



CITY OF CALLAWAY, FLORIDA
CITY HALL

6601 East Highway 22, Callaway, FL 32404
Phone 850-871-6000 • FAX 850-871-2444
www.cityofcallaway.com

Mayor
Thomas W. Abbott

Commissioners
Melba Covey
Pam Henderson
Bob Pelletier
Ralph L. Hollister

PUBLIC NOTICE

REGULAR MEETING

by the City of Callaway Board of Commissioners
on Tuesday, February 24, 2015 – 6:00 P.M.
at the Callaway Arts & Conference Center
500 Callaway Park Way
Callaway, FL 32404

AGENDA

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR'S INSTRUCTIONS –

- Call for Additions / Deletions, and any items to be pulled from Consent Agenda for discussion. Remind everyone, elected officials and citizens, to speak directly into microphones.

PUBLIC PARTICIPATION (non-agenda items)

- Citizens must complete a Public Participation form prior to the meeting and submit it to the City Clerk to be called and recognized at the podium.
- Speakers must come to the podium to be heard.
- Comments are limited to five (5) minutes.

PRESENTATION / PROCLAMATION

- Proclamation - March as Clean-Up, Paint-Up, Fix-Up Month
- Presentation - West Florida Regional Planning Council - Long Range Transportation Planning Process

APPROVAL OF MINUTES

- Regular Commission Meeting - January 27, 2015
- Regular Commission Meeting - February 10, 2015

CONSENT AGENDA

- ITEM #1 Resolution 15-05 - Transportation Alternatives Program - Sidewalk/Bicycle Lane - Boat Race Rd
- ITEM #2 Resolution 15-06 - Transportation Alternatives Program - Sidewalk/Bicycle Lane - Wallace Rd

Fire Department
P: 850-871-2753
F: 850-871-5564

Leisure Services
P: 850-874-0031
F: 850-874-9977

Planning / Code Enforcement
P: 850-871-4672
F: 850-871-2404

Public Works
P: 850-871-1033
F: 850-871-2416

Arts & Conference Center
P: 850-874-0035
F: 850-874-0706

“This institution is an equal opportunity provider and employer.”

- ITEM #3 Resolution 15-07 - Transportation Alternatives Program - Sidewalks (Both Sides) - Cherry St
- ITEM #4 Resolution 15-08 - Transportation Alternatives Program - Sidewalks - Yellow Bluff Rd and S Star Ave
- ITEM #5 Resolution 15-09 - Setting Hearing for Planned Development Zoning Application
- ITEM #6 Resolution 15-11 - Transportation Alternatives Program - Sidewalk/Bicycle Lane - Bob Little Rd
- ITEM #7 Code Enforcement Board Application

OLD BUSINESS

- ITEM #8 Ordinance #953, Final Reading - Enforcement of Garbage Violation - City Manager Fuller
- ITEM #9 Ordinance #954, Final Reading - Mortgage Foreclosure Registration - City Manager Fuller
- ITEM #10 Completion of List Addressing Status of Items/Issues Brought Before the Commission From 2014 - Commissioner Covey
- ITEM #11 Discussion Regarding Annual Leave Accrued by City Manager - City Manager Fuller

REGULAR AGENDA

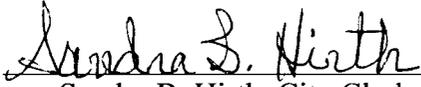
- ITEM #12 Financial Status Report - City Manager Fuller
- ITEM #13 Resolution 15-10 - Agenda Format Revision - Commissioner Pelletier
- ITEM #14 Discussion on RFP for Janitorial Services for City Buildings - City Manager Fuller
- ITEM #15 Changing from Two Commission Meetings a Month to One - Commissioner Covey
- ITEM #16 Clarification on How Minutes Should be Presented - Commissioner Henderson

COMMISSION COMMENTS

ANNOUNCEMENTS

All meetings will be held at the Callaway Arts & Conference Center, 500 Callaway Park Way, Callaway, FL unless otherwise noted.

- Code Enforcement Board Meeting - Thursday, February 26, 2015, 6:00 P.M.
- Next Regular Commission Meeting - Tuesday, March 10, 2015, 6:00 P.M.


Sandra B. Hirth, City Clerk

Providing public input is important. It can be accomplished by calling, emailing, making an appointment with your Commissioner, or speaking at a public meeting. Public Participation for non-agenda items is called at the beginning of the meeting. Public Participation for regular agenda items is called during each item after the Commission has discussed the item and a motion and second are made but before there is a call for a vote.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the meeting, if an appeal is available, such person will need a record of the proceeding and such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Callaway's City Clerk, at 6601 E. Highway 22, Callaway, FL 32404; or by phone at (850) 871-6000 at least five calendar days prior to the meeting.

If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay System, which can be reached at 1-800-955-8770 (Voice) or 1-800-955-7661 (TDD).

"This institution is an equal opportunity provider and employer."

PROCLAMATION

WHEREAS, the City Commission of the City of Callaway, responding to the wishes of the citizens, is actively engaged in promoting the beauty, safety and health of our community, and

WHEREAS, a timely reminder of the improved appearance of Bay County achieved annually by the concerned efforts of all municipalities is appropriate, and

WHEREAS, the cities of Bay County continue in a program of harmonious cooperation in sponsoring a spring improvement plan; Clean-Up, Paint-Up, and Fix-Up;

NOW, THEREFORE, I, Thomas W. Abbott, Mayor of the City of Callaway, Florida do hereby proclaim the month of March, 2015, as

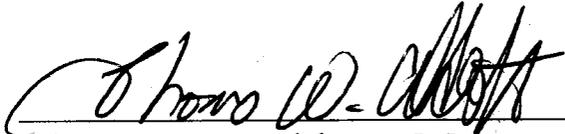
CLEAN-UP, PAINT-UP, AND FIX-UP MONTH

and urge all civic minded groups and individuals to join in a neighborhood beautification plan.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Callaway, Florida to be affixed this 24th day of February, 2015.



City of Callaway
Florida


Thomas W. Abbott, Mayor

**CALLAWAY BOARD OF COMMISSIONERS REGULAR MEETING
JANUARY 27, 2015
TIME: 6:00 P.M.**

The Regular Meeting of the City of Callaway Board of Commissioners was called to order by Mayor Abbott at 6:00 P.M. Mayor Abbott gave the Invocation and Commissioner Covey led the Pledge of Allegiance.

ROLL CALL: Commissioner Covey, Commissioner Pelletier, Commissioner Hollister, Mayor Abbott

ABSENT: Commissioner Henderson (arrived later at 6:27 P.M.)

ALSO PRESENT: City Manager Fuller, City Attorney, Fire Chief Joyner, Finance Director Waldrip, Assistant to the City Manager Koepke, and City Clerk Hirth

MAYOR'S INSTRUCTIONS

Commissioner Covey asked that Item #2 be pulled from the Consent Agenda and placed on the Regular Agenda and asked that Item #7 be placed on the Old Business Agenda and deferred until Commissioner Henderson arrives at the meeting.

Commissioner Covey asked that the Minutes from Special Meeting on December 16, 2014, be pulled from the agenda since they have not had time to review them.

PUBLIC PARTICIPATION

Jean Champoux, 621 S. Berthe Avenue, Callaway, FL, stated that the code enforcement board needs one sitting member and to alternate members.

Brigid Johnson, 7509 Melody Lane, Callaway, FL, wanted to thank City Manager Fuller for attending a recent Callaway Citizens Committee meeting and also thanked Public Works for picking up yard debris during a holiday week.

John J Malone, 707 Plantation Cir., Callaway, FL, commented about utilizing audit procedures and asked for an update on the status of receiving current financial records.

PRESENTATIONS

None

APPROVAL OF MINUTES

The December 16, 2014, minutes were pulled from the agenda.

CONSENT AGENDA

Mayor Abbott called for a motion and second to approve the Consent Agenda.

ITEM #1 RESOLUTION 15-02 - UTILITY SERVICES DISCONNECTION AND RECONNECTION FEES AND TIMES

Commissioner Covey moved to approve the Consent Agenda. Commissioner Pelletier seconded the motion.

All ayes

Commissioner Henderson absent

Motion passed

REGULAR AGENDA

ITEM #2 ADDRESS STATUS OF ISSUES BROUGHT BEFORE THE COMMISSION IN 2014

Commissioner Covey had a list of 25 items which were brought to the attention of the Commission since she has assumed office in April, 2014, that she would like an update from City Manager Fuller. Items 1-4 were addressed and discussed with staff.

OLD BUSINESS

ITEM #7 RECOMMENDATION FROM AUDITORS UTILITY BILLING REPORT

Commissioner Henderson arrived at 6:27 P.M. so the Commission addressed this Old Business item next. After discussing, it was decided the motion for this item would be broken into two parts.

Commissioner Henderson moved to have staff update the Utility Billing and Accounting Manuals to coincide with job descriptions of employees, that staff be trained in the policies, that it is a policy of the Commission to have deposits made daily, that billing information be sent to the billing vendor by the last working day of the month for processing and that the Finance Director do a periodic risk assessment per the audit. Commissioner Hollister seconded the motion.

All ayes

Motion passed

Commissioner Henderson moved to try Lockbox for a 6-month period with reports from staff on a monthly basis. Commissioner Hollister seconded the motion.

- Commissioner Covey - nay**
- Commissioner Henderson - aye**
- Commissioner Pelletier - nay**
- Commissioner Hollister - aye**
- Mayor Abbott - aye**

Motion passed

REGULAR AGENDA

ITEM #3 FINAL READING/PUBLIC HEARING - ORDINANCE #952 -

DISSOLVING THE BRIDGE HARBOR COMMUNITY DEVELOPMENT DISTRICT

Commissioner Covey moved to approve the Final Reading/Public Hearing - Ordinance #952 - Dissolving the Bridge Harbor Community Development District. Commissioner Henderson seconded the motion.

All ayes

ITEM #4 OWNER UTILITY DEPOSIT FOR RENTAL PROPERTIES

Commissioner Covey addressed this issue with the Board. No action taken.

ITEM #5 HOUSEHOLD GARBAGE SERVICE REQUIREMENT

After discussing, the Commission decided this issue needed to be brought back to the next meeting in the form of an Ordinance.

ITEM #6 DISCUSSION ON ESTABLISHING A COMMITTEE OF CITIZENS TO REVIEW ORDINANCES

Commissioner Pelletier stated he was contacted by the Callaway Citizens group regarding the possibility of having all Ordinances reviewed by a committee of citizens. It was decided that the Commission recommends to each of Callaway's Boards/Committees that they annually review the ordinances pertaining to their particular Board/Committee to see if any Ordinances in their area need revision. The Boards/Committees would then provide the Commission with their recommendations, if any, for Ordinance revisions.

COMMISSION COMMENTS

Commissioner Covey relayed that she had recently attended the Institute for Elected Municipal Officials and found it to be very informative as well as stated there were some very good networking opportunities with the Florida League of Cities personnel. She updated everyone regarding the AWT issue and stated there were some technical issues that had to be resolved before they could move forward. She stated there should be something regarding this issue one way or the other during February. She also reminded City Manager Fuller to get the Commission his information regarding the amount of annual leave he had earned last year in each position he held.

Commissioner Pelletier asked if City Manager Fuller knew where we were with regard to receiving updated financial statements. City Manager Fuller stated their goal is to have FY14 Preliminary and Commissioner Pelletier asked if a balance sheet would be included. Finance Director Waldrip stated she could if that was what they would like to have. She said there were numerous adjustments that were needed and would have these corrected and the information to the Board in February.

City Manager Fuller commented about the development that is planned for the East Bay area. He stated the owner was wanting to change the property use, etc. so these type issues will be going to the Planning Board soon but that this development process would not be happening soon. He said it is a long, drawn out process. He also stated that the City cannot see where they prove Mr. Coffey used the water through the irrigation meter at 238 Hugh Thomas Drive. He

said the only thing he could say was there must have been an error in the reading of the meter. He stated he could not say with any certainty that Mr. Coffey had used this amount of water. He said Mr. Coffey had told him the past tenant used the irrigation meter for over two years without paying. Commissioner Pelletier stated they had been assured that the meter was correctly read by Public Works Director Johnson.

City Attorney Obos said his office is providing Ethics Training, free of charge, in April.

Mayor Abbott read the announcements at this time.

There being no further business, it was moved by Commissioner Hollister that the meeting be adjourned at 8:37 P.M.

Sandra B. Hirth, City Clerk

DRAFT

**CALLAWAY BOARD OF COMMISSIONERS REGULAR MEETING
FEBRUARY 10, 2015
TIME: 6:00 P.M.**

The Regular Meeting of the City of Callaway Board of Commissioners was called to order by Mayor Abbott at 6:00 P.M. Commissioner Pelletier gave the Invocation and Commissioner Hollister led the Pledge of Allegiance.

ROLL CALL: Commissioner Covey, Commissioner Henderson, Commissioner Pelletier, Commissioner Hollister, Mayor Abbott

ALSO PRESENT: City Manager Fuller, City Attorney, Fire Chief Joyner, Finance Director Waldrip, Assistant to the City Manager Koepke, and City Clerk Hirth

MAYOR'S INSTRUCTIONS

Mayor Abbott asked everyone to please not speak over each other during discussions.

PUBLIC PARTICIPATION

Al Alsip, 1838 Poston Dr., Panama City, FL, inquired about the property to be given away last year located at Sandy Creek.

Joe Townsend, 6412 Babby Lane, Callaway, FL, asked about an issue with his utility bill, Lockbox, and who had information on the amount of overtime used.

John Malone, 707 Plantation Circle, Callaway, FL, stated he wanted to review his questions regarding minutes, gave his analysis of this issue, and the Utility Billing audit.

Lillian Patterson, 134 S. Mary Ella Av, Callaway, FL, President of the Callaway Historical Society, implored everyone to support the Society by joining the Society and attending a meeting to be held February 22, 2015, at 3 P.M., at the Museum.

PRESENTATIONS

Certificate of Appreciation - 10 Years of Service - Tarrell D. Phillips - not present

Employee of the Month for January - Sharon Lentsch - Public Works employee recommended for her attention to detail, assuming additional responsibilities, etc.

Code Enforcement Board update - Chairman Volpi - update from January 22, 2015, meeting.

Bay County Sheriff's Office - Lt. Branning - Power Point presentation on the their work zones and was asked for assistance with issues regarding the weekend telephone service for the Sheriff's Office.

APPROVAL OF MINUTES

Commissioner Covey moved to approve the Minutes with corrections, from Special Meeting, December 16, 2014, and Regular Commission Meeting, January 13, 2015. Commissioner Pelletier seconded the motion.

All ayes

CONSENT AGENDA

Mayor Abbott called for a motion and second to approve the Consent Agenda.

**ITEM #1 RESOLUTION 15-03 - AMENDING UTILITY BILLING POLICY
MANUAL FOR MAILING BILLS**

**ITEM #2 RESOLUTION 15-04 - AMENDING THE ACCOUNTING POLICY
MANUAL**

**ITEM #3 NATIONAL MUSEUM OF THE USAF LOAN AND STATIC DISPLAY
PROGRAM**

**ITEM #4 DECLARE SURPLUS OF LEISURE SERVICES CAPITAL ASSETS TO
BE SOLD ON GOVDEALS.COM**

**ITEM #5 DECLARE SURPLUS OF PUBLIC WORKS CAPITAL ASSETS TO BE
SOLD ON GOVDEALS.COM**

Commissioner Henderson moved to approve the Consent Agenda items. Commissioner Hollister seconded the motion.

All ayes

OLD BUSINESS

**ITEM #6 CONTINUATION OF REVIEWING ITEMS/ISSUES BROUGHT BEFORE
THE COMMISSION IN 2014**

Commissioner Covey discussed items 5-10 from the list of 25 items first presented at the January 27, 2015, Regular Commission Meeting.

REGULAR AGENDA

ITEM #7 DISCUSSION ON DELINQUENT WATER ACCOUNTS

Commissioner Pelletier discussed his request for this information and also asked for leave and overtime statements from Utility Billing office.

**ITEM #8 FIRST READING - ORDINANCE #953 - ENFORCEMENT OF GARBAGE
VIOLATION**

Commissioner Henderson moved to approve the First Reading - Ordinance #953 - Enforcement of Garbage Violation. Commissioner Hollister seconded the motion.

All ayes

**ITEM #9 FIRST READING - ORDINANCE #954 - MORTGAGE FORECLOSURE
REGISTRATION**

Commissioner Hollister moved to approve the First Reading - Ordinance #954 - Mortgage Foreclosure Registration. Commissioner Pelletier seconded the motion.

All ayes

After further discussion a second motion was filed.

Commissioner Covey moved to approve a charge a registration fee of \$50.00 per foreclosure. Commissioner Pelletier seconded the motion.

All ayes

**ITEM #10 NEW DEVELOPMENT PROPOSED IN CALLAWAY & LEGAL NOTICE
IN PAPER FOR PLANNING CONTRACT**

The Commission discussed this item for a proposed development and a RFQ recently listed in the newspaper. No action taken.

COMMISSION COMMENTS

Commissioner Hollister commented on the 56 pages of Minutes attached to this agenda and after discussing it was said that the City Clerk had done the additional work which was unnecessary. City Manager Fuller was to give the City Clerk examples of minutes from several municipalities as well as the State Statute on what was required.

Commissioner Pelletier stated he had asked City Manager Fuller for information regarding overtime expenses and there being no documentation as to what work was accomplished each time, said the City had been offered a high volume check machine from Regions Bank and that he wants staff to meet with Regions Bank regarding what they had to offer. He asked for exact cost of overtime fees and bank fees. He asked about funds on deposit at Hancock Bank as well as funds on deposit at Sun Trust Bank. Finance Director Waldrip will be looking into all bank deposits.

Commissioner Henderson asked if there was an update on AWT.

Commissioner Covey stated there should be a final decision made regarding AWT by the end of this month. She also stated that our auditors had recommended cycle billing as an option in Utility Billing. She asked for a list of master meter locations. She asked what happened to Ordinance #951 and was told that if an Ordinance did not pass then whatever was being changed reverted to what it was prior to the introduction of an Ordinance that was not passed. She asked City Manager Fuller for the amount of annual leave he had earned in each position he held in 2014 in writing. She inquired about the 365-day letter that was sent out to approximately 80 sewer account holders and asked what was going to be done if everyone did not connect to the water system. The Commission discussed this as a whole and gave City Manager Fuller suggestions on what needed to be done.

