

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JULY 25, 2023 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, July 25, 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, Jennifer Shuler, City Attorney; Janice L. Peters, City Clerk; David Schultz, Director of Finance; Tim Legare, Leisure Services Director; Bill Frye, Director of Planning/Public Works and Bonnie Poole, Director of Code Enforcement.

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

PRESENTATIONS

BCSO Statistics

Deputy McKenzie reviewed statistics for June 2023.

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

APPROVAL OF MINUTES/REVIEW OF FINANCIALS

July 11, 2023 Regular Meeting

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Pelletier to approve the minutes of July 11, 2023. Motion carried unanimously.

Financial Statements – Period ending June 30, 2023 – No discussion.

PUBLIC HEARING

Mayor Henderson opened the Public Hearing

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

City Attorney Shuler 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.

City Manager Cook indicated this is a rezoning only, which fits with the CRA vision for that area.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Pelletier for approval of Ordinance No. 1083. Motion carried 4-1 with Commissioner Ayers voting in opposition.

Resolution No. 23-16 – FY2022/23 Budget Amendment

City Attorney Shuler read the Resolution by headnote as follows:

**A RESOLUTION OF THE CITY OF CALLAWAY OF BAY COUNTY, FLORIDA,
AMENDING THE FINAL BUDGET FOR FISCAL YEAR 2022/23 AND
PROVIDING AN EFFECTIVE DATE.**

City Manager Cook advised this is a cleanup of previously approved amendments.

Mayor Henderson called for Public Participation; there was none.

Commissioner Davis asked for a refresher on the Parker median project and the City of Callaway's involvement, which City Manager Cook advised is a pass through with the County reimbursing the city.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Ayers for approval of Resolution No. 23-16. Motion carried unanimously upon roll-call vote.

Mayor Henderson closed the public hearing.

Variance Request – LDR – RV/Travel Trailers – 416 Tanya Pass

Director Frye and Director Poole reviewed the request, which is due to insurance issues. He asked for a 30-day extension.

Commissioner Pelletier asked about violations on the property. Director Poole advised there is an open case, which she will review. Discussion continued.

Commissioner Griggs tabled the item until the August 8th meeting.

Mayor Henderson called for Public Participation.

David Agosta, 6609 Pridgen St., commented on the request and recommended the request be voted down.

Variance Request – LDR – Prohibiting Storage Pods/Conex – 134 S. Mary Ella

Director Frye introduced Barry Patterson, homeowner who indicated the pod is full of tools and did not feel it to be a nuisance. He requested a variance to keep it on the property. Discussion ensued in which Mr. Patterson referenced other properties within the City that also have Conex boxes. Discussion continued.

Debra Patterson also addressed commission on the issue and requested 90-days to acquire a permitted storage shed.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Griggs and seconded by Commissioner Pelletier for denial of the variance at 134 S. Mary Ella with a time limit of 90 days to remove the Conex box. Motion carried unanimously upon roll-call vote.

REGULAR AGENDA

Resolution No. 23-17 - Delinquent Utility Fee Lien

City Attorney Shuler read the Resolution by headnote as follows:

A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, APPROVING LIEN ON CERTAIN PROPERTIES WITHIN THE CITY TO WIT: 6124 WALLACE ROAD FOR DELINQUENT UTILITY FEES; AUTHORIZING THE CITY CLERK TO RECORD THE LIEN AND NOTIFY INTERESTED PARTIES OF SUCH LIEN; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

City Manager Cook reviewed the lien as well as Director Mayo. Discussion ensued of the legalities of the lien, which the City Attorney will review. Finance Director Schultz reviewed the details of the lien.

PROPERTY ID NO.	PRESENT OWNERS	ADDRESS OF SUBJECT PROPERTY	AMOUNT OF LIEN
07214-213-000	Austin Wallace	6124 Wallace Road Callaway, FL 32404	\$2,451.13

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Pelletier and seconded by Commissioner Griggs for approval of Resolution No. 23-17. Motion carried unanimously upon roll-call vote.

Resolution No. 23-18 – Bay County Water Tank Purchase

City Attorney Shuler read the Resolution by headnote as follows:

A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, AUTHORIZING THE SALE OF REAL PROPERTY AND IMPROVEMENTS THEREON, INCLUDING BUT NOT LIMITED TO A WATER TANK AND BOOSTER PUMP STATION, CONTAINING APPROXIMATELY 1.878 +/- ACRES, TOGETHER WITH A THIRTY FOOT ACCESS EASEMENT TO BAY COUNTY, FLORIDA; AUTHORIZING THE MAYOR AND APPROPORATE OFFICERS OF THE CITY TO EXECUTE THE DEED FROM THE CITY OF CALLAWAY TO BAY COUNTY, FLORIDA AND ANY OTHER DOCUMENTATION AS MAY BE REQUIRED INCIDENT TO THE SALE; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

City Manager Cook reviewed.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Ayers and seconded by Commissioner Davis for approval of Resolution No. 23-18. Motion carried unanimously upon roll-call vote.

