

**CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MARCH 12, 2019 – 6:00 P.M.**

The City of Callaway commission met in Regular Session on Tuesday, February 12, 2019. In attendance were Pam Henderson, Mayor, David Griggs, Mayor Pro tem, and Commissioners Scott Davis, Ron Fairbanks, and Mike Jones. Also in attendance were Eddie Cook, City Manager, Kevin Obos, City Attorney, Janice L. Peters, City Clerk, David Schultz, Director of Finance, David Joyner, Fire Chief, Bill Frye, Director of Public Works, and Bonnie Poole, Director of Code Enforcement.

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

Mayor Henderson called for changes to the Agenda. City Manager asked to add Tetra Tech Change Order No. 2 as Item #9 and the Wallace Road Sidewalk Design Negotiations as Item No. 10.

Motion:

Motion was made by Commissioner Davis and seconded by Commissioner Fairbanks for approval. Motion carried unanimously.

APPROVAL OF MINUTES

February 18, 2019	Regular Workshop
February 26, 2019	Regular Meeting

Motion:

Motion was made by Commissioner Griggs and seconded by Commissioner Fairbanks to approve the minutes as amended. Motion carried unanimously.

PUBLIC HEARING

Mayor Henderson opened the Public Hearing.

Ordinance No. 1000 –Trash & Construction Debris

City Attorney Obos read Ordinance No. 1000 by headnote as follows:

AN ORDINANCE FOR THE CITY OF CALLAWAY, FLORIDA AMENDING THE CALLAWAY CODE OF ORDINANCES CHAPTER 9, ARTICLE I, GARBAGE, REFUSE AND WEEDS; AMENDING DEFINITIONS; AMENDING THE REGULATION OF GARBAGE COLLECTION; AMENDING THE REGULATION OF TRASH COLLECTION; AMENDING THE DEFINITIONS IN CHAPTER 9.7, NUISANCES, TO PROVIDE CONSISTENCY THROUGHOUT THE CODE; AMENDING CHAPTER 18, ARTICLE VII, SOLID WASTE COLLECTION AND DISPOSAL, TO PROVIDE CONSISTENCY THROUGHOUT THE CODE; PROVIDING FOR CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Commissioner Griggs reiterated the major change involves the date solid waste can be put out to be picked up to the day before the normal pickup day.

Mayor Henderson asked for Public Participation.

Tom Minor, 506 S. Gay, asked for clarification of the day of pickup. Mayor Henderson clarified that it can be put out the day before pickup.

Motion:

Motion was made by Commissioner Davis and seconded by Commissioner Fairbanks for approval of Ordinance No. 1000. Motion carried unanimously upon roll-call vote.

Mayor Henderson closed the Public Hearing.

REGULAR AGENDA

Ordinance No. 997 Annexation of 8307 Hwy. 22

City Attorney Obos advised items 2, 3, and 4 all relate to the same property and read Ordinance No. 997 by headnote as follows:

AN ORDINANCE ANNEXING THE FOLLOWING UNINCORPORATED AREA OF BAY COUNTY WHICH IS CONTIGUOUS TO THE CITY OF CALLAWAY, FLORIDA UPON PETITION OF THE OWNER OF SAID PROPERTY: PROPERTY CONTAINING APPROXIMATELY 4.513 ACRES AND LOCATED AT 8307 HIGHWAY 22, PROPERTY ID 06622-000-000, AS MORE PARTICULARLY DESCRIBED IN THE ORDINANCE; REDEFINING THE BOUNDARY LINES OF THE CITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

City Manager Cook advised this is a voluntary annexation of 4.5 acres on Hwy. 22. They will also be requesting rezoning and a Comp Plan amendment in the following items.

Commissioner Griggs asked why the owners want to annex into the City of Callaway.

Scott Harbolt of East Callaway, LLC, owner of the property, indicated it is because of the anticipated expansion of Tyndall AFB and they are targeting middle market multi-family. This is one of numerous projects they intend to build following the destruction of the area.

He also indicated they will be 180 mph wind-proof.

City Attorney Obos disclosed that the law firm has done work for Mr. Harbolt not in relation to this application, so there is no conflict of interests.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Jones and seconded by Commissioner Griggs for approval of Ordinance No. 997. Motion carried unanimously upon roll-call vote.