City Manager Fuller said he would email the information on his accrued annual leave during 2014 breaking it down between positions held. He distributed a spreadsheet with capital improvements.

City Attorney Obos stated he and City Manager Fuller had met regarding interest rates being low.

Mayor Abbott read the announcements at this time. Mr. Griggs also noted that the Planning Board would be meeting Tuesday, February 17 at 6:00 P.M. regarding a request for an annexation and zoning change.

Commissioner Covey stated the Commission needed a workshop on the Fowl Ordinance and also changing the Commission meetings to having one meeting as a Workshop and the second meeting as a Commission meeting. City Attorney Obos stated this was not a Charter issue.

Commissioner Pelletier stated he had met with Leisure Services Director Legare regarding getting two screens put up in the Commission meeting chamber as well as the possibility of getting lapel microphones for each elected official and the City Manager and City Attorney.

Janice Jennings asked to speak and thanked City Manager Fuller for attending the Citizens Advisory meeting recently.

There being no further business the meeting be adjourned at 8:42 P.M.

Sandra B. Hirth, City Clerk

DRAFT

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Resolution 15-05: Transportation Alternatives Program –Sidewalk/Bicycle Lane - Boat Race Road

<p>1. PLACED ON AGENDA BY: J.Michael Fuller, City Manager</p>	<p>2. AGENDA:</p> <p>PRESENTATION <input type="checkbox"/></p> <p>PUBLIC HEARING <input type="checkbox"/></p> <p>CONSENT <input checked="" type="checkbox"/></p> <p>OLD BUSINESS <input type="checkbox"/></p> <p>REGULAR <input type="checkbox"/></p>
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3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: Yes No
N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

Every year the City submits an application to the West Florida Regional Planning Council (WFRP) for a sidewalks and bike lane project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. To continue to have this project considered in the program, the City is required to adopt a Resolution to be submitted with the project application by the deadline on March 2, 2015. This is a re-submittal of the application for the construction of sidewalks and bike lane along Boat Race Road from Tyndall Parkway (US98) to Berthe Avenue.

ATTACHMENT:

- Copy of Resolution 15-05
- Planning Department Summary
- Location Map

5. REQUESTED MOTION/ACTION:
Staff recommends that the Commission approve Resolution 15-05 for the continued support for sidewalks and bike lane on Boat Race Road, and authorize staff to submit the application to the WFRP.

RESOLUTION #15-05

A RESOLUTION BY THE CITY OF CALLAWAY, FLORIDA TO CONTINUE TO SUPPORT CONSTRUCTION OF SIDEWALKS AND BIKE LANE ON BOAT RACE ROAD WITH TRANSPORTATION ALTERNATIVE PROGRAM FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, walking helps meet the goals of Chapter 339.175 Florida Statutes - Metropolitan Planning Organization - to serve the mobility needs of people while minimizing transportation related fuel consumption and air pollution; and

WHEREAS, Congress created the Moving Ahead for Progress in the 21st Century (MAP-21) in 2012 to address growing concerns about air quality, open space, and traffic congestion. The Transportation Alternatives (TA) Program strengthens the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system; and

WHEREAS, the addition of pedestrian facilities helps meet the goals of Chapter 163.3177 Florida Statutes - Comprehensive Plans - promoting alternative modes of transportation; and

WHEREAS, the Center of Disease Control (CDC) encourages people to walk for fitness, transportation and fun; and

WHEREAS, this support is consistent with the Florida Statutes, Bay County Transportation Planning Organization (TPO), FDOT, MAP-21, and CDC policies supporting alternative means of transportation.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Callaway, Florida that they continue to support the construction of sidewalks and a bike lane on Boat Race Road, a project submitted by the City of Callaway every year since 2014.

PASSED, APPROVED AND DULY ADOPTED by the City Commission of the City of Callaway, Florida, meeting in regular session this 24th day of February, 2015.

CITY OF CALLAWAY

Thomas W. Abbott, Mayor

ATTEST:

Sandra Hirth, City Clerk

**CITY OF CALLAWAY
PLANNING DEPARTMENT
STAFF SUMMARY**

TRANSPORTATION ALTERNATIVES PROGRAM – BOAT RACE ROAD SIDEWALK AND BIKE LANE

Date: February 24, 2015

Background:

Every year the City submits an application to the West Florida Regional Planning Council (WFRPC) for a sidewalks and bike lane project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. The Transportation Alternatives Program is a State funded program. The purpose of the Transportation Alternatives Program is to strengthen the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system. To continue to have this project considered in the program, the City is required to adopt a Resolution to be submitted with the project application by the deadline on March 2, 2015. The FDOT and Bay County TPO prioritize the submitted projects on an annual basis according to location, school, and safety factors. The FDOT requires that applicant be Local Agency Program (LAP) certified and fund the project costs upfront. The applicant is reimbursed by the FDOT when funds are available.

Staff Findings:

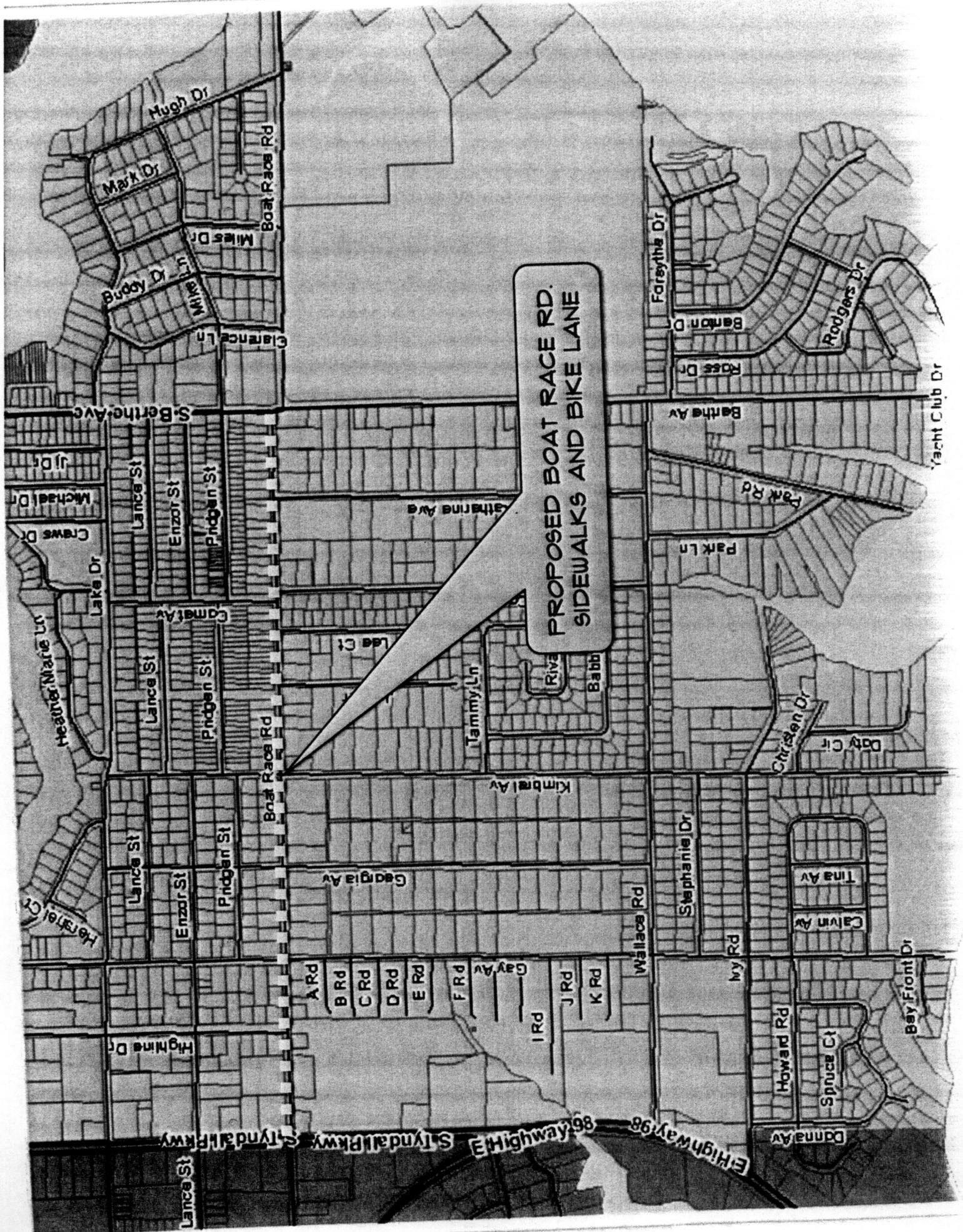
This is a re-submittal of an application for the construction of sidewalks and a bike lane along Boat Race Road from Tyndall Parkway (US98) to Berthe Avenue. Currently, there are no sidewalks or bicycle facilities along this segment of roadway. This area of Callaway is mostly residential and would benefit with new bike/ped facilities. This project would allow for improved and safer pedestrian access in the commercial and residential areas along this corridor, and to the located trolley/bus stops along this segment of Bob Little Road.

Staff Recommendation:

The Planning Department recommends that the Commission approve the Resolution for continued support for sidewalks and bike lane on Boat Race Road, and authorize staff to submit the application to the WFRPC.



J. Michael Fuller, AICP
City Manager



PROPOSED BOAT RACE RD.
SIDEWALKS AND BIKE LANE

Mugh Dr
Mark Dr
Miles Dr
Buddy Dr
NAWEL LN
Clarence Ln
Boat Race Rd

S. Berthe Ave
Lance St
Enzor St
Pindgen St
Michael Dr
Crows Dr
Lake Dr
Jr Dr

Heather Marie Ln
Lance St
Pindgen St
Camel Av
Lee Ct

Boat Race Rd
Lance St
Enzor St
Pindgen St
Hertel Ct

Georgia Av
A Rd
B Rd
C Rd
D Rd
E Rd
FRd
Gay Av
IRd
J Rd
K Rd

Highway 98
S. Lyndal Rwy
Lance St

Fareytha Dr
Benton Dr
Rose Dr
Rodgers Dr
Yacht Club Dr

Berthe Av
Park Ln
Park Rd

Tammy Ln
Riva
Babb
Christen Dr
Doty Ct

Kimbri Av
Wallace Rd
Stephanie Dr
Ivy Rd
Tina Av
Calvin Av

Howard Rd
Spruce Ct
Bay Front Dr
Danna Av

Highway 98
S. Lyndal Rwy

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Resolution 15-06: Transportation Alternatives Program - Sidewalk/Bicycle Lane – Wallace Road

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

- | | |
|----------------|-------------------------------------|
| PRESENTATION | <input type="checkbox"/> |
| PUBLIC HEARING | <input type="checkbox"/> |
| CONSENT | <input checked="" type="checkbox"/> |
| OLD BUSINESS | <input type="checkbox"/> |
| REGULAR | <input type="checkbox"/> |

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: Yes No

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

Every year the City submits an application to the West Florida Regional Planning Council (WFRP) for a sidewalks and bike lane project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. To continue to have this project considered in the program, the City is required to adopt a Resolution to be submitted with the project application by the deadline on March 2, 2015. This is a re-submittal of the application for the construction of sidewalks and bike lane along Wallace Road from Tyndall Parkway (US98) to Berthe Avenue.

ATTACHMENT:

- Copy of Resolution 15-06
- Planning Department Summary
- Location Map

5. REQUESTED MOTION/ACTION:

Staff recommends that the Commission approve Resolution 15-06 for the continued support for sidewalks and bike lane on Wallace Road, and authorize staff to submit the application to the WFRP.

RESOLUTION #15-06

A RESOLUTION BY THE CITY OF CALLAWAY, FLORIDA TO CONTINUE TO SUPPORT CONSTRUCTION OF SIDEWALKS AND BIKE LANE ON WALLACE ROAD WITH TRANSPORTATION ALTERNATIVE PROGRAM FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, walking helps meet the goals of Chapter 339.175 Florida Statutes - Metropolitan Planning Organization - to serve the mobility needs of people while minimizing transportation related fuel consumption and air pollution; and

WHEREAS, Congress created the Moving Ahead for Progress in the 21st Century (MAP-21) in 2012 to address growing concerns about air quality, open space, and traffic congestion. The Transportation Alternatives (TA) Program strengthens the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system; and

WHEREAS, the addition of pedestrian facilities helps meet the goals of Chapter 163.3177 Florida Statutes - Comprehensive Plans - promoting alternative modes of transportation; and

WHEREAS, the Center of Disease Control (CDC) encourages people to walk for fitness, transportation and fun; and

WHEREAS, this support is consistent with the Florida Statutes, Bay County Transportation Planning Organization (TPO), FDOT, MAP-21, and CDC policies supporting alternative means of transportation.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Callaway, Florida that they continue to support the construction of sidewalks and a bike lane on Wallace Road, a project submitted by the City of Callaway in 2014.

PASSED, APPROVED AND DULY ADOPTED by the City Commission of the City of Callaway, Florida, meeting in regular session this 24th day of February, 2015.

CITY OF CALLAWAY

Thomas W. Abbott, Mayor

ATTEST:

Sandy Hirth, City Clerk

**CITY OF CALLAWAY
PLANNING DEPARTMENT
STAFF SUMMARY**

TRANSPORTATION ALTERNATIVES PROGRAM – WALLACE ROAD SIDEWALK AND BIKE LANE

Date: February 24, 2015

Background:

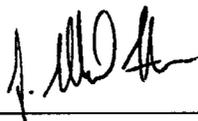
Every year the City submits an application to the West Florida Regional Planning Council (WFRPC) for a sidewalks and bike lane project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. The Transportation Alternatives Program is a State funded program. The purpose of the Transportation Alternatives Program is to strengthen the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system. To continue to have this project considered in the program, the City is required to adopt a Resolution to be submitted with the project application by the deadline on March 2, 2015. The FDOT and Bay County TPO prioritize the submitted projects on an annual basis according to location, school, and safety factors. The FDOT requires that applicant be Local Agency Program (LAP) certified and fund the project costs upfront. The applicant is reimbursed by the FDOT when funds are available.

Staff Findings:

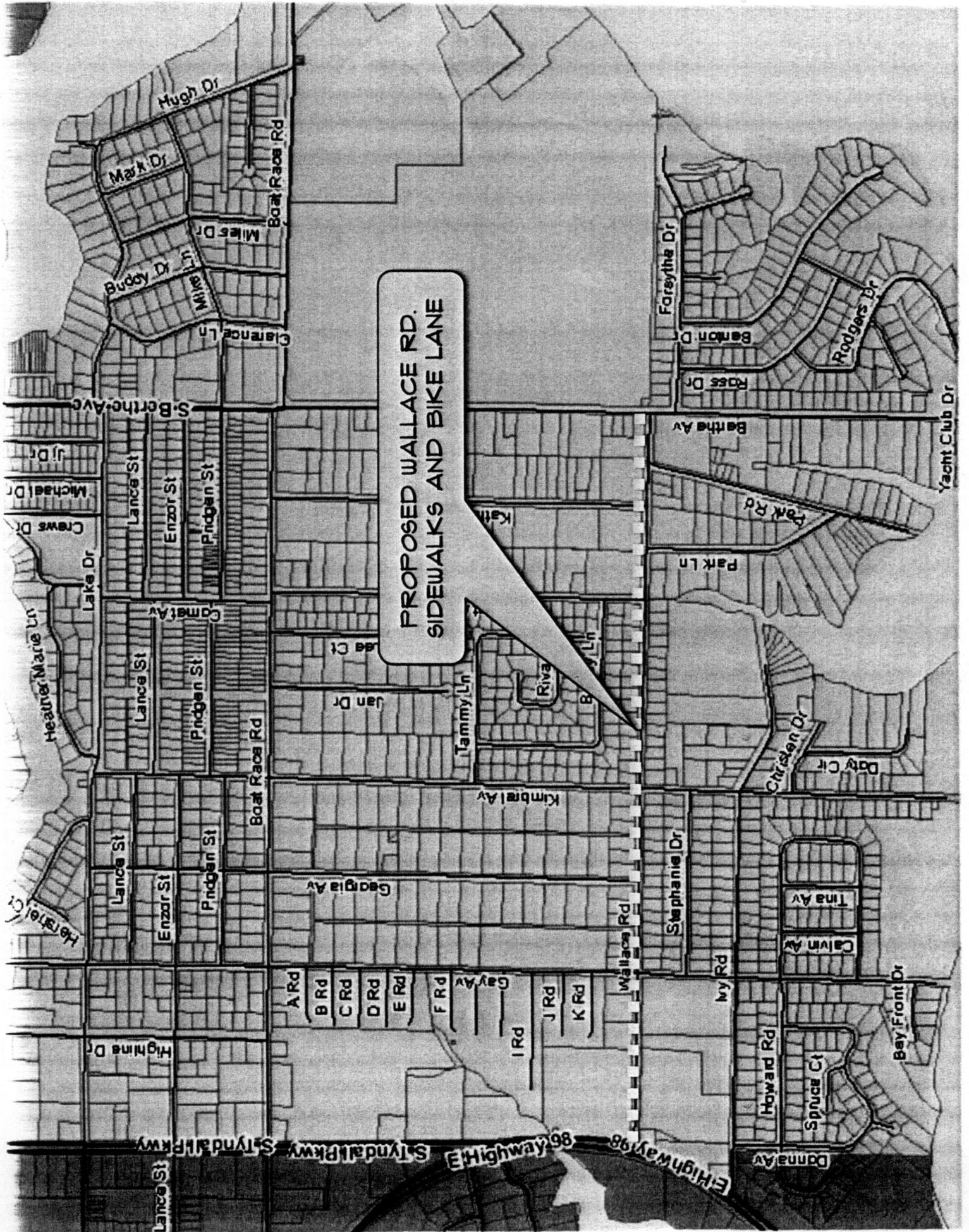
This is a re-submittal of an application for the construction of sidewalks and a bike lane along Wallace Road from Tyndall Parkway (US98) to Berthe Avenue. Currently, there are no sidewalks or bicycle facilities along this segment of roadway. This area of Callaway is mostly residential and would benefit with new bike/ped facilities. This project would allow for improved and safer pedestrian access in the commercial and residential areas along this corridor, and to the located trolley/bus stops along this segment of Bob Little Road.

Staff Recommendation:

The Planning Department recommends that the Commission approve the Resolution for continued support for sidewalks and bike lane on Wallace Road, and authorize staff to submit the application to the WFRPC.



