that state projected revenues are not available yet.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Ayers for approval of setting the max millage at 2.9900. Motion carried unanimously.

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

Scott Davis, Commissioner Ward I

- Beacon Pt. Plaza Construction Rehabilitation

David Griggs, Commissioner Ward II

- Code Enforcement
- FPL Underground Lines

Bob Pelletier, Commissioner, Ward III

- Street Sweeper
- Agenda distribution
- Cherry Street/AT&T Lines
- Park Closings

Kenneth Ayers, Commissioner, Ward IV

- Citizen Issues/Updates
- Commission Bios on Website

Janice L. Peters, City Clerk

- Cancellation of July 18th Budget Workshop

Kevin Obos, City Attorney

- Water Tank Sale to Bay County

Eddie Cook, City Manager

- Sale of Fire Truck
- Roundabout Design
- Gore Park
- Jan Drive Drainage
- Cherry Street

PUBLIC PARTICIPATION

Mayor Henderson asked for Public Participation.

Ron Shaner, 5711 Kevin Circle, spoke about sales tax holidays and commended Commission and staff.

Billy Hall 504 Camellia Avenue, spoke about the “No Trucks” signs on Camellia but requested they reflect “no trucks larger than 3 axels” in a 24” sign, as well as the paving at 7th & Camellia.

Commissioner Griggs asked about the FPL underground lines, which was briefly discussed.

ANNOUNCEMENTS

Mayor Henderson read the announcements as follows:

July 18, 2023	Planning Board	6:00 P.M.
July 25, 2023	Regular Commission Meeting	6:00 P.M.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:37 p.m.

Attest: _____
Pamn Henderson, Mayor

Janice L. Peters, MMC
City Clerk