

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
SPECIAL MEETING MINUTES  
OCTOBER 19, 2023 – 9:00 A.M.**

The City of Callaway commission met in Special Session on Tuesday, October 19, 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; Audra K. Boswell, City Clerk; David Schultz, Director of Finance; Tim Legare, Leisure Services Director.

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

**SPECIAL AGENDA**

**Gore Park Projects**

Commission Pelletier provided additional exhibits and advised he called this meeting in order to further review the projects at Gore Park. He brought forth the following for discussion:

- Invoices Paid & Balance Due on Project
- Irrigation
- Gore Park Emails
- Liquidated Damages
- Punch list items left to be completed
- Remaining issues with irrigation, concrete at one Pavilion, and sod, grass & weeds

Director Shultz and City Manager addressed process for payment of invoices, invoices paid and balance due on the project.

Tim Legare & City Manager addressed emails regarding Gore Park and Irrigation problems, advising the irrigation system is just being adjusted, and when City should have taken over maintenance of sod.

City Attorney addressed issue of liquidated damages and discussion ensued.

Mayor Henderson asked for update on the punch list from October 10, 2023, for site work and building work.

Panhandle gave update on punch list items left by both contractors:

BGN:

- Lighting – 4 lights
- Provide Musco Light O & M Manuals
- Repair Backflow Preventer
- Touch-up fence
- Provide Written Warranty

Culpepper:

Has several punch list items left to complete, and two of those are:

- Ice machine
- Concrete issue with one Pavilion

Chris Forehand with Panhandle advised he believes both contractors can have everything completed by October 31, 2023.

Commissioner Davis asked for an update to punch list items left for the Commission Meeting on Tuesday. Chris Forehand advised he could provide.

Commissioner Davis asked about what the City maintenance on the sod and grass issue will be. Tim Legare addressed fertilization and weed control. Brief discussion ensued.

Further discussion ensued on liquidated damages and irrigation issues.

City Manager did advise that neither contract company has submitted their final pay request. Once that is submitted the City will sit down with contractor and will negotiate any disputes and final payment.

Gage Golden, with BGN, commented on status of project, work performance and the reflection that they have not been willing to show up to do the work as incorrect, acceptance and issues with irrigation, and maintenance of sod no longer being part of their contract, liquidated damages, and credits.

Discussion ensued on the irrigation, maintenance of sod, and delay issues.

Commissioner Pelletier asked about who is supplying the chemicals for maintenance of sod. Further discussion ensued.

Mayor Henderson asked for Public Participation; there was none.

There being no further business, the meeting was adjourned at 10:23 a.m.

\_\_\_\_\_  
Audra K. Boswell  
City Clerk

Attest: \_\_\_\_\_  
Pamn Henderson, Mayor