J. Michael Fuller, AICP
City Manager



PROPOSED WALLACE RD.
SIDEWALKS AND BIKE LANE

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Resolution 15-07: Transportation Alternatives Program –Sidewalks (Both Sides) - Cherry Street

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input checked="" type="checkbox"/>
OLD BUSINESS	<input type="checkbox"/>
REGULAR	<input type="checkbox"/>

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: Yes No

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

Every year the City submits an application to the West Florida Regional Planning Council (WFRP) for a sidewalks project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. To have this project considered in the program, the City is required to adopt a Resolution to be submitted with the project application by the deadline on March 2, 2015. This is a new submittal of an application for the construction of sidewalks on both sides of Cherry Street from Tyndall Parkway (US98) to Star Avenue.

ATTACHMENT:

- Copy of Resolution 15-07
- Planning Department Summary
- Location Map

5. REQUESTED MOTION/ACTION:

Staff recommends that the Commission approve Resolution 15-07 for the support of sidewalks on both sides of Cherry Street, and authorize staff to submit the application to the WFRP.

RESOLUTION #15-07

A RESOLUTION BY THE CITY OF CALLAWAY, FLORIDA TO CONTINUE TO SUPPORT CONSTRUCTION OF SIDEWALKS (BOTH SIDES) ON CHERRY STREET WITH TRANSPORTATION ALTERNATIVE PROGRAM FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, walking helps meet the goals of Chapter 339.175 Florida Statutes - Metropolitan Planning Organization - to serve the mobility needs of people while minimizing transportation related fuel consumption and air pollution; and

WHEREAS, Congress created the Moving Ahead for Progress in the 21st Century (MAP-21) in 2012 to address growing concerns about air quality, open space, and traffic congestion. The Transportation Alternatives (TA) Program strengthens the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system; and

WHEREAS, the addition of pedestrian facilities helps meet the goals of Chapter 163.3177 Florida Statutes - Comprehensive Plans - promoting alternative modes of transportation; and

WHEREAS, the Center of Disease Control (CDC) encourages people to walk for fitness, transportation and fun; and

WHEREAS, this support is consistent with the Florida Statutes, Bay County Transportation Planning Organization (TPO), FDOT, MAP-21, and CDC policies supporting alternative means of transportation.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Callaway, Florida that they continue to support the construction of sidewalks on Cherry Street, a project submitted by the City of Callaway in 2015.

PASSED, APPROVED AND DULY ADOPTED by the City Commission of the City of Callaway, Florida, meeting in regular session this 24th day of February, 2015.

CITY OF CALLAWAY

Thomas W. Abbott, Mayor

ATTEST:

Sandy Hirth, City Clerk

**CITY OF CALLAWAY
PLANNING DEPARTMENT
STAFF SUMMARY**

TRANSPORTATION ALTERNATIVES PROGRAM – CHERRY STREET SIDEWALKS

Date: February 24, 2015

Background:

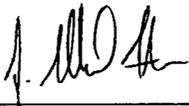
Every year the City submits an application to the West Florida Regional Planning Council (WFRPC) for a sidewalks and bike lane project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. The Transportation Alternatives Program is a State funded program. The purpose of the Transportation Alternatives Program is to strengthen the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system. To continue to have this project considered in the program, the City is required to adopt a Resolution annually to be submitted with the project application. The deadline for this year is by the deadline on March 2, 2015. The FDOT and Bay County TPO prioritize the submitted projects on an annual basis according to location, school, and safety factors. The FDOT requires that applicant be Local Agency Program (LAP) certified and fund the project costs upfront. The applicant is reimbursed by the FDOT when funds are available.

Staff Findings:

This is a new submittal of an application for the construction of sidewalks along both sides of Cherry Street from Tyndall Parkway (US98) to Star Avenue. Currently, there are bicycle lanes along this segment of roadway, but they are inadequate for the level of pedestrian movement along Cherry Street. Raised sidewalks with curb and gutter would be a more practical and safer alternative to the bike lanes. This area of Callaway is largely residential and would benefit from improved pedestrian facilities. This project would allow access to the service and commercial land uses along Cherry Street and Tyndall Parkway. Cherry Street is also a heavily traveled major collector road where pedestrian safety is essential.

Staff Recommendation:

The Planning Department recommends that the Commission approve the Resolution for sidewalks on Cherry Street, and authorize staff to submit the application to the WFRPC.



J. Michael Fuller, AICP
City Manager



Cherry Street Sidewalks (Both Sides)
From US 98/Tyndall Parkway to Star Avenue
Project Sponsor: City of Callaway

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Resolution 15-08: Transportation Alternatives Program –Sidewalks - Yellow Bluff Rd. and S. Star Ave.

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

- | | |
|----------------|-------------------------------------|
| PRESENTATION | <input type="checkbox"/> |
| PUBLIC HEARING | <input type="checkbox"/> |
| CONSENT | <input checked="" type="checkbox"/> |
| OLD BUSINESS | <input type="checkbox"/> |
| REGULAR | <input type="checkbox"/> |

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

Every year the City submits an application to the West Florida Regional Planning Council (WFRP) for a sidewalks project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. To have this project considered in the program, the City is required to adopt a Resolution to be submitted with the project application by the deadline on March 2, 2015. This is a new submittal of an application for the construction of sidewalks along Yellow Bluff Road and South Star Avenue. See the attached map for project limits/termination points.

ATTACHMENT:

- Copy of Resolution 15-08
- Planning Department Summary
- Location Map

5. REQUESTED MOTION/ACTION:

Staff recommends that the Commission approve Resolution 15-08 for the support of sidewalks on Yellow Bluff Road and S. Star Avenue, and authorize staff to submit the application to the WFRP.

RESOLUTION #15-08

A RESOLUTION BY THE CITY OF CALLAWAY, FLORIDA TO CONTINUE TO SUPPORT CONSTRUCTION OF SIDEWALKS ON YELLOW BLUFF ROAD AND SOUTH STAR AVENUE WITH TRANSPORTATION ALTERNATIVE PROGRAM FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, walking helps meet the goals of Chapter 339.175 Florida Statutes - Metropolitan Planning Organization - to serve the mobility needs of people while minimizing transportation related fuel consumption and air pollution; and

WHEREAS, Congress created the Moving Ahead for Progress in the 21st Century (MAP-21) in 2012 to address growing concerns about air quality, open space, and traffic congestion. The Transportation Alternatives (TA) Program strengthens the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system; and

WHEREAS, the addition of pedestrian facilities helps meet the goals of Chapter 163.3177 Florida Statutes - Comprehensive Plans - promoting alternative modes of transportation; and

WHEREAS, the Center of Disease Control (CDC) encourages people to walk for fitness, transportation and fun; and

WHEREAS, this support is consistent with the Florida Statutes, Bay County Transportation Planning Organization (TPO), FDOT, MAP-21, and CDC policies supporting alternative means of transportation.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Callaway, Florida that they continue to support the construction of sidewalks on Yellow Bluff Road and South Star Avenue, a project submitted by the City of Callaway in 2015.

PASSED, APPROVED AND DULY ADOPTED by the City Commission of the City of Callaway, Florida, meeting in regular session this 24th day of February, 2015.

CITY OF CALLAWAY

Thomas W. Abbott, Mayor

ATTEST:

Sandy Hirth, City Clerk

**CITY OF CALLAWAY
PLANNING DEPARTMENT
STAFF SUMMARY**

**TRANSPORTATION ALTERNATIVES PROGRAM – YELLOW BLUFF ROAD AND SOUTH STAR AVENUE
SIDEWALKS**

Date: February 24, 2015

Background:

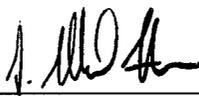
Every year the City submits an application to the West Florida Regional Planning Council (WFRPC) for a sidewalks and bike lane project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. The Transportation Alternatives Program is a State funded program. The purpose of the Transportation Alternatives Program is to strengthen the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system. To continue to have this project considered in the program, the City is required to adopt a Resolution annually to be submitted with the project application. The deadline for this year is by the deadline on March 2, 2015. The FDOT and Bay County TPO prioritize the submitted projects on an annual basis according to location, school, and safety factors. The FDOT requires that applicant be Local Agency Program (LAP) certified and fund the project costs upfront. The applicant is reimbursed by the FDOT when funds are available.

Staff Findings:

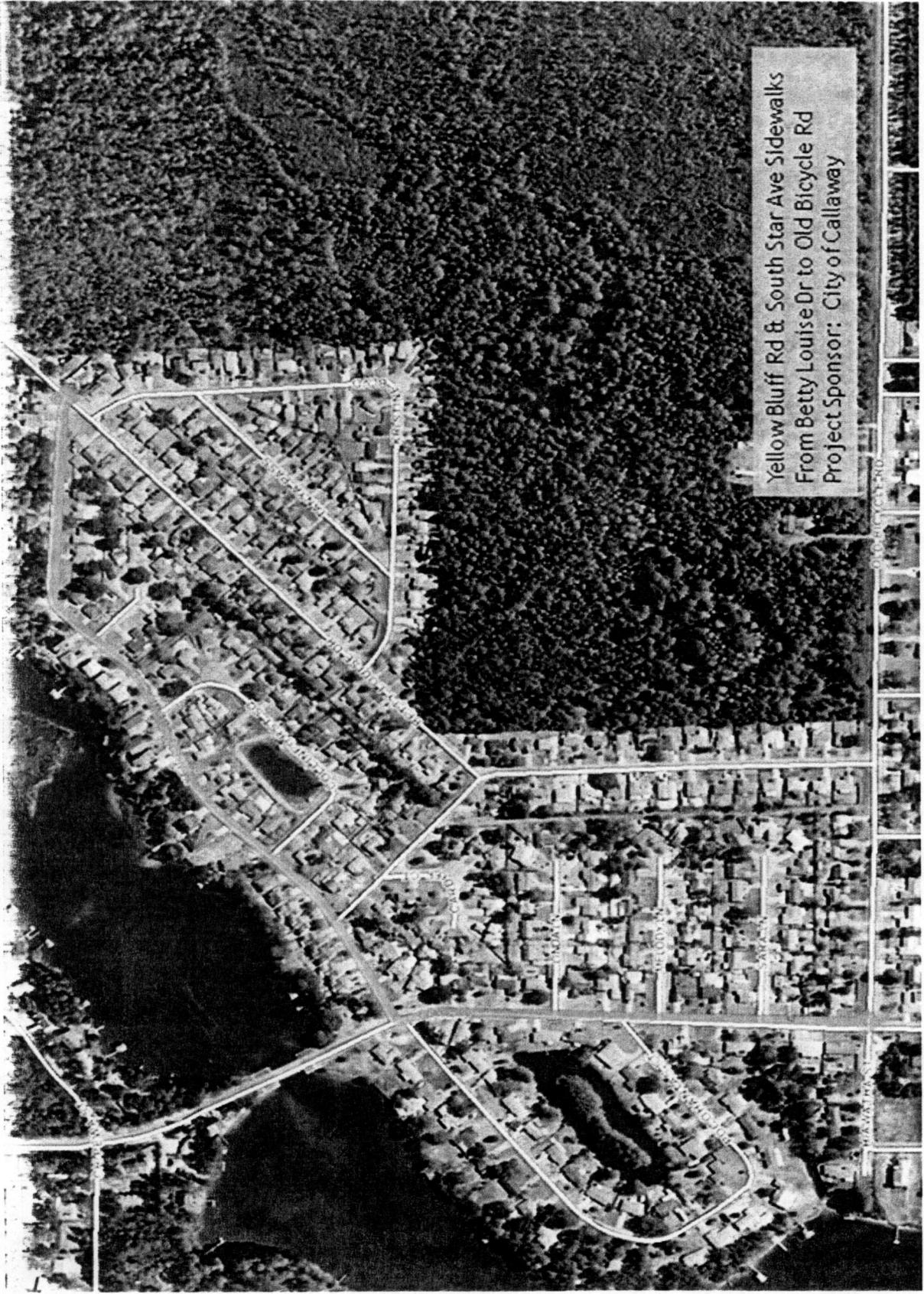
This is a new submittal of an application for the construction of a sidewalk along one side of Yellow Bluff Road and South Star Avenue. The proposed project would begin at the Yellow Bluff Rd/Betty Louise Drive Intersection and meander southwest along Yellow Bluff Rd to S. Star Avenue. From the Yellow Bluff Road/S. Star Avenue Intersection, the proposed sidewalk will extend south to Old Bicycle Road and terminate at the intersection. Currently, there are no sidewalks along these two segments of roadway, but there are sidewalks along adjacent roads that would be made accessible by this project. This area of Callaway is primarily residential has many of the of the city's non-drivers, including children and older adults. This cross-section of the city's populations will greatly benefit from the proposed sidewalks because it will connect existing neighborhoods and provide safe routes to school and recreational uses (such as Callaway Elementary School and the Callaway Recreational complex).

Staff Recommendation:

The Planning Department recommends that the Commission approve the Resolution for sidewalks on Yellow Bluff Road and South Star Avenue, and authorize staff to submit the application to the WFRPC.



J. Michael Fuller, AICP
City Manager



Yellow Bluff Rd & South Star Ave Sidewalks
From Betty Louise Dr to Old Bicycle Rd
Project Sponsor: City of Callaway

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Resolution 15-09: Setting Hearing for Planned Development Zoning Application

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

- | | |
|----------------|-------------------------------------|
| PRESENTATION | <input type="checkbox"/> |
| PUBLIC HEARING | <input type="checkbox"/> |
| CONSENT | <input checked="" type="checkbox"/> |
| OLD BUSINESS | <input type="checkbox"/> |
| REGULAR | <input type="checkbox"/> |

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

US Metropolitan Land Development, LLC has submitted an application for planned development zoning for 1085 acres +/- commonly referred to as Primrose Bay. Pursuant to Section 15.565 of the City's Land Development Regulations, the Commission must, by Resolution, schedule a hearing to obtain public input on the planned development zoning application. Resolution 15-09 will set the public hearing on March 10, 2015.

ATTACHMENT:

- Copy of Resolution 15-09

5. REQUESTED MOTION/ACTION:

Staff recommends that the Commission approve Resolution 15-09 setting the public hearing on the planned development zoning application for March 10, 2015.

RESOLUTION 15-09

**A RESOLUTION OF THE CITY OF CALLAWAY,
FLORIDA SETTING A HEARING TO RECEIVE
PUBLIC INPUT AND REVIEW OF THE PLANNED
DEVELOPMENT (P.D.) ZONING APPLICATION OF
US METROPOLITAN LAND DEVELOPMENT, LLC,
FOR MARCH 10, 2015.**

WHEREAS, the City of Callaway's staff and Planning Board have reviewed an application for planned development zoning for a 1085.068 acre Planned Development submitted by US Metropolitan Land Development, LLC; and

WHEREAS, Section 15.565 of the City of Callaway's Land Development Regulations requires that a hearing to receive public input on a planned development zoning application be scheduled by Resolution.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CALLAWAY:

SECTION 1. A public hearing for the above described planned development zoning application shall be held on March 10, 2015, unless changed by subsequent resolution of this Commission.

PASSED AND ADOPTED by the City of Callaway this 24th day of February, 2015.

CITY OF CALLAWAY, FLORIDA

By _____
Thomas W. Abbott, Mayor

ATTEST:

Sandra B. Hirth, City Clerk

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Resolution #15-11: Transportation Alternatives Program - Sidewalks/Bicycle Lane - Bob Little Road

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input checked="" type="checkbox"/>
REGULAR	<input type="checkbox"/>

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

Every year the City adopts Resolutions and re-submits applications for sidewalk and bicycle lane projects to be included in the Bay County TPO Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. In order for these projects to remain eligible in the program, a Resolution of continued support along with a re-submittal application must be submitted to the West Florida Regional Planning Council by March 2, 2015. This is a re-submittal application for the construction of sidewalks and bicycle lane along Bob Little Road from Cherry Street to 7th Street.

Attachments

- Copy of Resolution #15-11
- Planning Department Staff Summary
- Location Map

5. REQUESTED MOTION/ACTION:

Staff recommends that the Commission approve the Resolution for continued support for sidewalks/bicycle lane on Bob Little Road from Cherry Street to 7th Street, and authorize staff to re-submit the application to the WFRPC.

RESOLUTION #15-11

A RESOLUTION BY THE CITY OF CALLAWAY, FLORIDA TO CONTINUE TO SUPPORT CONSTRUCTION OF SIDEWALKS AND BIKE LANE ON BOB LITTLE ROAD WITH TRANSPORTATION ALTERNATIVE PROGRAM FUNDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, walking helps meet the goals of Chapter 339.175 Florida Statutes - Metropolitan Planning Organization - to serve the mobility needs of people while minimizing transportation related fuel consumption and air pollution; and

WHEREAS, Congress created the Moving Ahead for Progress in the 21st Century (MAP-21) in 2012 to address growing concerns about air quality, open space, and traffic congestion. The Transportation Alternatives (TA) Program strengthens the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system; and

WHEREAS, the addition of pedestrian facilities helps meet the goals of Chapter 163.3177 Florida Statutes - Comprehensive Plans - promoting alternative modes of transportation; and

WHEREAS, the Center of Disease Control (CDC) encourages people to walk for fitness, transportation and fun; and

WHEREAS, this support is consistent with the Florida Statutes, Bay County Transportation Planning Organization (TPO), FDOT, MAP-21, and CDC policies supporting alternative means of transportation.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Callaway, Florida that they continue to support the construction of sidewalks and a bike lane on Bob Little Road, a project submitted by the City of Callaway every year since 1997.

PASSED, APPROVED AND DULY ADOPTED by the City Commission of the City of Callaway, Florida, meeting in regular session this ____ day of _____, 2015.

CITY OF CALLAWAY

Thomas W. Abbott, Mayor

ATTEST:

Sandy Hirth, City Clerk

**CITY OF CALLAWAY
PLANNING DEPARTMENT
STAFF SUMMARY**

TRANSPORTATION ALTERNATIVES PROGRAM – BOB LITTLE ROAD SIDEWALK AND BIKE LANE

Date: February 24, 2015

Background:

Every year the City submits an application to the West Florida Regional Planning Council (WFRPC) for a sidewalks and bike lane project to be included in the FDOT District 3 Transportation Alternatives Program, formerly known as the Transportation Enhancement Program. The Transportation Alternatives Program is a State funded program. The purpose of the Transportation Alternatives Program is to strengthen the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system. To continue to have this project considered in the program, the City is required to adopt a Resolution to be submitted with the project application by the deadline on March 2, 2015. The FDOT and Bay County TPO prioritize the submitted projects on an annual basis according to location, school, and safety factors. The FDOT requires that applicant be Local Agency Program (LAP) certified and fund the project costs upfront. The applicant is reimbursed by the FDOT when funds are available.