Ordinance No. 998 Comp Plan Amendment - 8307 Hwy. 22

City Attorney Obos read Ordinance No. 998 by headnote as follows:

AN ORDINANCE AMENDING ORDINANCE 664, KNOWN AS "THE CITY OF CALLAWAY COMPREHENSIVE GROWTH DEVELOPMENT PLAN"; ACTING UPON THE APPLICATION OF EAST CALLAWAY, LLC, FOR REVISIONS TO THE FUTURE LAND USE MAP; DESIGNATING FOR CALLAWAY HIGH DENSITY RESIDENTIAL THAT CERTAIN PARCEL OF LAND CONSISTING OF APPROXIMATELY 4.513 ACRES; PARCEL ID 06622-000-000; SAID PARCEL LOCATED AT 8307 HIGHWAY 22; AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; AMENDING THE CITY'S FUTURE LAND USE MAP FOR HIGH DENSITY RESIDENTIAL DESIGNATION FOR THE PARCEL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY LAW.

City Manager Cook advised the request is for a High-Density Residential designation and that the Planning Board did review and recommended approval, along with staff.

Commissioner Griggs asked about the height and placement and expressed concern for the residential area to the back of the property. Mr. Harbolt advised 50' is the max but parking will determine the limitation. His understanding is the higher the building, the further the setback requirement related to surrounding residential. He is planning parking for underneath the building and retention ponds are planned for the setback areas.

Commissioner Jones asked if the Planning Board is familiar with the CRA Plan for development on Tyndall Parkway and Highway 22. Director Frye confirmed. Commissioner Jones also noted the CRA covers the issues of greenery, walking trails, retention ponds, etc.

Director of Public Works Bill Frye advised this is not a permit. A Development Order will come back before the Planning Board and Commission. Commissioner Jones asked if Developers are made aware of the CRA rules before being issued approval by the Planning Board. Director Frye again confirmed.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Jones and seconded by Commissioner Griggs for approval of Ordinance No. 998. Motion carried unanimously upon roll-call vote.

Ordinance No. 999 Rezoning of 8307 Hwy. 22

City Attorney Obos read Ordinance No. 999 by headnote as follows:

AN ORDINANCE REZONING FROM BAY COUNTY R-3 TO CALLAWAY MFHD THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONTAINING APPROXIMATELY 4.513 ACRES; LOCATED AT 8307 HIGHWAY 22; PARCEL ID 06622-000-000; 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.

Mayor Henderson asked what is allowed under the Multi-family High Density Residential (MFHD) zoning. Director Frye advised it will allow multi-family apartments, townhomes, etc., more than just a single-family home. He also added that MFHD limits development to 20 units per acre. He also advised he does not believe 20 units per acre will be attainable for this project due to requirements for storm water, parking, green space, etc., adding that this designation does not allow for mobile homes.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Fairbanks and seconded by Commissioner Davis for approval of Ordinance No. 999. Motion carried unanimously upon roll-call vote.

LDR Variance Request for 6005 Wallace Road

City Manager Cook reviewed, advising this is a variance request from the minimum 9,000 sf. requirement to 8,330 sf. Staff recommends approval.

Commissioner Griggs pointed out that if approved, the 8,330 sf. lot would be on Georgia, which Director Frye advised will still have an R-9 zoning designation and did not believe this would set a prescience.

Guy Estes, owner of the property, reviewed his request and advised that the current house is damaged and he would like to add an additional home on the split lot since housing is needed at this time.

Mayor Henderson called for Public Participation.

Sheny Giannelli, 6015 Wallace Road, asked if Mr. Estes intended to rent or sell, which Mr. Estes advised will be a single-family residence.

Richard Baggett, 1305 Georgia Avenue, expressed concern for the plans to build the 800 sf. cottage apartment. He also pointed out current drainage problems with the two adjacent homes.

Commissioner Griggs asked if the variance has been posted. Director Frye advised it has been posted for well over the 10-day requirement and notification has been made to residents within 100 feet of the property. He asked if the drainage problem has been looked into. Director Frye indicated he has not but the ditch in the front is fairly large. He also indicated a driveway will not be allowed to access the proposed site. . The proposal would be a normal house and there is no minimal requirement for square footage.

Mr. Estes advised it is not clear cut that it will be a rental as he and his wife may be moving, so selling the property may be an option. He indicated an 823 sf. cottage are in the works. He also advised if he can do it cost affectively it would be a 3/2 house and the Wallace Road home will be repaired and sold as well, which has been a rental since he has owned it. Discussion of drainage continued.

Commissioner Griggs asked for the item to be tabled until the next meeting.

