



# 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

Bob Pelletier

## Commissioners

Melba Covey

Pamn Henderson

Ron Fairbanks

Joe Townsend

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## REGULAR MEETING

CITY OF CALLAWAY BOARD OF COMMISSIONERS

TUESDAY, APRIL 26, 2016 – 6:00 P.M.

CALLAWAY ARTS & CONFERENCE CENTER

500 CALLAWAY PARK WAY

CALLAWAY, FL 32404

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## AGENDA

### CALL TO ORDER

### INVOCATION & PLEDGE OF ALLEGIANCE

### ROLL CALL

### PRESENTATIONS / PROCLAMATIONS

- **Presentation** Employee of the Month Lisa Koepke
- **Presentation** Code Enforcement Board Tony Mullinax, Chairman
- **Presentation** Bay County Sheriff's Office Lt. Michael Branning

### MAYOR'S COMMENTS

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

- 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.
- Public Participation will be heard at the beginning of the meeting only.
- Comments are limited to three (3) minutes.

### APPROVAL OF MINUTES

- **March 21, 2016** Regular Workshop
- **March 22, 2016** Regular Meeting

### CONSENT AGENDA

- Item # 1 Financial Update** – “Budget-in-Brief” – City Manager
- Item # 2 Budget Transfer** – Public Works Solid Waste Division (Emergency) – City Manager
- Item # 3 Budget Transfers** – Annual Leave Payout and Credit Card Merchant Fees - City Manager
- Item # 4 Budget Amendment** – Bertha Avenue Spillway - City Manager
- Item # 5 Advisory Board Appointment** – Code Enforcement Board – City Manager

### OLD BUSINESS

- Item # 6 UB Customer Service** – Discussion - Commissioner Covey
- Item # 7 Light Pole Banners** – Informational Update - City Manager

## REGULAR AGENDA

- Item # 8 **Yard of the Month** – Mr. & Mrs. William Keeney – City Manager
- Item # 9 **Resolution No. 16-14 Utility Billing Manual Update** – City Manager
- Item #10 **FY2017 Budget Planning Schedule** – City Manager
- Item #11 **Commission Non-City Committee/Board Liaisons** – Mayor Pelletier
- Item #12 **Surplus Vehicles & Equipment** – Method of Sale/Disposal – City Manager
- Item #13 **Stormwater Drainage** – Identification of Issues – Commissioner Covey
- Item #14 **Ordinance No. 508** - Discussion – Mayor Pelletier

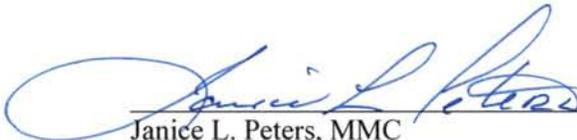
## COMMISSION COMMENTS

## ANNOUNCEMENTS

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

- April 28, 2016            6:00 P.M.        Code Enforcement Board Meeting
- May 23, 2016            6:00 P.M.        Regular Workshop
- May 24, 2016            6:00 P.M.        Regular Meeting

## ADJOURNMENT



Janice L. Peters, MMC  
City Clerk

**Public Participation for the Regular Commission Agenda items will be held at the Workshop Meeting on the day prior to the Regular Commission Meeting.** Comments are limited to three (3) minutes at the Workshop Meeting and for Public Participation at the beginning of the Regular Commission Meeting.

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 will be at the beginning of the meeting and is limited to three (3) minutes.

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."***



# Employee of the Month

March 2016

Presented to

Lisa Koepke

*Thank you, Lisa for your attention to detail, your positive attitude and your ongoing dedication to our City, Citizens and Staff.*

\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Manager

## Investigative Report

March 24, 2016

Case # CE16-5501-24567

To: Callaway Code Enforcement Board Members  
From: Bonnie Poole, Code Enforcement Officer  
Location: 5501 Cherry St. Suite C Parcel I.D. # 24567-000-000  
Property Owner: Tax Kings, LLC  
Violations: Delinquent Tax Receipt

This is a violation of Ordinance #837 which states; Any persons, firms, businesses or home occupations located or operating in the City of Callaway must obtain (and maintain) a local Business Tax Receipt (BTR).