Staff Findings:

This is a re-submittal of an application for the construction of sidewalks and a bike lane along Bob Little Road from 7th Street to Cherry Street. This Transportation Alternatives Program Project was recently committed for funding by FDOT. Engineering design is already underway and construction is imminent, but the Resolution of support is still needed. Currently, there are no sidewalks or bicycle facilities along this segment of roadway. This project would allow for improved and safer pedestrian access in the commercial and residential areas along this corridor, and to the located trolley/bus stops along this segment of Bob Little Road.

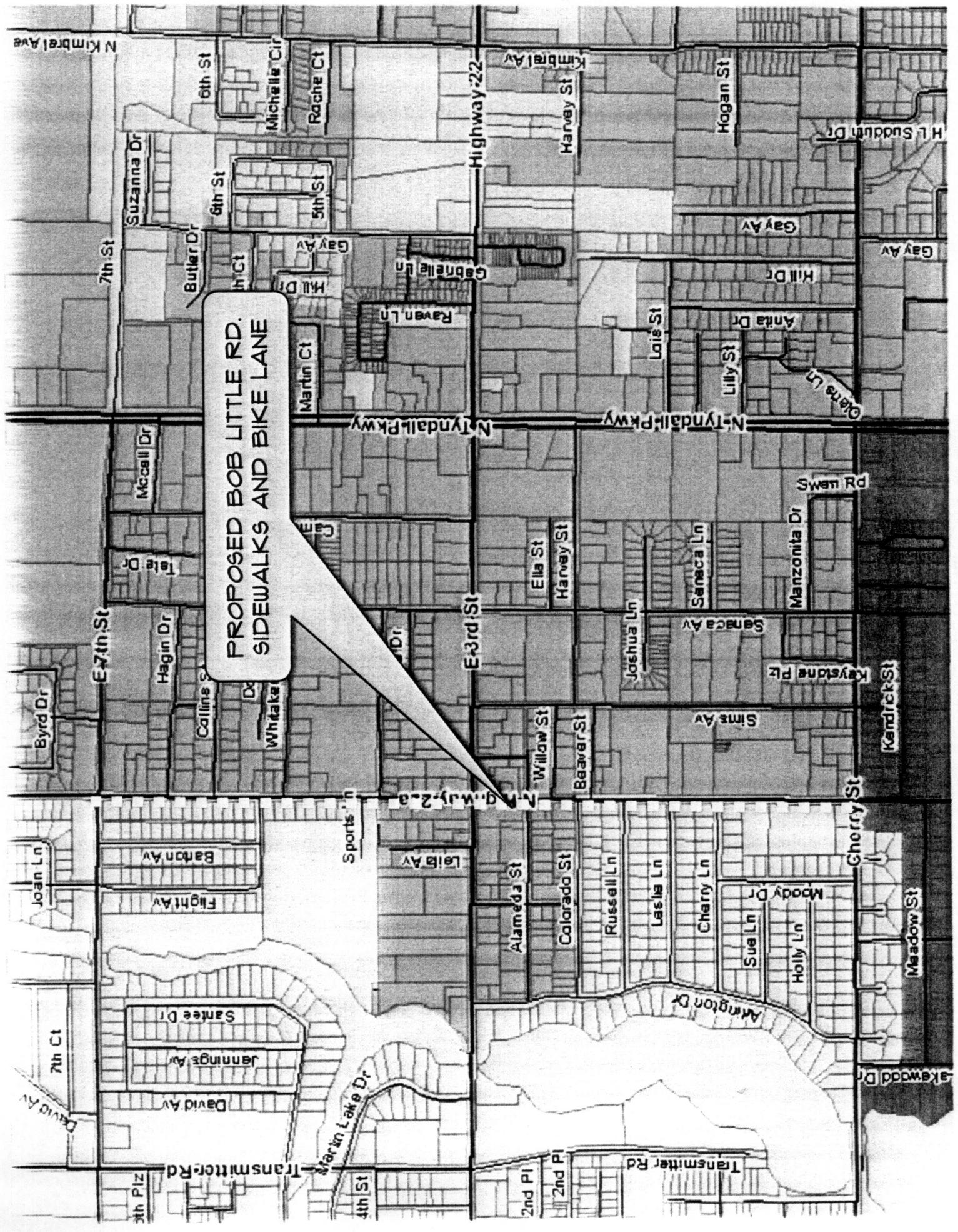
Staff Recommendation:

The Planning Department recommends that the Commission approve the Resolution for continued support for sidewalks and bike lane on Bob Little Road, and authorize staff to submit the application to the WFRPC.



J. Michael Fuller, AICP
City Manager

PROPOSED BOB LITTLE RD.
SIDEWALKS AND BIKE LANE



**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Code Enforcement Board Application

1. PLACED ON AGENDA BY:

Michael Fuller, City Manager

2. AGENDA:

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input checked="" type="checkbox"/>
OLD BUSINESS	<input type="checkbox"/>
REGULAR	<input type="checkbox"/>

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

Mr. Alton Hester's membership has expired and he chose not to re-new. At this time the Code Enforcement Board has no alternates and the only application received for the vacancy is Mr. Roger Weum.

ATTACHMENT:

- Mr. Roger Weum's Application

5. REQUESTED MOTION/ACTION:

Request Commission approval of Roger Weum as a Code Enforcement Board Member and the two Alternate Member vacancies continue to be advertised.



City Clerk Office Use Only:
Date Appointed by City
Commission _____

**CITY OF CALLAWAY
CODE ENFORCEMENT BOARD
APPLICATION**

To the Applicant:

Please be aware that as a public entity, the City of Callaway is obligated to furnish this information to the media, if so requested. You will be required to successfully pass a background check prior to being selected for the Committee, and must adhere to Florida Financial Disclosure requirements.

Name: Roger Weum Date: 2/10/2015

Address: 403 S. Berthe Ave

Home Phone: 870-877-1307 Work Phone: same

E-mail: rogerweum@gmail.com

PLEASE NOTE:

If you reside outside of the city limits of the City of Callaway, you are ineligible for appointment. Refer to Ordinance #928 in the Archives section of the City website for more information on eligibility.

Briefly state your reason(s) for wanting to serve on this BOARD and please give any background information and/or prior experience pertinent to this position.

Help improve the City of Callaway

Briefly state your understanding of the key issue(s) facing this Committee.

I'm new to the city

Upon completion of this form, please return it to:

Callaway City Commission
6601 E. Hwy 22
Callaway, FL 32404

ATTN: City Clerk

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Ordinance No. 953, Final Reading – Enforcement of Garbage Violation

<p>1. PLACED ON AGENDA BY: J. Michael Fuller, City Manager</p>	<p>2. AGENDA:</p> <p>PRESENTATION <input type="checkbox"/></p> <p>PUBLIC HEARING <input type="checkbox"/></p> <p>CONSENT <input type="checkbox"/></p> <p>OLD BUSINESS <input checked="" type="checkbox"/></p> <p>REGULAR <input type="checkbox"/></p>
---	--

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

At a prior regular meeting, the City Commission discussed how to better ensure that property owners and tenants are disposing household garbage in a responsible manner. The consensus was to amend the City’s existing ordinance to require proof of private garbage collection upon a notice of a violation.

The attached Ordinance will amend Chapter 9 of the Callaway Code of Ordinances to require the owner of record of the real estate or the lessee or occupants to provide proof of an account with a private garbage collector permitted to operate within the City.

ATTACHMENT:

- Ordinance No. 953

5. REQUESTED MOTION/ACTION:

Staff recommends the City Commission approve the final reading of Ordinance No. 953.

ORDINANCE NO. 953

AN ORDINANCE OF THE CITY OF CALLAWAY, FLORIDA, AMENDING CHAPTER 9 OF THE CALLAWAY CODE OF ORDINANCES RELATING TO GARBAGE, REFUSE AND WEEDS; AMENDING ENFORCEMENT PROVISIONS AND ACTIONS AVAILABLE TO THE CITY UPON FAILURE TO COMPLY WITH THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Callaway created Chapter 9 of the Callaway Code of Ordinances relating to garbage, refuse and weeds in order to promote the health, safety and welfare of the citizens of the City of Callaway; and

WHEREAS, the City Commission determined it is in the best interest of the citizens of Callaway to improve upon the methods of enforcement available to the City to curtail accumulations of garbage, trash and waste;

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF CALLAWAY, FLORIDA:

Section 1. From and after the effective date of this Ordinance, Chapter 9 of the City of Callaway Code of Ordinances is amended to read as follows (deleted text ~~stricken~~, new text **bold and double underlined**):

Sec. 9-26. ENFORCEMENT.

(a) **Criminal offense – penalty.** In addition to the procedures set forth below any person found to have violated any of the provisions of Sec. 9-25 shall be guilty of a criminal offense, and subject to those penalties provided in Sec. 1-12 of this Code. In the event of a continuing violation, each day of continued violation shall constitute a separate

offense.

(b) **Show cause notice.** Any law enforcement officer or code enforcement officer of the City may issue a show cause notice for a violation of this ~~ordinance~~ Chapter. Such document will be served personally as provided by law or in the alternative, it shall be sent by certified mail, return receipt requested, postage prepaid to the owner of record of the real estate and to the lessee or occupants. Notice shall be deemed to have been given if sent to that address used by the tax collector's office in levying ad valorem taxes on the subject parcel. If the name of any such party or his or her place of residence or his or her post office address cannot be ascertained after diligent search, or in the event a show cause notice which is sent by certified mail shall be returned undelivered, constructive service will be perfected by publishing a copy thereof, in a newspaper of general circulation within the City. A copy of such show cause notice shall be posted in a conspicuous place in City Hall and upon such dwelling or property.

(c) **Requirements.** The show cause notice may require the removal of garbage, trash, filth, biohazardous waste, construction debris, demolition debris, hazardous waste, litter, or refuse or such other measures as are reasonably necessary to ensure compliance with this ~~ordinance~~ Chapter. The notice may also require the owner of record of the real estate or the lessee or occupants to provide proof of an account with a private garbage collector permitted to operate within the City.

(d) **Content.** The show cause notice shall be in writing, signed by a law enforcement officer with an accurate description of the violation of this ~~ordinance~~ Chapter. The notice shall require that the violation must be corrected within twenty (20) days of delivery of the notice. If delivered by mail, delivery shall be presumed to have occurred five (5) days after mailing.

(e) **Emergency Conditions.** If the condition/violation poses a threat to the health, safety or welfare of the citizens, the City may take that action necessary to immediately alleviate the hazard. Any expense incurred by the City shall be charged to the owner or occupant and subject to collection as provided in section 9-54.

(f) **Extensions.** In the case of violation of this chapter, the party cited may be granted an extension up to thirty (30) days to comply with the provisions of this chapter upon the written request from the interested party stating the reasons for the inability to comply and showing reasonable grounds for such failure to complete compliance. Any such extension must be approved by the City ~~Clerk~~**Manager**. The City ~~Clerk~~**Manager** may, upon showing of good cause, grant additional extensions.

Section 2. **REPEALER.**

All ordinances in conflict or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 3. **SEVERABILITY.**

In the event that any portion of this Ordinance shall be determined to be unconstitutional or invalid for any reason, the remaining provision shall remain in full force and effect.

Section 4. **EFFECTIVE DATE.**

This Ordinance shall take effect upon passage.

PASSED, APPROVED AND ADOPTED this day of _____, 20.

CITY OF CALLAWAY, FLORIDA

Thomas W. Abbott, Mayor

ATTEST:

Sandra B. Hirth, City Clerk

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Ordinance No. 954, Final Reading – Mortgage Foreclosure Registration

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input type="checkbox"/>
OLD BUSINESS	<input checked="" type="checkbox"/>
REGULAR	<input type="checkbox"/>

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

The economic recession and real estate downturn has created a growing number of vacant and neglected properties in all stages of foreclosure. As a result, these properties are subject to code violations, unsafe conditions, and weakening property values. A mortgage foreclosure registry will help the City track ownership and property management information by requiring responsible parties to register any property which is in default, foreclosure, or has been vacated.

Benefits of a mortgage foreclosure registry include the following:

- 1) Provides essential information for municipal and emergency personnel
- 2) Discourages criminal activity
- 3) Stabilizes declining property values
- 4) Reduces nuisances and code violations
- 5) Imposed no new burdens on homeowners in foreclosure

The attached Ordinance will amend Chapter 9.7 of the Callaway Code of Ordinances creating Article II entitled "Mortgage Foreclosure Registration". This Article requires the registration of any defaulted mortgage with the City Code Enforcement. The property shall be maintained in accordance with city regulations and kept secure for the duration of the foreclosure or defaulted status. The proposed Ordinance requires an annual registration fee of \$50 to defray the costs of maintaining the registry and enforcement of municipal and state building codes.

ATTACHMENT:

- Ordinance No. 954

5. REQUESTED MOTION/ACTION:

Staff recommends the City Commission approve the final reading of Ordinance No. 954.

ORDINANCE NO.954

AN ORDINANCE OF THE CITY OF CALLAWAY, FLORIDA, RELATING TO MORTGAGED REAL PROPERTY; AMENDING CHAPTER 9.7 ENTITLED "NUISANCES" OF THE CALLAWAY CODE OF ORDINANCES, AND IN PARTICULAR, CREATING ARTICLE II ENTITLED "MORTGAGE FORECLOSURE REGISTRATION"; PROVIDING FOR THE PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICABILITY OF THIS ORDINANCE; REQUIRING INSPECTION AND REGISTRATION OF REAL PROPERTY MORTGAGES IN DEFAULT; PROVIDING FOR ANNUAL REGISTRATION FEES; PROVIDING FOR ENFORCEMENT; REQUIRING MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES; ESTABLISHING SECURITY REQUIREMENTS; PROVIDING FOR ADDITIONAL AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the recent mortgage foreclosure crisis resulted in a rising number of vacant and abandoned properties with serious negative implications for all communities trying to manage the resulting property vacancies, such as decreases in property values, lack of maintenance, and other problems that stem from financial crisis; and

WHEREAS, foreclosed homes quickly succumb to the forces of nature and the elements, grass and weeds grow, swimming pools become stagnant public health hazards, landscaping dies from lack of attention or grow out of control, windows are broken, exteriors suffer damage from normal wear-and-tear and vandalism, communities suffer, and these consequences have a negative impact first on neighboring residences and then on entire neighborhoods; and

WHEREAS, the conditions identified above negatively impact the City of Callaway and blight neighborhoods; and

WHEREAS, the City of Callaway is challenged to identify and locate owners or foreclosing parties who can correct negative impacts and maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS, the City of Callaway finds that neighborhoods should be protected from becoming blighted through the lack of adequate maintenance and security of vacant properties or properties that are subject to mortgages that are in default; and

WHEREAS, the City of Callaway has adopted property maintenance codes to regulate standards for the interior and exterior of structures and the condition of property as a whole; and

WHEREAS, a foreclosed property registration process is necessary for the City of Callaway to provide a monitoring mechanism and additional enforcement for defaulted properties; and

WHEREAS, the City of Callaway finds that the registration process would include properties that have already been foreclosed upon, are currently in the foreclosure process, or may be in the foreclosure process in the future; and

WHEREAS, the City Commission of the City of Callaway has determined that the following additions to the City's code will serve and contribute to promoting and protecting the general health, safety and welfare of the residents of the City of Callaway.

NOW THEREFORE, BE IT HEREBY ENACTED BY THE PEOPLE OF THE CITY OF CALLAWAY, FLORIDA THAT:

SECTION ONE. Recitals Incorporated. The above recitals are true and correct and by this reference are incorporated herein and made an integral part hereof.

SECTION TWO. Mortgage Foreclosure Registration enacted. Chapter 9.7 entitled "Nuisances" of the City of Callaway Code of Ordinances is amended to title Article I "Nuisance Abatement", reserve certain sections, and to create a new Article II entitled "Mortgage Foreclosure Registration" to read as follows:

CHAPTER 9.7 – NUISANCES

ARTICLE I – NUISANCE ABATEMENT

* * *

Secs. 9.7-15—9.7-20. Reserved

ARTICLE II - MORTGAGE FORECLOSURE REGISTRATION

Sec. 9.7-21. Purpose and intent.

It is the purpose and intent of this Article to establish a process to limit and reduce the deterioration of property located within the City of Callaway, which property is in mortgage foreclosure, where ownership has been transferred to a lender or mortgagee by any legal method or where property is deemed to be vacant or abandoned. It is further intended to establish a registration program as a mechanism to protect neighborhoods from becoming blighted through the lack of adequate maintenance or through abandoned and/or vacated properties which are subject to mortgages that are in default.

Sec. 9.7-22. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning. Where the context will permit and no definitions are provided herein, the definitions provided in the Florida Building Code shall apply.

Abandoned real property means any real property that is vacant, or is under notice of default, or is pending a mortgage foreclosure, or notice of mortgagee's sale, or lien sale and/or properties that have been the subject of a mortgage foreclosure sale where title is retained by the mortgagee, and/or any properties transferred under a deed-in-lieu of foreclosure sale, a short sale or any other legal means.

Default means that the mortgagee has filed a foreclosure action or notice of default on the mortgage. A mortgage shall be considered in default at such time as the mortgagee declares said mortgage to be in default either by letter or notice to property owner, by recording a lispendens, by commencing foreclosure

proceedings, or by any other actions demonstrating a breach of a security covenant on a property.

Enforcement officer means any fulltime law enforcement officer, building official, fire inspector or code enforcement officer employed by the City of Callaway.

Evidence of vacancy means any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; electricity, water or other utilities turned off; stagnant swimming pool; or statements by neighbors, passers-by, delivery agents or government agents.

Foreclosure means the judicial process by which a property, placed as security for a mortgage loan, after a judicial process, is sold at an auction to satisfy a debt upon which the borrower has defaulted.

Vacant means any building or structure that is not lawfully occupied or inhabited as evidenced by the conditions set forth in the definition of "*Evidence of Vacancy*" above.

Sec. 9.7-23. Applicability.

This Article applies to occupied or abandoned and/or vacant property which is in default located within the City of Callaway, or which property is in or has been in mortgage foreclosure, or where ownership has been transferred to a lender or mortgagee by any legal method.

Sec. 9.7-24. Inspection and registration of real property by mortgagee holding mortgages in default.

