

CITY OF CALLAWAY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 28, 2019 – 6:00 P.M.

The City of Callaway commission met in Regular Session on Tuesday, May 28, 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 Cook asked to add an agreement with Panhandle Engineering for stormwater design work on Hugh Thomas Drive as Item #8.

Motion:

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

Bay County Sheriff's Office Report

Deputy Kip McKenzie reviewed statistics for the month of April 2019 as follows:

Miles Patrolled	-	20,349	Traffic Stops	-	138
Calls for Service	-	1,116	Citations Issued	-	119
Arrests Made	-	70	Traffic Crashes	-	36

Deputy McKenzie advised some of the increase in traffic stops and citations issued were due to citizen complaints of stop sign runners, which was investigated and found to be legitimate. He also indicated extra efforts have been taken in the area of Boat Race Road, as requested. The Sheriff has spent some of the grant money from the DOT in putting extra Deputies in Callaway for traffic.

Mayor Henderson commented on speeding problems and expressed concern for children being out of school for the summer. Deputy McKenzie recommended a reminder in the newsletter.

Commissioner Griggs indicated he and the Mayor attended the Law Enforcement Memorial Ceremony and expressed his appreciation for Law Enforcement and the risks involved.

APPROVAL OF MINUTES

May 14, 2019 Regular Meeting

Commissioner Griggs noted that in the minutes, which are accurate, when he asked about the 2018/19 AWT Audit, he meant the audit for 2017/18.

Motion:

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

Financials

Mayor Henderson asked if reimbursement revenues were being recorded. Finance Director Schultz advised these are financials for April, the \$1.7 million was received in May and will be reflected in next month’s financials for May, per the rules.

City Manager Cook indicated the expedited funding has been requested, as well as another \$1.6 million submitted for reimbursement.

Finance Director Schultz advised he is working on bringing the budget back in balance and will be working on this following the May financials. He indicated water and sewer revenues are still down and he doesn’t expect them to come back. He also advised he has a draft audit done.

OLD BUSINESS

Collier Property – Deed and Land Contract

City Attorney Obos reviewed, advising this deed is being offered in exchange for the City abandoning the 80 foot right-of-way on Katherine, just south of Minneola, as described in the following Ordinance No. 1003. The surrounding properties are owned by the Colliers. He advised the right-of-way abandonment will not be effective until the deed is signed by the Colliers, which will then be recorded. This exchange will give the Colliers the current right-of-way and they will give the City 80 feet on the east side of their property.

City Manager Cook reviewed the pieces of property in question, advising the exchange will give the City access to the Berthe spillway/Fox Lake retention area.

Motion:

Motion was made by Commissioner Fairbanks and seconded by Commissioner Griggs for approval of the Deed and Land Contract with the Colliers.

Mayor Henderson asked for Public Participation; there was none. Motion carried unanimously.

PUBLIC HEARING(S)

Mayor Henderson opened the public hearing.

Ordinance No. 1003 - Collier Property Right-of-Way Abandonment

City Attorney Obos read Ordinance No. 1003 by headnote as follows:

AN ORDINANCE VACATING AND ABANDONING THE CITY OF CALLAWAY'S INTEREST IN THAT PORTION OF THE KATHERINE AVENUE RIGHT OF WAY LYING SOUTH OF MINNEOLA STREET, EAST OF LOT 1, BLOCK 67, CALLAWAY

PLAT, AND WEST OF LOT 16, BLOCK 66, 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.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Fairbanks and seconded by Commissioner Griggs for approval of Ordinance No. 1003, effective upon the Collier's signatures on the Deed for the exchanged property. Motion carried unanimously upon roll-call vote.

Ordinance No. 1004 - Rezoning of 5012 E. 4th Street

City Attorney Obos read Ordinance No. 1004 by headnote as follows:

AN ORDINANCE REZONING FROM RESIDENTIAL R-6M TO COMMERCIAL THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONTAINING APPROXIMATELY .877 ACRES; LOCATED AT 5012 E 4TH STREET; PARCEL ID 24444-000-000; 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.

City Manager Cook briefly reviewed the request

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. 1004. Motion carried unanimously upon roll-call vote.

Ordinance No. 1005 - Rezoning of 257 N. Hwy. 22A

City Attorney Obos read Ordinance No. 1005 by headnote as follows:

AN ORDINANCE REZONING FROM RESIDENTIAL R-6M TO COMMERCIAL THAT CERTAIN PARCEL OF LAND LYING WITHIN THE CITY OF CALLAWAY, FLORIDA, CONTAINING APPROXIMATELY .276 ACRES; LOCATED AT 257 N HWY 22A; PARCEL ID 24830-000-000; 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.

City Manager Cook briefly reviewed the request, which will match the zoning to the usage (commercial) of the property.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Davis and seconded by Commissioner Griggs for approval of Ordinance No. 1005. Motion carried unanimously upon roll-call vote.