Director Frye advised it can be passed contingent upon a no-adverse effect letter from an Engineer. Commissioner Griggs recommended this be provided at the next meeting.

Garbage Haulers Permit Renewals

City Manager Cook advised this is the 3-year renewals for the garbage haulers to do business within the City of Callaway. He noted the possibility of the City going to a single source hauler and the fact that there is an opt-out clause in the contract, which was further discussed. A letter can be enclosed with their copy of the agreement reminding them of the possibility that the City will go to a single hauler, which, per F.S., was noticed to them in 2016. City Attorney Obos reviewed the statute requirements for notification and the current timeline.

Mayor Henderson asked for Public Participation.

Thomas Meyer asked if any municipalities have gone to a single hauler. City Attorney Obos advised yes.

Ron Shaner, 5711 Kevin Circle, was not in favor of the single source hauler.

Motion:

Motion was made by Commissioner Jones and seconded by Commissioner Griggs for approval of the renewals. Motion carried unanimously.

FEMA Community Disaster Loan Program

Mayor Henderson reviewed the program, which offers a lower interest for cities that have lost revenues due to a natural disaster.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion was made by Commissioner Davis and seconded by Commissioner Fairbanks for approval of staff to pursue the loan.

Mayor Henderson asked for Public Participation; there was none.

Motion carried unanimously.

CRA Discussion

City Manager Cook requested that Commission set a workshop to review. City Attorney Obos advised the CRA was created in 2006 by a Consultant and Commission sits as the CRA Board. There have been no changes and there is very little money in the CRA Budget. He reviewed the process for making amendments to the CRA.

Commissioner Griggs requested NextSite and Michael Fuller, former City Manager be involved. City Manager Cook will reach out to both.

The workshop was set for Monday, March 25th at 6:00 p.m.

Tetra Tech, Inc. Task Order No. 2

City Manager Cook and Jason Vickery of Tetra Tech reviewed in detail the task order, which will extend the contract for 6 months, until September 30, 2019, for Administrative Services relating to FEMA reimbursement and requests additional funding. The amount requested is a not-to-exceed amount.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Griggs and seconded by Commissioner Fairbanks for approval of the Task Order. Motion carried unanimously.

PW2019-01 – Wallace Road Sidewalk Design Project Negotiations

City Clerk Peters reviewed the request to begin negotiations with Baskerville-Donovan for design of the Wallace Road Sidewalk Design project, funded by the FDOT Lap Program in the amount of \$49,000, which is a non-matching grant.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Jones and seconded by Commissioner Davis for approval of staff to begin negotiations with Baskerville-Donovan. Motion carried unanimously.

COMMISSIONER COMMENTS

Ron Fairbanks, Commissioner Ward III

Commissioner Fairbanks expressed appreciation to the City Manager and staff for their continued efforts in recovery.

David Griggs, Commissioner Ward II

Commissioner Griggs referenced the proposed high-density housing project that was heard earlier in relation to keeping the Callaway Elementary open, advising Darby Phillips was appointed as Principal of the school today. He encouraged promoting and rebuilding of Callaway and support of the Fire Department and local school.

Scott Davis, Commissioner Ward I

Commissioner Davis advised FDOT is working on Tyndall Parkway. He asked if new drainage will be added. City Manager Cook advised some culverts are being added.

He asked for an update on the Boat Ramp, which City Manager Cook reviewed. Director Legare advised it is clear.

Kevin Obos, City Attorney

Regarding the garbage hauling issue, City Attorney Obos advised there is a 45-day notice requirement for the Advisability Hearing.

Eddie Cook, City Manager

PPDR and CPDR Programs

City Manager Cook advised this is being finalized at this time and will be announced, hopefully by the end of the week. The programs will provide assistance to residents and businesses that do not have insurance or funding to clear their property.

NextSite

He advised they will be here next week.

Triumph Funding

City Manager Cook advised they now have an application for cities who have lost tax revenues, which Finance Director Schultz elaborated on, he advised the city qualifies and can apply. Commission was in agreement of submitting the application.

PUBLIC PARTICIPATION

Mayor Henderson asked for Public Participation.

Paul Bohac, 7010 Mike Lane, expressed concern for the reduction in ad valorem. His house value was reduced by half.

ANNOUNCEMENTS

Mayor Henderson read the announcements.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:05 p.m.

Janice L. Peters, City Clerk

Attest: _____
Pamn Henderson, Mayor