(a) Within ten (10) days of the date any mortgagee declares its mortgage to be in default, the mortgagee shall register the real property with the City of Callaway Code Enforcement or its designee, or the City's authorized representative. At the time of registration, a local property manager shall be designated to inspect, maintain and secure the real property subject to the mortgage in default. A registration is required for each property.

(b) Any mortgagee who holds a mortgage on real property located within the City of Callaway shall perform an inspection of the property within five (5) days of the registration pursuant to subsection (a) above.

(c) Property inspected pursuant to subsection (b) above that is occupied while it remains in default, shall be inspected quarterly by the mortgagee or mortgagee's designee.

(d) Property which is found to be vacant, or which shows evidence of vacancy shall be inspected at least every sixty (60) days by the mortgagee or mortgagee's designee.

(e) Registration pursuant to this section shall contain at a minimum the name of the mortgagee, the mailing address of the mortgagee, e-mail address and telephone number of the mortgagee, and the name of the local property manager and said person's address, e-mail address, and telephone number. The local property manager shall be responsible to inspect, secure and maintain the property. The property manager named in the registration shall be located within twenty (20) miles of the City of Callaway and available to be contacted by the City, Monday through Friday between 9:00 a.m. and 5:00 p.m., holidays and lunch hours excluded.

(f) This section shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the mortgagee as well as any properties transferred to the mortgagee under a deed in lieu of foreclosure.

(g) Properties subject to this section shall remain under the registration requirement, and the inspection, security and maintenance standards of this Article as long as they remain vacant or subject to having been declared by a mortgagee to be in default.

(h) Any person or other legal entity that has registered a property under this Article must report any change of information contained in the registration within ten (10) days of the change.

Sec. 9.7-25. Annual Registration Fee.

An annual registration fee in an amount of \$50.00, per property, shall accompany the registration. Said fee may be amended from time to time by resolution of the City Commission. Fees shall be deposited into a Special Revenue Account,

which account shall be for the purpose of enforcement of the City of Callaway's property maintenance codes, the Florida Building Code and other related property codes.

Sec. 9.7-26. Enforcement.

(a) Failure of the mortgagee and/or property owner of record to properly register or to modify the registration from time to time to reflect a change of circumstance as required by this Article is a violation and shall be subject to enforcement by any of the enforcement means available to the City of Callaway.

(b) Pursuant to a finding and determination, including any administrative proceeding, that any property is in violation of this Article, the City of Callaway may take the necessary action to ensure compliance with the City's codes and place a lien on the property for the cost of the work performed, including an administrative fee, to benefit the property and to bring it into compliance.

(c) Failure of the mortgagee and/or property owner of record to properly inspect and secure a property subject to this Article or post a property, if required, is a violation shall be subject to enforcement by any of the enforcement means available to the City of Callaway. Pursuant to a finding and determination, the City of Callaway may take the necessary action to ensure compliance with the City's codes and recover costs and expenses in support thereof.

Sec. 9.7-27. Maintenance requirements.

Properties subject to this Article shall be maintained in accordance with all relevant City regulations.

Sec. 9.7-28. Security requirements.

(a) Properties subject to this Article shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not limited to, the closure and locking of all windows, doors, gates and other openings of such size that will not allow a child or adult to access the interior of the structure and pool area, if any. Broken windows or doors shall be secured by replacing or boarding.

Sec. 9.7-29. Posting of Property.

(a) When a property subject to this Article becomes vacant or abandoned, unless prohibited by recorded covenants and restrictions, it shall be posted with the name and twenty four (24) hour contact telephone number of the local property manager. The posting shall be no less than 18 inches x 24 inches and shall be of a font that is legible from a distance of 45 feet. The posting shall contain the following language, at a minimum, with supporting information:

THIS PROPERTY IS MANAGED BY _____
_____ AND IS INSPECTED ON A REGULAR BASIS.
THE PROPERTY MANAGER CAN BE CONTACTED
BY TELEPHONE AT _____ OR
BY EMAIL AT _____.

(b) The posting required in subsection (a) above shall be placed on the interior of a window facing the street to the front of the property so that it is visible from the street, or secured to the exterior of the building/ structure facing the street to the front of the property so that it is visible from the street or if no such area exists, on a stake of sufficient size to support the posting in a location that is at all times visible from the street to the front of the property but not readily accessible to vandals. Exterior posting shall be constructed of and printed with weather-resistant materials.

Sec. 9.7-30. Additional authority.

(a) If a City code enforcement officer has reason to believe that a property subject to the provisions of this Article is posing a serious threat to the public health, safety and welfare, the code enforcement officer may bring the violations before the City's code enforcement board or code enforcement special magistrate, or a court of competent jurisdiction as soon as possible to address the conditions of the property.

(b) If there is a finding that the condition of the property is posing a serious threat to the public's health, safety and welfare, then the code enforcement board or code enforcement special magistrate or a court of competent jurisdiction may direct the City to abate the violations and charge the mortgagee with the cost of abatement.

(c) If the mortgagee does not reimburse the City for the cost of abatement within thirty (30) days of the City sending the mortgagee the invoice, then the City may lien the property with the cost of the abatement, along with any and all administrative fees allowed by law to recover the administrative personnel services.

Sec. 9.7-31. Provisions supplemental.

Nothing contained in this Article shall prohibit the City of Callaway from enforcing its codes by any other means, including, but not limited to, injunction, abatement or as otherwise provided by law or ordinance.

Sec. 9.7-31—9.7-40. Reserved.

SECTION 3. Severability. It is hereby declared to be the intention of the City of Callaway that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

SECTION 4. Captions. The captions, part headings, and part designation in this ordinance are intended for the convenience of users only and shall have no effect in the interpretation of the provisions of this ordinance.

SECTION 5. Inclusion in the Code of Ordinances. The provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Callaway, Florida. The sections of this ordinance may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be change to "section" "article" or other appropriate word.

SECTION 6. Effective Date. The provisions of this ordinance shall become effective immediately upon passage.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2015.

CITY OF CALLAWAY, FLORIDA

Thomas W. Abbott, Mayor

ATTEST:

Sandra B. Hirth, City Clerk

STATUS ITEMS

1. New Meters installation.
2. Ordinance #494, Flat Rate Water fee charged to each household where there is Master Meter.
3. Residents required to connect to city water.
4. 5 grants.(Stormwater, sidewalk,Berthe Ave. Spillway, Water Supply) info taken from grease board in Conference Room.
5. purchasing the two screens for the Commission Room.
6. new carpet for Leisure Services Auditorium.
7. survey, appraisal of lot on Poston Dr.
9. Lt. Branning bringing in display to show patrol zones in Callaway.
- 10.Ordinance/Statue on RV's, boats in yards. Mayor ask CM to have Code Enfor. Officer research and provide response.
11. meeting with Springbrook to assess city needs and schedule training.
- 12.determining what personnel has authority to call and/or meet with Labor and City Attorneys.
13. number of residents required to be connected to city Sewer and if all are connected.
14. FEMA for funding to help purchaser additional defillabrators for Fire Dept.
15. placing 2 household members on Water Bill.
16. Vacant parcel behind City Hall priced at \$25,000 that Realtor had contacted CM about.
17. final amount paid to Ms. Bennett for assistance in completing budget, \$2,000 allotted.
- 18, Project Status Report to bring before Commissions
19. Fuel Use oversight policies.
20. when monthly financials will be furnished Commissioners.
21. establishing financials for separate revenues and expenses at Sandy Creek.
22. final annual charges by Bay County Animal Control for 2014.
23. automated transcribing minutes training.
24. double salaries paid for Commissioner(s) after election.
25. Contract Spreadsheet.

Status Items Requested by Commissioner Covey

1. New Meters installation.

Per PW Director Johnson – No new meters installed yet for the meter replacement project.

2. Ordinance #494, Flat Rate Water fee charged to each household where there is Master Meter.

We do master meters for multi-family properties. A flat rate is charged per unit plus a usage charge.

3. Residents required to connect to city water.

There were a total of 81 certified letters sent out requiring existing sewer customers to connect to the city water system. Of those certified letters, 60 were signed for, 19 were returned to sender, and 2 are unaccounted for (meaning no signature and no return to sender). Out of the 81 delivered letters, 6 existing sewer customers have setup water accounts.

4. Grants. (Stormwater, sidewalk, Berthe Ave. Spillway, Water Supply) info taken from grease board in Conference Room.

a) FDOT LAP Agreements:

7th Street Sidewalk Project - Five (5) foot sidewalk from Tyndall Parkway to Bob Little Road. STATUS: Engineering is 100%. Awaiting FDOT LAP executed construction agreement and Notice to Proceed for advertising for Construction and Engineering during Construction.

Bob Little Road Bike Path/Sidewalk Project - Five (5) foot bike path/sidewalk from 7th Street to Cherry Street. STATUS: Advertised for Request for Proposals for design on December 12, 13, 14, 2014. Received only two proposals. FDOT requires at least three proposals to qualify as an acceptable RFP request. Re-advertised on January 16, 17, 18, 2015 with a proposal opening scheduled on February 11, 2015.

b) STORMWATER PROJECTS:

N. Kimbrel Avenue Drainage Improvements - CRA Project to replace three existing 34" by 53" ERCP culverts and head walls with two 3' by 5' box culverts and head walls. STATUS: Data Collection & Surveying is 95% complete. Design services are 30%. Total project is at 41% complete. Awaiting additional CRA funds.

Lance & Pridgen Street Stormwater Project - This project consists of the development of a new stormwater management facility for the purpose of improving water runoff quality while providing some attenuation within the limits of the City. Funded by a Northwest Florida Water Management District (NFWFMD) Grant not to exceed \$705,218.00. STATUS: Data Collection & Surveying is 100%. Design Services are 45%. Total project is 49% complete. Total amount of engineering billed to date is \$48,468.30.

Berthe Spillway Repair - Bridge at the spillway on Berthe Ave. was damaged during the 100 year rain event that occurred in July 2013. A Public Assistance Grant has been

requested from FEMA. STATUS: Currently the project has been un-obligated (not funded). Continuing contact with Florida Department of Emergency personnel to get project funded. A waiver request for the local funding match was denied. It was hoped that the City could receive a waiver to pay the local portion of the repair which is 12.5% and that the entire 25% would be paid by the State.

(Storm Pipe Replacement Project - Replace rusted and damaged storm drain pipes throughout the City as budget allows. No grant funding for this project but City Manager is reviewing available grants to see if any are available.)

5. Purchasing the two screens for the Commission Room.

Per LS Director Legare – scheduled for March 2015.

6. New carpet for Leisure Services Auditorium.

Per LS Director Legare – scheduled for April 2015.

7. Survey, appraisal of lot on Poston Dr.

The City would not need appraisal to abandon the Right-of-way. We have a good legal description of the R.O.W. so a survey would not be needed either. The current issue is the ownership of the R.O.W. We are working to determine the ownership with City and County staff. Once the ownership is determined, it may come back for request to be abandoned.

8. Lt. Branning bringing in display to show patrol zones in Callaway.

Lt. Branning will give a power point presentation at the February 10, 2015 meeting addressing this item.

9. [Ordinance/Statue] on RV's, boats in yards. Mayor ask CM to have Code Enfor. Officer research and provide response.

Staff has researched what other local municipalities and the county require concerning cars, boats, and R.V's parked in the front yard.

- a) Bay County has no restrictions.*
- b) Parker has no restrictions.*
- c) Springfield has no restrictions.*
- d) Panama City does not restrict cars, but they do strongly encourage that all R.V's and boats be in the side or rear yard. It was mentioned that officer discretion is used in certain areas where it is not possible to get the R.V or boat in the rear or side yard.*

Callaway Code Enforcement does not receive many complaints of cars or boats parking in the front yard. R.V.s are to be parked in the side or rear yard. In general, there is good cooperation with R.V. owners. Usually the owners of larger R.V.'s like to park in a storage area. In some neighborhoods there may be private deed restrictions or covenants that are not enforced by the City.

✓ 10. Meeting with Springbrook to assess city needs and schedule training.

The Springbrook proposal includes a 1-day site visit from a consultant (\$1,400), their business process analysis (\$1,750) and a related conference call (\$450). Training and/or implementation recommendations are estimated to cost between \$2,800 and \$7,000 for 2 to 5 days, onsite. Due to the new Finance Director's familiarity with software implementation and processing, and other organizational changes, numerous improvements in business processes and software setup have been noted recently and are being addressed. There is no staff time available to commit to the Springbrook evaluation. Although the service could prove valuable, it should be done after specific needs allowing for the most improvement have been identified. Solutions to alleviate and even out the workload in order to allow for time for process analysis are currently being addressed. Also, completing the audit and CAFR, and bringing the financial records and reports up-to-date are more urgent priorities for the Finance Director position which has been filled for 2 1/2 months. The elimination of customer service training and software conference attendance from the budget can also contribute to lost efficiencies and to not keeping up with available software improvements.

Finance Director Waldrip would like to suggest doing a needs assessment evaluation done by an independent consultant and not the vendor performing the services.

11. Determining what personnel has authority to call and/or meet with Labor and City Attorneys.

Meeting and discussions with the City Attorney and labor attorneys shall be primarily with the City Manager. Department Heads and authorized employees may speak with the attorneys after receiving permission from the City Manager. Elected Officials and other charter officers of the city are not subject to this rule.

12. Number of residents required to be connected to city Sewer and if all are connected.

See Item #3 and response.

13. FEMA for funding to help purchaser additional [defibrillators] for Fire Dept.

The Fire Department currently operates with two AED's. We have completed three applications through Firehouse Subs Restaurants for the AED's. We worked with the Leary Firefighters Foundation for the AED's, but there has been no response yet. We also got with the EMS coordinator with Gulf Coast Hospital guidance regarding funding for AED's. We will complete another AFG grant when it opens back up. These types of grants are very competitive, but fire staff is being persistent. The cost of an AED is around \$2200.00

14. Placing 2 household members on Water Bill.

Utility accounts are established in one name to prevent problems with account authorizations and account changes, and due to collection issues. Utility billing has not experienced many situations where this has been a problem.

15. Vacant parcel behind City Hall priced at \$25,000 that Realtor had contacted CM about.

Per CM Fuller – Property no long on the market and would not have an immediate need for it.

16. Final amount paid to Ms. Bennett for assistance in completing budget.

- a) 10/13/2014 Ck# 17293 \$2,000
- b) 10/23/2014 Ck#17333 \$ 450

17. Project Status Report to bring before Commissions.

Status Report needs updating including information contained herein.

18. Fuel Use oversight policies.

Per PW Director Johnson – Each employee has their own personal key to access fuel, each vehicle has its own I.D. key, and we also have a different fuel vendor.

19. When monthly financials will be furnished Commissioners.

Our goal is to provide a FY2014 preliminary and 1st quarter 2015 financial reports in February. City Manager and Finance Director have made audit preparation work the highest priority, but this can be changed if needed by Commission.

20. Establishing financials for separate revenues and expenses at Sandy Creek.

Direct and indirect charges are not segregated in the budget or when posting expenditures for the Sandy Creek area. Financial statements cannot be generated at a level below that of recording transactions. Capital expenditure, maintenance and utility accounts for Sandy Creek have been estimated separately. The status of assessment collections can be reported.

21. Final annual charges by Bay County Animal Control for 2014.

Total expenditures for animal control services in FY14 were \$108,463.

22. Automated transcribing minutes training.

City purchased transcribing software in May 2014. City Clerk and Commission Pelletier are scheduled to begin training on January 28 and 29.

23. Double salaries paid for Commissioner(s) after election.

Issue was noted during prior election and adjustment has been made.

24. Contract Spreadsheet.

See attached Contract Spreadsheet.

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Discussion Regarding Annual Leave Accrued by City Manager

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input type="checkbox"/>
OLD BUSINESS	<input checked="" type="checkbox"/>
REGULAR	<input type="checkbox"/>

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: Yes No

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

At the beginning of this calendar year, City Manager Fuller forfeited 126 of 366 annual leave hours that was accrued during his time as City Manager, Interim City Manager, and Planning Director. 294 hours had already accrued prior to his appointment as City Manager. The Section 6.02(A) Callaway Personnel Manual states the following:

The City allows a maximum of [no more than] 240 hours for Annual Leave accumulation as of December 31st of any give year. Employees are to schedule annual leave to avoid exceeding 240 hours. Annual Leave in excess of 240 hours will be forfeited, unless waived by the City Manager.

Scheduling annual leave during the CY2014 was a challenge, but the City Manager should not waive leave for himself. The City Commission may consider three (3) options: 1) Sustain the policy noted above forfeiting anything over 240 hours, 2) waive the excess 126 hours or portion of, and/or 3) authorize the sale of annual leave time (maximum of 40 hrs. per Sec. 6.04). If the City Commission chooses to allow the sale of excess annual leave, a transfer of funds would be required. The sale of 40 hours for City Manager Fuller equals \$1538.40.

ATTACHMENT:

- Sec. 6.02 – 6.04 of the Callaway Personnel Manual

5. REQUESTED MOTION/ACTION:

The City Manager is requesting the Commission approve the sale of portion and waiver of portion of the accrued annual leave hours in excess of amount allowed by the Personnel Manual.

or cause to have made, comparative studies of salaries paid and related pay practices of a valid sampling of employers in the labor market who are competing for employees in the City. The City Manager shall utilize the information in the evaluation of the assignments of classes to pay grades.

6.01 – SALARY & WAGE SCHEDULE

In an effort to recruit and retain quality personnel, the City should routinely review, revise, and recommend a wage schedule that will ensure the City's competitiveness in the job market. The Salary & Wage Schedule should be approved by the City Commission.

All employees, except Commissioners, are paid bi-weekly. When a City holiday falls on a payday, paychecks will be issued earlier in the week. Checks not picked up on payday will be available for two weeks at the Payroll Department. After two weeks, checks will be mailed to the address of record.

Paychecks will show gross and net amounts of pay, amounts reduced or deducted for both that period and the year to date totals.

All new employees will be paid via Direct Deposit. Information necessary to process Direct Deposit will be required by the Human Resources Department. Certain financial institutions offer free services when Direct Deposit is used. Questions about your paycheck should be directed to the Human Resources Office. **If your paycheck is lost or stolen, contact the Human Resources Department immediately.** After the bank has notified Human Resources that payment of the check has been stopped, the Finance Department will issue a new check.

6.02 – ELIGIBILITY & RATE OF EARNINGS

6.02(A) – ANNUAL LEAVE

Annual Leave is established for employees of the City so that during the year they may have an opportunity to enjoy periods of rest and relaxation away from the job. Such leave is intended to restore their energy and provide for a change of pace which is beneficial to the employees, their families and to their work performance.