Resolution No. 23-19 – Nuisance Abatement Lien – 1527 E. Park Rd.

City Attorney Shuler 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: 1527 E. PARK ROAD, FOR COSTS INCURRED IN THE ABATEMENT OF NUISANCES UPON SAID PROPERTY, AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO RECORD THE LIEN, NOTIFY INTERESTED PARTIES OF SAID LIEN, AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

PROPERTY ID NO.	PRESENT OWNERS	ADDRESS OF SUBJECT PROPERTY	AMOUNT OF LIEN
07251-000-000	David E. Haas	1527 E. Park Road Callaway, FL 32404	\$4,318.85

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. 23-19. Motion carried unanimously upon roll-call vote.

RFQ No. 2023-08 – Beacon Pt. Plaza CEI Award & Negotiations

The city was awarded CDBG-DR grant money for the Beacon Pointe Plaza project.

Staff published a Request for Qualifications for CEI on May 5, 2023. One submission was received from G. Mark Pepe, Architect and evaluated by an Evaluation Committee on July 14, 2023. In that G. Mark Pepe was the sole submission and is the Architect of Record and has prepared the drawings for the construction phase of the project, the Evaluation Committee recommends approval.

FDEO has reviewed the scoring and approved staff recommendation for Commission approval to move forward with negotiations.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion made by Commissioner Davis and seconded by Commissioner Griggs for approval of award of bid to G. Mark Pepe, Architect. Motion carried unanimously.

Application Approval – F-ROC Initiative - FDEM

City Manager advised F-ROC is a new initiative, sponsored by the Florida Division of Emergency Management (FDEM), that standardizes, streamlines, and simplifies the Public Assistance process. This will result in a quicker recovery and reduced risk for Applicants. F-ROC will Standardize:

- Applicant’s Projects: all projects will have the same look and feel which will result in fewer questions, faster approvals, and a more streamlined Public Assistance process.
- Forms and Documentation: simplifying the process by using intuitive features such as drop-down menus, limited free text, structured data, and essential data fields.
- Will set reimbursement percentages due to prereview of documentation.

Commission discussion ensued.

Mayor Henderson called for Public Participation.

David Agosta, 6609 Pridgen St., commented in agreement with the application and process.

Motion:

Motion made by Commissioner Davis and seconded by Commissioner Pelletier for approval of application submission to F-ROC. Motion carried unanimously.

Task Order – Panhandle Engineering – Gore Park Community Center

City Manager advised Panhandle has resubmitted a proposed task order for rehabilitation of Community Center building at Gore Park in the amount of \$19,750.00. Improvements includes exterior and interior non-structural modifications, as well as upgrades to the restrooms for ADA compliance. After consultation with architects the difference in price is the CEI. This task order is for the design only. Construction oversight will be done by the city.

Discussion ensued of needed repairs/upgrades, budgeting, and the need for separate engineering versus a general contractor.

City Manager Cook withdrew the request.

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

Pamn Henderson, Mayor

- Direct Purchases
- Events Attended

Kenneth Ayers, Commissioner, Ward IV

- Events Attended

Bob Pelletier, Commissioner, Ward III

- City Clerk Resignation
- Fire Dept. Rescue 1 Truck
- Water Meters/Flex Net
- Chippewa Home Demo

David Griggs, Commissioner Ward II

- Chippewa Home Demo

Scott Davis, Commissioner Ward I

- Callaway Welcome Sign
- 7th Street Drainage
- Mattress Firm Water Leak

Janice L. Peters, City Clerk

- City Clerk Peters submitted her resignation effective September 29, 2023.

Jennifer Schuler, City Attorney

- F.S. Regarding Utility Liens

Eddie Cook, City Manager

- Beacon Point Project
- FlexNet
- Gore Park
- Bankshot Courts
- Cherry Street
- Berthe Bridge
- Paving
- Niceville City Manager Retirement
- Jan & Genevieve Drainage

PUBLIC PARTICIPATION

Mayor Henderson asked for Public Participation.

David Agosta, 6609 Pridgen St., apologized and recanted a comment he made regarding Publix coming to Callaway on social media.

Debra Patterson, 134 S. Mary Ella, asked about her 90-day variance.

ANNOUNCEMENTS

Mayor Henderson read the announcements as follows:

August 1, 2023	Planning Board Meeting	6:00 P.M.
August 5, 2023	Health Fair	10:00 A.M. – 2:00 P.M.
August 8, 2023	Budget Workshop	1:00 P.M.
August 8, 2023	Regular Commission Meeting	6:00 P.M.

Mayor Henderson advised BayWay trolley will be making continual runs from Walmart to the Conference Center for the Health Fair.

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