Mayor Henderson closed the public hearing.

REGULAR AGENDA

Resolution No. 19-13 – Utility Billing Manual Update

City Attorney Obos read Resolution No. 19-13 by headnote as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA ADOPTING AN UPDATED UTILITY BILLING POLICY MANUAL; REPEALING RESOLUTION NO. 18-31 AND ALL RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

City Manager Cook gave an explanation of the item, advising the amendment calls for a reduced deposit of \$100 for active duty military personnel.

Commissioner Jones recommended requiring a copy of the military PCS orders, which was briefly discussed.

City Manager Cook recommended Commission revisit the current deposit requirement of \$250 at a future date.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion was made by Commissioner Fairbanks and seconded by Commissioner Jones for approval of Resolution No. 19-13, as amended with the addition of requiring a copy of PCS orders. Motion carried unanimously upon roll-call vote.

Resolution No. 19-14 – LAP Funding Agreement

City Attorney Obos read Resolution No. 19-14 by headnote as follows:

A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, APPROVING A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR SIDEWALK IMPROVEMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

City Manager Cook reviewed, advising this is for the design of sidewalks on south side Cherry Street. This project will be done in conjunction with the Cherry Street resurfacing and sidewalks on the north side. He confirmed that the money will be received in the 2020 budget and will follow LAP requirements.

Mayor Henderson called for Public Participation; there was none.

Motion:

Motion was made by Commissioner Fairbanks and seconded by Commissioner Jones for approval of Resolution No. 19-14. Motion carried unanimously upon roll-call vote.

AshBritt Agreement Amendment

City Manager Cook reviewed, advising this is for cleanup of the larger trees in the Callaway Cemetery. FEMA has agreed with the amendment using the Leon County bid line items for same.

Commissioner Griggs asked what the estimate is to complete the job. City Manager Cook advised they estimate 2 weeks, or 80 hours, and is reimbursable at 90%. He also indicated there will be staff monitoring the work with a goal of less than 80 hours.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Fairbanks and seconded by Commissioner Davis for approval of the amendment to the AshBritt agreement amendment for Disaster Debris Removal. Motion carried unanimously.

Panhandle Agreement

City Manager Cook reviewed, advising this request is for engineering stormwater design on Hugh Thomas Drive for a drain that has failed and needs replacing. Stormwater impact fees will be used for this project.

Mayor Henderson asked for Public Participation; there was none.

Motion:

Motion was made by Commissioner Fairbanks and seconded by Commissioner Davis for approval of the Panhandle Engineering Agreement. Motion carried unanimously.

COMMISSIONER COMMENTS

Mike Jones, Commissioner Ward IV

PPDR

Commissioner Jones asked if this program is still ongoing. City Manager Cook confirmed, advising a robo call will be sent advising of an end date for the application process.

Tyndall Parkway

City Manager Cook advised the City started demo for the beautification project today. The project itself will start on Monday, July 8th.

Ron Fairbanks, Commissioner Ward III

Commissioner Fairbanks was glad to see continued improvements.

David Grigg, Commissioner Ward II

Fence Variance

Commissioner Griggs commented on an approved fence variance, indicating the applicant has not made the change for 50% opacity for the 4 ft. fence at the front of the property.

Code Enforcement Director Poole advised the homeowner will be in town in June and will correct. Commissioner Griggs felt the change should have already been made when approved and the delay is unacceptable.

Debris Cleanup

Commissioner Griggs advised he is out of patience for citizens who are not attempting to complete the cleanup of their property.

Scott Davis, Commissioner Ward I

Business Signs

Commissioner Davis asked about the storm damaged business signs. City Manager Cook advised staff will be addressing. There are a limited number of businesses that repair signs and they are backlogged because of the storm.

Utility Lines

Commissioner Davis asked about the hanging lines in the right-of-way throughout the city. City Manager Cook indicated he has spoken with AT&T but it is their decision as to when they get picked up.

Eddie Cook, City Manager

Nuisance Abatement

City Manager Cook advised nuisance abatement will begin as soon as the PPDR program ends. He will be asking for FEMA reimbursement for the abatements as well.

Lannie Rowe Retention Pond Spillway

City Manager Cook indicated access has been granted and under the PPDR program clean up the spillway has been completed and it is functioning properly. Floating debris cleanup is in progress.

Gore Park

Cleanup of the park is near completion and the shoreline is being worked on at this time.

Private Property Usage

City Manager Cook asked for blanket approval to institute licensing agreements for staging areas during cleanup. Consensus of approval by Commission was given.

PUBLIC PARTICIPATION

Mayor Henderson called for Public Participation.

Ron Shaner, 5711 Kevin Circle, commented on trash pickup of larger items, as well as fencing requirements. City Manager Cook responded.

ANNOUNCEMENTS

Mayor Henderson read the announcements.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:20 p.m.

Janice L. Peters, City Clerk

Attest: _____
Pamn Henderson, Mayor

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