If an employee resigns, retires or is laid off with unused annual leave to their credit, they will be compensated for each earned, unused hour in accordance with their current rate schedule provided two (2) weeks notice is given.

Employees dismissed for cause, or who leave without two (2) weeks notice, shall forfeit all compensation rights for unused annual leave.

Annual Leave shall not be granted in advance of the pay check in which leave is accrued. Part time employees will not earn Annual Leave.

Annual Leave begins the 1st pay period after 90 day waiting period.

An employee may not redeem Annual Leave in an amount that exceeds what is necessary to meet their regularly scheduled work week or pay period.

Each regular **40 hour work week** employee will earn vacation leave (with pay) on the following basis:

CONTINUOUS SERVICE	HOURS EARNED EACH PAY PERIOD
40 Hour Work Week Employees	
1 st Year	Two (2) Hours
2 to 5 Years	Four (4) Hours
5 to 10 Years	Five (5) Hours
Over 10 Years	Six (6) Hours
53 Hour Work Week Employees (Fire Department)	
1 st Year	2.4 Hours
2 to 5 Years	4.8 Hours
5 to 10 Years	6.0 Hours
Over 10 Years	7.2 Hours

The City allows a maximum of no more than 240 hours for Annual Leave accumulation as of December 31st of any given year. Employees are to schedule annual leave to avoid exceeding 240 hours. **Annual Leave in excess of 240 hours will be forfeited**, unless waived by the City Manager.

Leave shall be charged to the employee for the actual time the employee is away from work on an hour per hour basis. The minimum amount to be charged to annual leave will be charged in one-quarter (.25) minimum increments. Annual leave hours shall not be counted as time worked for purposes of determining overtime (payments) and compensatory time (time off).

An employee must work or be in receipt of pay such as Annual or Sick Leave at least one-half (1/2) of his/her normal work days scheduled per pay period (or 14-day work cycle for the Fire Department) to earn leave.

6.03 - REQUESTS FOR LEAVE

- A. Personnel who work forty (40) hours per week are required to take a minimum of 40 consecutive hours of Annual Leave per calendar year. In the event an employee does not have 40 hours Annual Leave, they shall take 40 hours of Leave Without Pay.
- B. Annual Leave may be taken only after approval by the Department Head and with at least two (2) weeks advance notice. Department Heads will arrange vacation schedules and re-allocate duties on such a basis as to cause minimum interference with normal functions and operations of the department. In an emergency situation the two weeks advance notice can be waived by the Department Heads on a case basis.

6.04 - SALE OF ANNUAL LEAVE

Each full-time employee may sell annual leave time.

- A. Per Resolution #96-35 - Each regular 40 hour work week employee may sell up to 160 hours of annual leave time during the entire time of their employment with the City.
- B. Sale of leave time will not be allowed for 30 days for each day of suspension, from the date of suspension, by any employee who has been suspended without pay.

- C. A minimum of 40 hours must be left after the sale of leave time.
- D. An employee can only sell up to 40 hours per calendar year not to exceed the allowed 160 hours.

6.05 – SICK LEAVE

The City has no maximum for sick leave accumulation while an individual is an active employee. Any unused sick leave will be forfeited upon separation of employment from the City.

6.05(A) – ELIGIBILITY AND RATE OF EARNINGS

Each regular 40 Hour Work Week employee will earn four (4) hours per pay period, one hundred-four (104) hours per year. Sick Leave begins the 1st pay period after 90 day waiting period. An employee must work at least ½ of their normal work days scheduled per pay period to earn Sick Leave.

The Fire Department has a regular 53 Hour Work Week and a employee will earn 4.8 hours of sick leave for each pay period, calculated after the first 90 days after becoming a regular employee. An employee must work at least ½ of their normal work days scheduled per 14-day work cycle to earn Sick Leave.

Sick Leave shall not be considered as time worked for overtime calculations. Sick Leave will not be paid if it causes the total hours paid to be greater than the normally scheduled pay period hours of the employee.

An employee may not redeem Sick Leave in an amount that exceeds what is necessary to meet their regularly scheduled work week or pay period.

6.06 – REQUEST FOR SICK LEAVE

To receive compensation while absent on sick leave, the employee shall notify the immediate supervisor or Department Head one hour prior to the time set for beginning their work day.

6.07 – CERTIFICATION BY A PHYSICIAN

- A. Sick Leave of more than three full scheduled work days requires a doctor's excuse. If the Department Head has a reasonable belief that such leave has been abused, he may request and shall receive such doctor's excuse for any absence.
- B. Claiming Sick Leave when physically fit shall be cause for disciplinary action.

6.08 - SICK LEAVE HAS BEEN EXHAUSTED

When an employee's earned Sick Leave is exhausted and the employee is away from work because of sickness, the employee may use accumulated Annual Leave, unless he/she requests to be placed on Leave of Absence Without Pay. If circumstances prevent the employee from requesting the Leave of Absence, the request can be made by his/her Department Head.

6.09 – SICK LEAVE - FAMILIES

Employees, including probationary employees, may convert six (6) of their employee Sick Leave days earned per calendar year to Family Sick Leave to attend to a spouse, child or parent who is ill. For purposes of this section, "spouse" is defined as the person residing with the employee to whom the employee is legally married. A

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Financial Status Report

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input type="checkbox"/>
OLD BUSINESS	<input type="checkbox"/>
REGULAR	<input checked="" type="checkbox"/>

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: Yes No

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

The Director of Finance will provide copies and give update on financial report.

ATTACHMENT:

5. REQUESTED MOTION/ACTION:

For review purposes. No action is required.



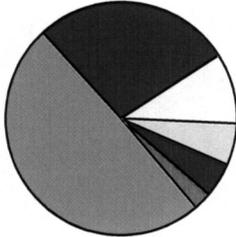
CITY OF CALLAWAY

Fiscal Year 2013/2014

PRELIMINARY

BUDGET-IN-BRIEF as of September 30, 2014 PRIOR TO AUDIT

YTD-Citywide Expense Allocation



■ Operating 49.4%	■ Personnel Svc 27.7%
□ Non-Operating 9.8%	□ Transfers 5.8%
■ Principal Debt Pmts 4.8%	■ Capital 2.5%

General Fund Revenues

Revenues	Budget	Year-to-Date	%
Advalorem Taxes	1,008,691	1,022,354	101.4%
Other Taxes	1,702,445	1,890,055	111.0%
Permits, Fees, & Licenses	130,000	168,781	129.8%
Grants & Shared Revenue	1,665,800	1,772,037	106.4%
Service Charges	151,227	127,222	84.1%
Judgements, Fines, & Forfeits	2,500	2,685	107.4%
Interest & Other Earnings	3,050	4,341	142.3%
Rents & Royalties	40,200	58,652	145.9%
Sales of Fixed Assets	-	22,873	0.0%
Contributions & Donations	20,000	17,431	87.2%
Miscellaneous Revenue	2,030	3,164	155.9%
Total Revenues	\$ 4,725,943	\$ 5,089,595	107.7%

General Fund Expenditures

Expenditures	Budget	Year-to-Date	%
Executive (Commission)	84,354	65,329	77.4%
City Manager	143,700	139,686	97.2%
Finance	141,691	139,625	98.5%
Legal	85,000	111,855	131.6%
Planning & Code Enforcement	283,102	241,658	85.4%
Elections	4,650	4,721	101.5%
General Government	406,622	374,641	92.1%
Law Enforcement	1,346,026	1,345,898	100.0%
Fire Department	852,624	831,742	97.6%
Streets	978,795	851,026	86.9%
Maintenance Shop	193,930	193,607	99.8%
Leisure Services	659,231	604,000	91.6%
Transfers	(439,934)	(442,874)	100.7%
Total Expenditures	\$ 4,739,791	\$ 4,460,914	94.1%

General Fund Increase/Decrease to Fund Balance

	Budget	Year-to-Date
Incr / (Decr) to Fund Balance	(13,848)	628,681

Community Redevelopment Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	40,493	29,946	74.0%
Expenditures	40,493	20,302	50.1%
Incr / (Decr) to Fund Balance	-	9,644	

Debt Service Fund

	Budget	Year-to-Date	%
Transfers In	108,570	91,184	84.0%
Debt Service Pmts.	108,570	91,184	84.0%
Incr / (Decr) to Fund Balance	-	-	

Capital Projects Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	-	213,842	0.0%
Expenditures	-	231,656	0.0%
Incr / (Decr) to Fund Balance	-	(17,814)	

Water Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	2,933,700	2,931,806	99.9%
Expenses & Trfrs Out	2,927,363	2,836,701	96.9%
Incr / (Decr) to Net Assets (includes bond debt payments)	6,337	95,105	

Sewer Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	4,455,870	4,632,041	104.0%
Expenses & Trfrs Out	4,517,095	4,050,556	89.7%
Incr / (Decr) to Net Assets (includes bond debt payments)	(61,225)	581,485	

Solid Waste Fund

	Budget	Year-to-Date	%
Revenues	588,568	579,067	98.4%
Expenses & Trfrs Out	548,980	515,285	93.9%
Incr / (Decr) to Net Assets	39,588	63,782	

Citywide Increase/Decrease to Fund Balance / Net Assets

	Budget	Year-to-Date
Incr / (Decr) to Fund Balance/Net Assets	(29,148)	1,360,883



CITY OF CALLAWAY

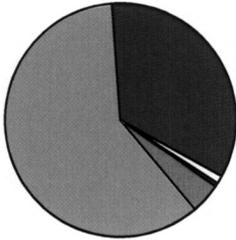
Fiscal Year 2014 / 2015

CASH BASIS

BUDGET-IN-BRIEF as of December 31, 2014

25% of Year Elapsed

YTD-Citywide Expense Allocation



- Operating 60.0%
- Personnel Svc 34.2%
- Non-Operating 1.1%
- Transfers 0.0%
- Principal Debt Pmts 0.5%
- Capital 4.2%

General Fund Revenues

Revenues	Budget	Year-to-Date	%
Advalorem Taxes	1,002,236	726,623	72.5%
Other Taxes	1,807,323	490,487	27.1%
Permits, Fees, & Licenses	173,700	39,929	23.0%
Grants & Shared Revenue	1,851,113	431,436	23.3%
Service Charges	140,703	39,731	28.2%
Judgements, Fines, & Forfeits	2,600	798	30.7%
Interest & Other Earnings	3,915	108	2.8%
Rents & Royalties	50,500	9,384	18.6%
Sales of Fixed Assets		-	0.0%
Contributions & Donations	3,700	780	21.1%
Miscellaneous Revenue	4,500	-	0.0%
Total Revenues	\$ 5,040,290	\$ 1,739,276	34.5%

General Fund Expenditures

Expenditures	Budget	Year-to-Date	%
Executive (Commission)	54,015	12,691	23.5%
City Manager	222,918	55,640	25.0%
Finance	155,133	35,401	22.8%
Legal	85,000	1,056	1.2%
Planning & Code Enforcement	267,514	56,747	21.2%
Elections	-	-	0.0%
General Government	383,297	69,848	18.2%
Law Enforcement	1,412,989	353,180	25.0%
Fire Department	995,568	194,056	19.5%
Streets	1,110,425	159,277	14.3%
Maintenance Shop	208,012	48,850	23.5%
Leisure Services	791,099	143,912	18.2%
Transfers	(144,779)	-	0.0%
Total Expenditures	\$ 5,541,191	\$ 1,130,658	20.4%

General Fund Increase/Decrease to Fund Balance

	Budget	Year-to-Date
Incr / (Decr) to Fund Balance	(500,901)	608,618

Community Redevelopment Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	25,770	-	0.0%
Expenditures	116,118	-	0.0%
Incr / (Decr) to Fund Balance	(90,348)	-	-

Debt Service Fund

	Budget	Year-to-Date	%
Transfers In	89,757	-	0.0%
Debt Service Pmts.	89,757	-	0.0%
Incr / (Decr) to Fund Balance	-	-	-

Capital Projects Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	1,119,638	-	0.0%
Expenditures	1,021,126	19,291	0.0%
Incr / (Decr) to Fund Balance	98,512	(19,291)	-

Water Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	3,331,150	713,236	21.4%
Expenses & Trfrs Out	4,579,517	407,537	8.9%
Incr / (Decr) to Net Assets	(1,248,367)	305,699	-

(includes bond debt payments)

Sewer Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	4,455,870	1,133,451	25.4%
Expenses & Trfrs Out	4,681,845	669,790	14.3%
Incr / (Decr) to Net Assets	(225,975)	463,661	-

(includes bond debt payments)

Solid Waste Fund

	Budget	Year-to-Date	%
Revenues	584,640	145,305	24.9%
Expenses & Trfrs Out	732,815	87,458	11.9%
Incr / (Decr) to Net Assets	(148,175)	57,847	-

Citywide Increase/Decrease to Fund Balance / Net Assets

	Budget	Year-to-Date
Incr / (Decr) to Fund Balance/Net Assets	(2,115,254)	1,416,534

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Resolution 15-10 - Agenda Format Revision

1. PLACED ON AGENDA BY:

Bob Pelletier, Commissioner, Ward 3

2. AGENDA:

- | | |
|----------------|-------------------------------------|
| PRESENTATION | <input type="checkbox"/> |
| PUBLIC HEARING | <input type="checkbox"/> |
| CONSENT | <input type="checkbox"/> |
| OLD BUSINESS | <input type="checkbox"/> |
| REGULAR | <input checked="" type="checkbox"/> |

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

Commission to discuss the feasibility of moving the Proclamation/Presentation section on the agenda above the Mayor's Comments so the Commission's guests will not have to be involved in the Commission's meeting unless they so choose.

ATTACHMENT:

- Resolution 15-10 - Agenda Format Revision (suggested changes)

5. REQUESTED MOTION/ACTION:

Request discussion and hopefully approval of these minor changes in the Agenda format.

RESOLUTION #15-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA ADOPTING A COMMISSION MEETING AGENDA FORMAT; ADOPTING COMMISSION MEETING PROCEDURES; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND RECITING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Callaway desires to adopt an agenda format and meeting process which efficiently and thoroughly presents the City's issues to be discussed during its meetings; and

WHEREAS, the agenda format dictates the presentation of issues and provides for public participation; and

WHEREAS, the City Commission desires to efficiently and effectively present the issues but also allow for reasonable public input on the issues under consideration; and

WHEREAS, rules for conducting City Commission meetings are necessary to promote proper and efficient decision making by the City Commission.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The attached EXHIBIT A constitutes the glossary for Callaway Commission procedural Rules of Order and conduct at Commission meetings.
2. The placement of items on Commission meeting agendas shall be completed, with supporting documents and recommendations, to the City Clerk no later than Tuesday prior to the Regular Commission meeting. The City Clerk will provide a draft agenda to the ~~City Manager~~ Commission/City Manager for review, additions and deletions on Wednesday prior to the next Commission meeting. ~~The City Manager shall submit the agenda to the City Clerk's Office no later than Wednesday prior to the Regular Commission meeting for final draft. This requirement shall not prohibit the introduction of additional supporting documents for agenda items after that date. Copies of supporting documents submitted after Thursday may be provided to the Elected Officials up until the start of the regular meeting.~~
3. Agenda items may be placed on agenda only by Elected Officials and the City Manager.

4. A Commission agenda shall be organized as follows, based on timely submitted items: Call to Order, Invocation, Pledge of Allegiance, Roll Call, Instructions, **Presentations/Proclamations**, Mayor's Comments (includes call for additions, deletions, or requests for items to be pulled from Consent Agenda for discussion), Public Participation for Non-Agenda Items, **Presentations/Proclamations**, Approval of Minutes, Consent Agenda, **Old Business**, Regular Agenda (to include Public Participation related to each Agenda Item), Public Hearings), Comments (Commission, City Manager, ~~City Clerk~~), and Announcements.
5. Public participation for Non-Agenda Items is limited to five (5) minutes per speaker. Public Participation for Regular Agenda Items is limited to five (5) minutes per Agenda Item per speaker. Any Public Participation heard during the Regular Agenda portion of the meeting will be held until after Commission discussion, but will be heard prior to a motion being made. All comments shall be directed to the chairman of the meeting. Public Participation is non-transferrable.
6. Any Elected Official can request changes in the order Agenda items are called.
7. In voting on a motion, to denote all in favor say "aye", dissenting votes say "nay". Any Elected Official can call for a roll call vote. In a Roll Call Vote, the ~~Commissioner making the motion shall vote first, the Commissioner providing the second to the motion shall vote second, then the remaining Commissioners vote in numerical order by ward~~ City Clerk will poll the Commissioners, Wards 1-4, with the Mayor having the last vote.

PASSED AND ADOPTED this 24th day of February, 2015, by the CALLAWAY CITY COMMISSION meeting in regular session.

CITY OF CALLAWAY

Thomas W. Abbott, Mayor

ATTEST:

Sandra B. Hirth, City Clerk

EXHIBIT "A"

Callaway Commission Meeting Procedural Rules of Order Glossary

- Add On** - Requires a motion, a second, and a unanimous vote for an item to be added to the agenda during a meeting.
- Add On Item** - Will be treated as any other agenda item.
- Conduct of Meetings** - The Mayor will chair all meetings. The Mayor Pro tem will chair meetings in the absence of the Mayor. In the absence of the Mayor and Mayor Pro tem, the remaining three (3) Commissioners shall elect by voice vote which of them will chair this particular meeting. Robert's Rules of Order will be used as a guide to dictate meeting decorum.
- Emergency Meetings** - Shall be called only when circumstances deem that an issue or subject cannot be delayed to meet criteria set for regular or special meetings. Notification shall be by the most expedient means possible, preferably in writing, including media. Action must be taken on all agenda items. Any item maybe tabled without debate or a vote required.
- Rearrangement of Agenda** - Any Commissioner may request an agenda item be moved out of sequence provided there are no objections from any other Commissioner (does not require a vote).
- Recess** - Any Commissioner may request and receive a recess immediately preceding the next agenda item (does not require a vote and is not debatable).
- Regular Meetings** - Regular meetings are scheduled on the second and fourth Tuesday of each month or as set forth in an annual meeting calendar Resolution. Regular meetings may only be cancelled or postponed by majority vote of the Commission.
- Special Meetings** - Mayor can call or set special meetings. Mayor Pro Tem, in the absence of the Mayor, can call or set special meetings. Any two (2) Commissioners can call or set special meetings. Special meetings shall be announced no less than three (3) days before occurrence with

written notice to each Commissioner being delivered in person, or electronically, whichever is appropriate. Action must be taken on all agenda items. Any item maybe tabled without debate or a vote required. A special meeting may be cancelled or postponed by the Mayor if he or she called the meeting, the Mayor Pro Tem if he or she called the meeting, or the two Commissioners that called the meeting.

Table Agenda Item

- Any Commissioner may request an agenda item be tabled. Such a request does not require a second and is not debatable. The act of tabling an item can only be done once on a specific item. A request to table an agenda item can be done at any time prior to vote. A tabled item will automatically be placed on the agenda of the next regularly scheduled meeting. If a Commissioner wishes to table an item beyond the next regularly scheduled meeting, a motion must be made, a second received, and the motion approved by majority vote.

Telephone Participation

- If not present, Commissioners shall not be allowed to participate in meetings via telephone or other electronic methods.

Withdraw Agenda Item

- An agenda item can only be withdrawn by the originator of the item.

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Discussion on RFP for Janitorial Services for City Buildings

1. PLACED ON AGENDA BY:

J. Michael Fuller, City Manager

2. AGENDA:

- PRESENTATION
- PUBLIC HEARING
- CONSENT
- OLD BUSINESS
- REGULAR

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

The current contract with Underwood Service Enterprises has expired. This company has handled the janitorial services for City Hall, Public Works and the Planning Building since December 11, 2012. Underwood Service does satisfactory work, but staff believes it may be advantageous for the City to request proposals prior to approving another contract for janitorial services. It has been over two (2) years since the City has announced a RFP soliciting janitorial services and pricing.

ATTACHMENT:

- RFP - Janitorial Services

5. REQUESTED MOTION/ACTION:

The City Manager is requesting authorization from the Commission to advertise for a RFP for Janitorial Services.



CITY OF CALLAWAY, FLORIDA
CITY HALL

6601 East Highway 22, Callaway, FL 32404
Phone 850-871-6000 • FAX 850-871-2444
www.cityofcallaway.com

Mayor
Thomas W. Abbott

Commissioners
Dennis A. DeLapp
Pam Henderson
David Otano
Ralph L. Hollister

REQUEST FOR PROPOSAL
Janitorial Services

The City of Callaway, Florida, hereinafter referred to as "City", will receive sealed proposals. The submittal, consisting of one (1) original proposal shall be enclosed in a sealed envelope or container and shall have RFP for Janitorial Services, and the name of the respondent clearly written on the exterior of the envelope in which the sealed proposal is delivered.

All proposals must be received by the Office of the Purchasing Secretary, Callaway City Hall, 6601 East Highway 22, Callaway, Florida 32404. Sealed proposals must be received by the Purchasing Secretary, either by mail or hand delivery, no later than 10:00 a.m. on _____. A public opening will take place at 10:00 a.m. at Callaway City Hall on the same date. Any proposals received after 10:00 a.m. will not be accepted or considered under any circumstances.

The Project is generally described as:
Janitorial Services including material, labor, supplies and equipment necessary to perform all operations in connection with the outlined janitorial services (included in the RFP packet) for the City of Callaway, Florida over a one-year period. The scope of work for this project is included in the Request for Proposal and specifies responsibilities of the proposer and the City.

A mandatory pre-proposal meeting will be held at 9:00 a.m. on _____ at the Callaway City Hall located at 6601 East Highway 22, Callaway, Florida, 32404. Proposals are subject to the terms and conditions contained in the complete bid package. Interested bidders who wish to bid on this RFP can obtain a complete bid package at the City's website at www.cityofcallaway.com or at the Purchasing Office located at Callaway City Hall, Monday through Friday from 8:30 a.m. to 4:00 p.m.

The City of Callaway reserves the right to award the contract to the lowest, most responsive, responsible bidder, as determined by the City Commission, subject to the right to reject any and all bids, to waive any irregularity in the bids or bidding procedures and to award the bid and contract to bidders other than the low bidder.

Sandra Hirth, City Clerk

Fire Department Center
P: 850-871-2753
F: 850-871-5564

Leisure Services
P: 850-874-0031
F: 850-874-9977

Planning / Code Enforcement
P: 850-871-4672
F: 850-871-2404

Public Works
P: 850-871-1033
F: 850-871-2416

Arts & Conference
P: 850-874-0035
F: 850-874-0706

SCOPE OF SERVICES

INTRODUCTION

The City of Callaway is seeking proposals from experienced and capable parties to provide janitorial services for City facilities and buildings. The proposer shall furnish all material, labor, supplies and equipment necessary to perform all operations in connection with daily janitorial services for the City.

TERM

The term of the agreement shall be for a period of one year, from the date of execution of the agreement between the City and the contractor. One year renewals of the contract can be mutually agreed upon annually by the City and the contractor.

RESPONSIBILITIES OF THE PARTIES

CITY: The City shall provide the contractor and their qualified personnel access to City facilities and janitorial storage areas during the hours of services, or as agreed, to perform janitorial services.

CONTRACTOR: The contractor shall perform all duties and provide the required material, labor, supplies and equipment as identified below:

CITY HALL, PLANNING & PUBLIC WORKS BREAK ROOM – MON.-WED.-FRI.

- Empty and clean all waste receptacles and replace liners.
- Refill and clean all paper dispensers in all restrooms.
- Refill and clean all soap dispensers.
- Clean and sanitize all toilet bowls and urinals.
- Clean all mirrors.
- Sweep floors in restrooms.
- Clean and sanitize all fixtures, countertops, and sinks (restrooms and kitchens).
- Wipe down microwave (interior and exterior).
- Mop tile restrooms with appropriate cleaner.
- Vacuum entire carpet and area rugs (interior).

CITY HALL, PLANNING & PUBLIC WORKS BREAK ROOM - WEEKLY

- Mop entire tiled areas with appropriate cleaner.
- Empty and clean all exterior ashtrays.
- Dust all surfaces (book shelves, cabinets, chairs, computer screens, etc.)
- Clean all glass doors (inside and outside).
- Clean and sanitize bathroom partitions and walls.
- Clean and sanitize all telephones.
- Clean all doors (smudges, fingerprints, etc.).
- Clean all cabinet doors in kitchens.

CITY HALL, PLANNING, & PUBLIC WORKS BREAK ROOM – MONTHLY

- Dust all blinds, shades, pictures, etc.
- Clean all exposed desktop surfaces.
- Polish all wood furniture.

QUALIFICATIONS

The selected contractor and / or its subcontractors (as applicable) shall have:

1. A minimum of one year prior experience in commercial janitorial services.
2. Knowledge of business operations and the legal requirements associated with this type of operation.
3. Three professional references, including current clients.

PRICE PROPOSAL

Proposers must complete the price proposal section with their submittal. Failure to do so will render your proposal non-responsive and will be rejected from further consideration.

FACILITY	MONTHLY FEE	ANNUAL AMOUNT
City Hall	_____	_____
Planning Department	_____	_____
Public Works Break Room	_____	_____
TOTAL	_____	_____

GENERAL TERMS & CONDITIONS

Submission of Request for Proposals: Firms shall submit one original proposal. Request for Proposals must be in conformance with the detailed submittal instructions and must be delivered by mail or personal delivery by _____ at 10:00 a.m., shall be enclosed in a sealed envelope and have Janitorial Services RFP and the name of the respondent clearly written on the exterior. No faxed or email RFP responses will be accepted. Responses should be submitted to: Office of the City Clerk, Callaway City Hall, 6601 East Highway 22, Callaway, Florida 32404. Upon submittal all documents are subject to public records laws.

Rules, Regulations, Laws, Ordinances, & Licenses: The awarded firm shall observe and obey all laws, ordinances, rules, and regulations of the federal, state, and local municipality, which may be applicable to the service being provided. The firm shall have or be responsible for obtaining all necessary permits or licenses required in order to provide this service.

Contract Cancellation: The resulting contract may be cancelled by the City for any reason. Cancellation by the City will be effective thirty days following the receipt by the Contractor of written notice advising the contractor that the contract shall be cancelled. Cancellation can be utilized without notification due to lack of performance or due to abandonment by Contractor.

Indemnification: The proposing firm shall indemnify and hold harmless the City, its officers and employees from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by negligence, recklessness, or intentional wrongful misconduct of the proposing firm and any persons employed or utilized by the proposing firm in the performance of the contract.

Equal Employment: In accordance with Federal, State, and Local law, the proposing firm will not discriminate against any employee or applicant for employment because of race, color, ethnicity, religion, sex, sexual orientation, national origin, or handicap. The proposing firm will be required to comply with all aspects of the American Disabilities Act (ADA) during the performance of this contract.

Rejection of Proposals: The City reserves the right to reject any and all Request for Proposals. It also reserves the right to waive any minor irregularities in connection with the Request for Proposals.

Acceptance of Proposals: Within thirty (30) days after the final submission date for Request for Proposals, the City will act upon them. The successful proposer will be requested to enter into negotiations to produce a contract for the City of Callaway Janitorial Services RFP. The City reserves the right to terminate negotiations in the event it deems progress towards a contract be insufficient.

Insurance: The successful proposer must carry professional liability insurance, comprehensive general liability insurance, and worker's compensation insurance. The successful proposer agrees and recognizes that the City shall not be held liable or responsible for any claims, including the costs and expenses of defending such claims which may result from or arise out of actions or omissions on the firm, its agents, representatives, employees, or assigns. In reviewing, approving, or rejecting any submissions the City in no way assumes or shares responsibility or liability of the proposer, their agents, or assigns.

Public Entity Crimes, Drug Free Workplace, and No Conflict of Interest oaths must be completed, signed, and returned with the submittal or the response may be disqualified.

SUBMISSION REQUIREMENTS:

1. **Title Page** – Name or proposer / firm, address, telephone number, email, contact person and date.
2. **Letter of Interest** – Acknowledging receipt of entire bid package, attachments, and identifying the name (s) of the person(s) authorized to negotiate with the City a service contract / agreement.
3. **Qualifications** – a brief overview of the firm's qualifications and experience, complete with three professional client references.
4. Complete Price Proposal, Public Entity Crimes Oath, Drug Free Workplace form, No Conflict of Interest Affidavit, and required insurance documentation shall be completed and provided with the submittal.

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Changing From Two Commission Meetings a Month to One

1. PLACED ON AGENDA BY:

Melba Covey, Commissioner, Ward 1

2. AGENDA:

PRESENTATION	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>
CONSENT	<input type="checkbox"/>
OLD BUSINESS	<input type="checkbox"/>
REGULAR	<input checked="" type="checkbox"/>

3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: Yes No

N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

Commission discussion and decision as to whether it would be more conducive to our City to have one Commission Meeting per month, with the Monday night before to be designated Agenda Workshop so that constructive discussion can be had on Agenda items for the following Tuesday night's Commission Meeting. Discussion would be on issues such as: what time of the month to have the Workshop/Meeting i.e. first week or last week of the month, citizens participation, etc. Commissioner Covey stated she had been in contact with a number of cities that practice this concept and they find it to be more beneficial to the elected officials and the citizens.

ATTACHMENT:

5. REQUESTED MOTION/ACTION:

To change the Callaway Commission Meeting schedule from a two per month to one per month with an Agenda Items Workshop to be held the night before the scheduled Meeting.

**City of Callaway Board of Commissioners
Agenda Item Summary**

February 24, 2015

Clarification on How Minutes Should be Presented

<p>1. PLACED ON AGENDA BY: Pamn Henderson, Commissioner, Ward 2</p>	<p>2. AGENDA:</p> <p>PRESENTATION <input type="checkbox"/></p> <p>PUBLIC HEARING <input type="checkbox"/></p> <p>CONSENT <input type="checkbox"/></p> <p>OLD BUSINESS <input type="checkbox"/></p> <p>REGULAR <input checked="" type="checkbox"/></p>
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3. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO
N/A

4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)

After the discussion at the meeting of February 10, 2015, it is clear that the Commission needs to come to some consensus on how the minutes of meetings need to be presented.

According to Florida Statute 286.011(2) "The minutes of a meeting of any such board or commission of any state agency or authority shall be promptly recorded, and such records shall be open to public inspection."

Florida Attorney General Advisory Legal Opinion 82-47 stresses this point, stating that "a municipality is required to promptly record and open to public inspection minutes of all meetings of the city council." The opinion defines minutes as a brief summary or series of brief notes or memoranda reflecting the events of the meetings."

As stated in the statute, the promptness of recording the minutes is important. If we continue to prepare the minutes in as much detail as we have been doing, we are not able to achieve promptness.

In addition, the City Clerk is spending so much of her time on the minutes that she is not able to perform her other duties as fully as she could. This is not an efficient and effective use of City staff.

Recommendation: City Clerk should prepare minutes as defined n the Auditor General opinion, to reflect the actions taken at the meetings.

ATTACHMENTS:

- FS 286.011
- AGO 82-47
- Excerpt from "Municipal Officials Manual"
- Sample Minutes - City of Panama City
- Sample Minutes - Satellite Beach

5. REQUESTED MOTION/ACTION:
City Clerk should prepare minutes as defined n the Auditor General opinion, to reflect the actions taken at the meetings.

AG-0.
92-47

Select Year: 2014 ↕ Go

The 2014 Florida Statutes

Title XIX

Chapter 286

[View Entire Chapter](#)

PUBLIC BUSINESS

PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS

286.011 Public meetings and records; public inspection; criminal and civil penalties. –

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

(3)(a) Any public officer who violates any provision of this section is guilty of a noncriminal infraction, punishable by fine not exceeding \$500.

(b) Any person who is a member of a board or commission or of any state agency or authority of any county, municipal corporation, or political subdivision who knowingly violates the provisions of this section by attending a meeting not held in accordance with the provisions hereof is guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(c) Conduct which occurs outside the state which would constitute a knowing violation of this section is a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(4) Whenever an action has been filed against any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision to enforce the provisions of this section or to invalidate the actions of any such board, commission, agency, or authority, which action was taken in violation of this section, and the court determines that the defendant or defendants to such action acted in violation of this section, the court shall assess a reasonable attorney's fee against such agency, and may assess a reasonable attorney's fee against the individual filing such an action if the court finds it was filed in bad faith or was frivolous. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission. However, this subsection shall not apply to a state attorney or his or her duly authorized assistants or any officer charged with enforcing the provisions of this section.

(5) Whenever any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision appeals any court order which has found said board,

commission, agency, or authority to have violated this section, and such order is affirmed, the court shall assess a reasonable attorney's fee for the appeal against such board, commission, agency, or authority. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission.

(6) All persons subject to subsection (1) are prohibited from holding meetings at any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which operates in such a manner as to unreasonably restrict public access to such a facility.

(7) Whenever any member of any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision is charged with a violation of this section and is subsequently acquitted, the board or commission is authorized to reimburse said member for any portion of his or her reasonable attorney's fees.

(8) Notwithstanding the provisions of subsection (1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity, may meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party before a court or administrative agency, provided that the following conditions are met:

(a) The entity's attorney shall advise the entity at a public meeting that he or she desires advice concerning the litigation.

(b) The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

(c) The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the entity's clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript shall be made part of the public record upon conclusion of the litigation.

History.—s. 1, ch. 67-356; s. 159, ch. 71-136; s. 1, ch. 78-365; s. 6, ch. 85-301; s. 33, ch. 91-224; s. 1, ch. 93-232; s. 210, ch. 95-148; s. 1, ch. 95-353; s. 2, ch. 2012-25.

Florida Attorney General Advisory Legal Opinion

Number: AGO 82-47

Date: June 22, 1982

Subject: Transcript of council meetings

Mr. John T. Parnham
City Attorney
City of Gulf Breeze
222 South Tarragona, Suite 160
Post Office Box 631
Pensacola, Florida 32593

RE: MUNICIPALITIES--Verbatim transcript of all meetings not required

Dear Mr. Parnham:

This is in response to your request for an opinion on substantially the following question:

Is a municipality required under the provisions of s. 286.011(2), F.S., to provide for public inspection a verbatim transcript of all meetings of the city council?

Your question is answered in the negative.

Section 286.011(2), F.S., of the Government in the Sunshine Law, provides, in pertinent part, as follows:

"The *minutes* of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded and such records shall be open to public inspection. . . ." (e.s.)

The term "minutes" is not specifically defined in the Florida Statutes for the purposes of the above statutory provision. However, it is a basic rule of statutory construction that words in statutes should be given the meaning accorded to them in common usage unless a different connotation is expressed in, or necessarily implied from, the context of the statute. *City of Winter Park v. Jones*, 392 So.2d 568 (5 D.C.A. Fla., 1980); *Gaulden v. Kirk*, 47 So.2d 567 (Fla. 1950). Another rule of statutory construction provides that words of common usage, when used in a statute, should be construed in their plain and ordinary sense. *Freedman v. State Board of Accountancy*, 370 So.2d 1168 (4 D.C.A. Fla., 1979); *Pedersen v. Green*, 105 So.2d 1

(Fla. 1958). It does not appear from the context of the statute that the term "minutes" should be given a meaning different from that which has evolved from common usage and since words of common usage should be construed in their plain and ordinary sense, I resorted to several different dictionaries to ascertain if there is a consensus on the meaning of the word "minutes" and found that there does appear to be a consensus.

Webster's Third New International Dictionary of the English Language Unabridged, at page 1440, defines "minutes" as, *inter alia*, a series of *brief notes* taken to provide a record of proceedings (as of an assembly or conference) or of transactions (as of the directors of a corporation); an official record of such notes. Black's Law Dictionary (Rev. 4th ed. 1968), at page 1149, defines "minutes" as *memoranda or notes* of a transaction or proceeding. The World Book Encyclopedia Dictionary, at page 1236, defines "minutes" as: "a. an official record of proceedings at a society, board, committee, etc. b. a rough draft or *written summary; note; memorandum.*" Finally, the term "minute" signifies a memoranda or draft, and, specifically, in the plural, the official records made of the transactions or proceedings at a meeting of an organized body. See, 58 C.J.S. *Minute*, page 810.

All of the above authorities, and others too numerous and repetitious to cite, define "minutes" to mean in essence, a brief summary or series of brief notes or memoranda of a proceeding or transaction. My research has failed to disclose any authority whose definition of the term "minutes" is construed to mean a word for word or verbatim transcript of a proceeding. It is therefore my opinion that the term "minutes" as used in s. 286.011(2), F.S., means, as its common and ordinary usage exemplifies, a brief summary or series of brief notes or memoranda of the meeting. Cf., AGO 075-45, in which it was opined that sound recorders may be used to record public meetings *in toto* so long as the written minutes of such meetings are promptly recorded for public inspection as required by s. 286.011, F.S., and the written minutes and tape or sound recordings are preserved, retained, and disposed of in compliance with the provisions of s. 267.051, F.S. It should also be noted that any such tape or sound recording of a public meeting constitutes a public record within the definitional purview of s. 119.011(1), F.S., and is thereby subject to public inspection under the provisions of s. 119.07, F.S.

Moreover, had the Legislature intended by enactment of s. 286.011(2) to require that a verbatim record of a meeting be promptly recorded and open to public inspection, it could easily have done so by providing for the same instead of for "minutes." By examining the provisions of s. 286.0105, F.S., it becomes clearly evident that the Legislature realized the difference between a "verbatim record of the proceedings" and "minutes of a meeting." Section 286.0105, F.S.,

provides, in pertinent part, that each entity subject to s. 286.011, shall include in its notice of any meeting or hearing the advice that if a person decides to appeal any decision with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for that purpose, he may need to ensure that a "verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

In summary, unless and until legislatively or judicially determined otherwise, it is my opinion that a municipality is not required under the provisions of s. 286.011(2), F.S., to provide for public inspection a verbatim transcript of all meetings of the city council. However, pursuant to s. 286.011(2), F.S., a municipality is required to promptly record and open to public inspection "minutes" of all meetings of the city council, *i.e.*, a brief summary or series of brief notes or memoranda reflecting the events of the meetings.

Sincerely,

Jim Smith
Attorney General

Prepared by:

Linda Lettera
Assistant Attorney General

Municipal Officials Manual

3. Agenda

There is no legally prescribed format for agendas of council meetings. The agenda for a regular meeting is often organized so that subjects involving persons in the audience and requiring public comment will be heard at the earliest possible time. This will allow visitors to complete their business with the council at an early hour and allow for public comment to be fully heard. Similarly, reports of council committees and citizen advisory committees should be provided in the early part of the meeting in order to assure full council consideration of the committee recommendations.

Many municipal councils provide a section of their meeting for a "consent agenda." These are items which are considered routine business and which rarely need discussion time in the council meeting. Examples of these items include approval of the minutes, payment of bills, renewal of leases, and certain minor proclamations and resolutions. Items listed on the consent agenda may be adopted by one comprehensive motion which moves the approval of this portion of the agenda. Customarily, council procedures do not allow discussion of consent-agenda items. If discussion is needed, the item is typically removed from the consent agenda prior to voting on the comprehensive motion. The item would then be placed on the regular agenda of the meeting under either "New Business" or "Old Business."

Most items included on the agenda for council action are classified either as "New Business" or "Old Business." Agendas usually list "old" business prior to "new" business in order to allow completion of matters already under discussion before opening new subjects for consideration.

It is important that agenda items be clearly identified in the printed agenda. If the listing of an item on the agenda clearly describes the subject and the action being taken, everyone present will have a clear understanding of the proceedings, and debate on the subject will be shortened. Clarity of agenda items is especially important with respect to the consent agenda, since no discussion or additional information is provided to council members or the public.

It is helpful to members of the council and the public to indicate the time of day at which discussion of each item is anticipated. These indications provide general guidance to participants and observers and can be a useful courtesy to persons having business before the council.

4. Minutes and Other Records

The State of Florida sets minimal requirements concerning minutes and records of council meetings. Written minutes are required simply to be recorded and made open to public inspection and reflect the items considered, actions taken, and final votes taken. Minutes should provide a reasonable summary of the activities which occurred at the meeting, but they are not to be word-for-word transcriptions of the proceedings. A common practice which simplifies minute-taking is the attachment of relevant documents to the minutes. Examples of these attachments include reports, written testimony, correspondence, and ordinances and resolutions. Every ordinance or resolution shall be recorded in a book kept for that purpose and shall be signed by the presiding officer and the council clerk.

All municipal records shall be open for a personal inspection by any person. For more on this subject, see "Public Records" in this chapter of the manual.



MINUTES

CITY OF PANAMA CITY, FLORIDA, CITY COMMISSION

THE REGULAR MEETING OF

JANUARY 27, 2015

8:00 A.M. COMMISSION CHAMBER, CITY HALL

1/27/2015 - Minutes

1. Opening Prayer.
 - 1.a. Reverend Ron Brown, Pastor Of First Presbyterian Church.
Reverend Brown opened the meeting with prayer.
2. Pledge Of Allegiance To The Flag.
3. Roll Call And Approval Of The Minutes.

City Clerk Darlene Hachmeister called the roll with the following members present: Mayor Greg Brudnicki, Commissioners John Kady, Kenneth E. Brown, Billy Rader, and Mike Nichols. Also present: City Manager Jeffery Brown, and City Attorney Nevin Zimmerman.

- 3.a. City Commission Minutes January 13, 2015.

Commissioner Nichols moved to approve the minutes for the regular scheduled meeting of January 13, 2015. On a roll call vote Commissioners Kady, Brown, Rader, Nichols, and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

4. Mayor's Report.
 - 4.a. Appointment To The Downtown Improvement Board.

Mayor Brudnicki noted that there were three applicants to be a member of the Downtown Improvement Board.

Commissioner Kady made the motion to appoint Ms. Halley Stark to complete Ms. Pam Armstrong's term ending November 8, 2017. On a roll call vote Commissioners Kady, Brown,

Rader, Nichols, and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

5. Audience Participation.

Mr. Jim Hayden requested that the other two applicants be approved as backup members for the Downtown Improvement Board should another appointed member resign. City Attorney Zimmerman said that each appointment has to be approved by the Commission. Mayor Brudnicki said should there be a vacancy the Commission would try to expedite an appointment.

Captain Gary Wayne Beck of 2601 Beech Street came forward to speak.

Mayor Brudnicki stated that there would not be further discussion on the property located at 1040 Oak Avenue and Mr. Beck could use the three minutes for another topic. Mr. Beck stated that the quasi judicial system is unconstitutional and prejudice against people with low or fixed incomes.

6. City Attorney Update On Marina Redevelopment

City Attorney Zimmerman said an updated Memorandum of Understanding would be presented at the next City Commission meeting. He said it is anticipated that both Proposers would have a plan to present by June 1, 2015. City Attorney Zimmerman said an updated Memorandum of Understanding

7. Final Reading Of Ordinance No. 2545 Vacating A Portion Of The First Street Right-Of-Way And A Platted Utility Easement, Both In The Block Located At The Northeast Corner Of Cactus Avenue And Business Highway 98 And Acceptance Of Utility Easement For Existing Water Main.

City Manager Brown said the easements have not been finalized and requested that the ordinance's final reading be postponed until the next meeting.

Commissioner Nichols made the motion to postpone the final reading of Ordinance No. 2545 to the February 10, 2015 Commission meeting. On a roll call vote Commissioners Kady, Brown, Rader, Nichols, and Mayor Brudnicki voted "YEA. "NAYS": none. The City Clerk certified the motion passed by a 5-0 vote. t

8. Consent Items

Commissioner Nichols moved approval of the following park and parade permits. On a roll call vote Commissioners Kady, Brown, Rader, Nichols, and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

- a. Request event from First Baptist Church to conduct the Wounded Warrior Block Party on April 16, 2015 at Noon until 9:00 pm. with road closure of Grace Avenue between 7th Street and 6th Street.
- b. Request event from Junior League of Panama City to conduct the JL Rabbit Race on April 11, 2015 from 6:00 am until 9:00 am. This event will use the Scenic Cove Route.
- c. Request event from St. John the Evangelist School to conduct the 5K/1K walk run on April 18, 2015 from 8:00 am until Noon. The event will start and end 10th Street and Flower Avenue using the Picturesque St. Andrews Route.
- d. Request event from Community Redevelopment Agency and Waterfront Partnership to conduct the Mardi Gras Festival parade on February 6 and 7, 2015 from 4:00 pm until 10:00 pm.

e. Request event from Sanger Events to conduct the Mardi Gras Festival on February 6 and 7, 2015 from 4:00 pm until 10:00 pm and alcohol permit.

8.a. Consideration To Reject Bids For Compact Excavator.

Commissioner Nichols moved to reject the compact excavator bids and to rewrite the specifications to accommodate the budget. On a roll call vote Commissioners Kady, Brown, Rader, Nichols, and Mayor Brudnicki voted "YEA". "NAYS": none. The City Clerk certified the motion passed by a 5-0 vote.

8.b. Consideration Of Final Payment In The Amount Of \$37,371.60 To C&C Construction For Their Work On The PCPD Roof Project.

Commissioner Nichols made the motion to approve final payment in the amount of \$37,371.60 to C&C Construction for the Panama City Police Department roof project. Commissioner Brown seconded the motion, and on a roll call vote Commissioners Kady, Brown, Rader, Nichols, and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

8.c. Parade Permit- Wounded Warrior Block Party First Baptist Church

8.d. Parade Permit - Junior Service League Rabbit Race

8.e. Parade Permit - St. John The Evangelist School 5K/1K Walk/Run

8.f. Parade Permit St Andrew Mardi Gras Festival-CRA And Waterfront Partnership

8.g. Parade Permit-Mardi Gras Festival, Sanger Events And Promotions

9. City Manager

9.a. Consideration Of \$193,000 Engineering Fee For Arcadis To Perform The Poston/Huntington Bayou Drainage Basin Study.

Commissioner Nichols moved to approve the engineering fee in the amount of \$193,000 to Arcadis for the Poston/Huntington Bayou Drainage basin study. On a roll call vote Commissioners Kady, Brown, Rader, Nichols, and Mayor Brudnicki voted "YEA". "NAYS": None. The City Clerk certified the motion passed by a 5-0 vote.

9.b. First Reading Of Ordinance 2548, Amending The Port Sub-Element Of The Comprehensive Plan Of The City Of Panama City.

The Ordinance was read as a first reading by title only, as shown below.

ORDINANCE NO. 2548

AN ORDINANCE UPDATING THE PORT MASTER PLAN SUB-ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF PANAMA CITY, FLORIDA; PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

10. Commissioner Kady's Portion Of Agenda

Commissioner Kady read a proclamation declaring January 27, 2015 Jane Lindsey Day in recognition of volunteers that work to promote Panama City.

There being no further business the meeting adjourned at 8:20 a.m.

**CITY COUNCIL REGULAR MEETING
MINUTES
DECEMBER 3, 2014**

Pursuant to Public Notice, Mayor Frank Catino convened a regular meeting of the City Council on Wednesday, December 3, 2014, at 7:00 p.m., in the Council Chamber. Those present were Mayor Frank Catino, Vice-Mayor Lorraine Gott, Councilman Mark Brimer, Councilman Steve Osmer, City Attorney James Beadle, City Manager Courtney Barker, and City Clerk Leonor Olexa. Councilman Dominick Montanaro was absent.

Councilman Osmer led a moment of silence and the Pledge of Allegiance.

(TIME: 7:01) CITIZEN COMMENTS

City resident Steve Headley commented on usage of copyright images.

(TIME: 7:04) CITY COUNCIL COMMENTS

Councilman Osmer reported touring all departments, which gave him a better understanding and appreciation for the services each department provides.

(TIME: 7:05) CITY MANAGER REPORT

City Manager Barker reported on the Ocean, Reef, Beach Festival; the Boat Parade; the City's survey on Creating a Resilient Community; the upcoming Brevard County Legislative Delegation meeting; the Beautification Board's Holiday Lighting Contest; the Fire Department's Twilight Santa schedule; a thank-you letter (attached) received from a resident for excellent service from the Fire Department; and reminder that the December 17th Council meeting has been cancelled.

City Manager Barker stated Brevard County will have a Library Impact Fee Committee and requested Cassie Warthen (Hansen) be appointed to the Committee. Mayor Catino asked for citizen comments; there were no comments.

ACTION: Vice-Mayor Gott MOVED, SECOND by Councilman Brimer, to appoint Cassie Warthen (Hansen) to serve on the Library Impact Fee Committee. VOTE: ALL YES. MOTION CARRIED.

City Manager Barker addressed Council Montanaro's suggestion to hold Town Hall meetings in sections of the City and provide public notice to those residents. She recommended holding the first Town Hall meeting at the Montecito Clubhouse and suggested January 28 or 29. Mayor Catino asked for citizen comments; there were no comments. Council, by consensus, approved the January 28 Town Hall meeting at the Montecito Clubhouse.

City Manager Barker stated the December 2 workshop on the boards handbook needs to be rescheduled and recommended January 14. Mayor Catino asked for citizen comments; there were no comments. Council, by consensus, approved the January 14 workshop meeting.

Vice-Mayor Gott asked if the City would be presenting at the Brevard County Legislative Delegation meeting (City Manager Barker stated no) and announced the December 20 Jingle Bell Run with certain roads to be blocked off for that event.

(TIME: 7:12) CITY ATTORNEY REPORT

City Attorney Beadle presented an update on public meetings and public records laws.

(TIME: 7:17) DISCUSS/TAKE ACTION ON 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM - FLORIDA JAG DIRECT

**COUNCIL MINUTES
DECEMBER 3, 2014 Regular Meeting**

PAGE 2

Police Chief Jeff Pearson reported on the Edward Byrne Memorial Justice Assistance Grant (JAG) Program which provides non-matching federal funds that will be used to purchase and install wireless video capabilities to upgrade the camera technology in patrol cars.

Mayor Catino asked for citizen comments; there were no comments.

ACTION: Vice-Mayor Gott **MOVED, SECOND** by Councilman Brimer, to authorize the submittal of the 2014 Byrne Grant in the amount of \$1,282 to purchase and install wireless capabilities for patrol cars, with no City match. **VOTE: ALL YES. MOTION CARRIED.**

(TIME: 7:20) DISCUSS/TAKE ACTION ON MOVING FORWARD WITH A REQUEST FOR PROPOSAL FOR MUNICIPAL COMMUNITY DEVELOPMENT SOFTWARE VENDOR

City Manager Barker discussed our 15-year-old software and the need for software upgrades that will provide communication between departments, paperless inspections, data retrieval, and GIS mapping that will streamline and improve services. Council discussed obtaining compatible systems and budgeting reoccurring costs in future years.

Mayor Catino asked for citizen comments; there were no comments.

ACTION: Councilman Brimer **MOVED, SECOND** by Councilman Osmer, to approve the Request for Proposal for the procurement of municipal community development software. **VOTE: ALL YES. MOTION CARRIED.**

(TIME: 7:22) DISCUSS/TAKE ACTION ON HOLIDAY BONUS FOR CITY EMPLOYEES

City Manager Barker recommended a holiday bonus for full-time (\$350) and part-time (\$175) employees, noting that all Brevard County municipalities except Satellite Beach had provided raises to their employees for FY 14/15 and that funds were available because the City's reserve strategies have surpassed expectations. Council thanked staff for their service to the City.

(Time: 7:25) The following Satellite Beach residents addressed Council: Gabe Feindt and Jerry Hudson. The following non-resident addressed Council: Ned Golden, Fraternal Order of Police. City Manager Barker and Vice-Mayor Gott responded to comments, including the fact that the FY 13/14 raise of 3% was negated by the increase in healthcare costs.

ACTION: Vice-Mayor Gott **MOVED, SECOND** by Councilman Brimer, to approve the holiday bonus for employees in the amount of \$33,425 for FY 14/15. **VOTE: ALL YES. MOTION CARRIED.**

(TIME: 7:31) APPOINTMENTS

• **ELECT VICE-MAYOR**

ACTION: Councilman Brimer **MOVED, SECOND** by Vice-Mayor Gott, to appoint Dominick Montanaro as Vice-Mayor. **VOTE: ALL YES. MOTION CARRIED.**

• **LIAISONS FOR FY 14/15** Council made the following liaison appointments:

- Mayor Catino: Community Redevelopment Agency Advisory Committee and Space Coast League of Cities (voting delegate and City Manager Barker as the alternate)
- Vice-Mayor Montanaro: Code Enforcement Board, Library Board, and Retirement Plans Boards of Trustees
- Councilman Brimer: Board of Adjustment and Recreation Board
- Councilwoman Gott: Planning and Zoning Advisory Board and South Beaches Coalition
- Councilman Osmer: Beautification Board, Comprehensive Planning Advisory Board, and Samsons Island Park Committee

**COUNCIL MINUTES
DECEMBER 3, 2014 Regular Meeting**

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(TIME: 7:35) AGENDA ITEMS FOR NEXT REGULAR COUNCIL MEETING

Council discussed agenda items and reviewed the January meeting schedule. Councilwoman Gott requested a review of 2014 Council Goals and consideration of 2015 Council Goals for the January 7 meeting and suggested that Mayor Catino present our City's 2014 accomplishments in the "From the Council Desk" column in the January/February *Beachcaster*.

(TIME: 7:37) APPOINTMENT TO BOARDS

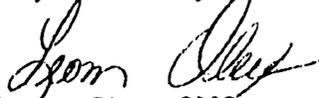
ACTION: Councilwoman Gott MOVED, SECOND by Councilman Brimer, to reappoint regular board/committee members as follows: **Judith Kraemer** to serve on the Beautification Board, term ending January 9, 2017; **Bill Spiegelhalter** to serve on the General Employee Retirement Plan Board of Trustees and Police Officers and Firefighters Retirement Plan Board of Trustees, terms ending January 9, 2017; **Hope Ascher** to serve on the Library Board, term ending January 20, 2017; **Sharon Reynolds-Mixon** to serve on the Library Board, term ending January 9, 2017; **Chris Burrough** to serve on the Planning and Zoning Advisory Board, term ending January 18, 2017; **Sandy Carnival** to serve on the Samsons Island Park Committee, term ending January 9, 2017; and **Greg Smith** to serve on the Samsons Island Park Committee, term ending January 9, 2017. VOTE: ALL YES. MOTION CARRIED.

ACTION: Councilman Brimer MOVED, SECOND by Councilman Osmer, to appoint Amanda Morsics to serve as a regular member of the Comprehensive Planning Advisory Board, term ending December 3, 2017. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:39) ADOPTION OF MINUTES: NOVEMBER 19, 2014, SPECIAL MEETING AND NOVEMBER 19, 2014, REGULAR MEETING

ACTION: Councilwoman Gott MOVED, SECOND by Councilman Brimer, to approve the minutes as submitted. VOTE: ALL YES. MOTION CARRIED.

Mayor Catino adjourned the meeting at 7:41 p.m.


Lednor Olexa, CMC
City Clerk