### Testimony

1. February 23, 2016 Hand Delivered a Notice of Violation to business. (Left at front desk).
2. March 9, 2016 Hand Delivered a NTA to business. (Left at front desk).
3. March 10, 2016 Sent e-mail with copies of notices attached to address obtained off card I got from front desk of business. I got no response. I also called the number on the card and the number had been changed and no new number was available.
4. March 23, 2016 I found a different number for the business on Sunbiz.com. I left a message but have not received a response.

### Status

The Board took no action as it was determined that Tax Kings, LLC is no longer doing business in Callaway.

**Investigative Report**

March 24, 2016

Case # CE16-827-07140

To: Callaway Code Enforcement Board Members  
From: Bonnie Poole, Code Enforcement Officer  
Location: 827 Georgia Ave. Parcel I.D. # 07140-000-000  
Property Owner: Caroline's Food and Catering  
Violations: Delinquent Tax Receipt

This is a violation of Ordinance #837 which states; Any persons, firms, businesses or home occupations located or operating in the City of Callaway must obtain (and maintain) a local Business Tax Receipt (BTR).

**Status**

The Board took no action. The business owner paid delinquent BTR's prior to CEB Meeting.

**Investigative Report**

March 24, 2016

Case # CE16-7206-06769

To: Callaway Code Enforcement Board Members

From: Bonnie Poole, Code Enforcement Officer

Location: 7206 Letohatchee St. Parcel I.D. # 06769-000-000

Property Owner: Douglas Charles Roe

Violations: High Grass / Weeds, Ord. # 508, Section 1(g-2) & (g-4)  
Inoperative / Unregistered Vehicles, Ord. # 508, Section 1(g-12) & 1(g-13) LDR Sec. 15.760.12

**Testimony**

January 11, 2016 N.O.V. letter allowing 10 days to correct the listed violations was sent via cert. mail.

January 27, 2016 Green card returned signed by Douglas C. Roe.

March 1, 2016 After very little improvement a NTA was mailed.

March 11, 2016 GC returned signed by Douglas Roe on March 9, 2016. Pictures were taken.

**Status**

The Board gave the property owner 30 days to bring the property into compliance.

If the Respondent fails to bring property into compliance within 30 days from the effective date of this order, Respondent shall be fined an initial fine of \$250.00 and a daily fine of \$25.00 to be imposed after the 31<sup>st</sup> day. Today is day 28. Ofc. Poole will re-inspect the property at the end of the week.

## Investigative Report

March 24, 2016

Case # CE16-123-06808

To: Callaway Code Enforcement Board Members

From: Bonnie Poole, Code Enforcement Officer

Location: 123 Chipewa St. Parcel I.D. # 06808-000-000

Property Owner: Thomas D. knight

Violations: **Mobile Home/Manufactured Building Without Skirting**

The conditions of the property constitute a nuisance, as defined by LDR Section 15.810.2 Mobile Homes Requiring Skirting.

### Testimony

January 15, 2016 N.O.V. letter allowing 30 days to correct the violation was mailed to Mr. Knight.

January 25, 2016 GC returned signed by Thomas Knight.

March 11, 2016 Violation had not been corrected. Mailed Notice to Appear.

March 15, 2016 GC returned signed by Doris Knight on March 14, 2016.

### Status

The Board took no action. The Property was brought into compliance prior to CEB Meeting.

## Investigative Report

March 24, 2016

Case # CE16-123-06808

To: Callaway Code Enforcement Board Members

From: Bonnie Poole, Code Enforcement Officer

Location: 123 Chipewa St. Parcel I.D. # 06808-000-000

Property Owner: Thomas D. knight

Violations: **Mobile Home/Manufactured Building Without Skirting**

The conditions of the property constitute a nuisance, as defined by LDR Section 15.810.2 Mobile Homes Requiring Skirting.

### Testimony

January 15, 2016 N.O.V. letter allowing 30 days to correct the violation was mailed to Mr. Knight.

January 25, 2016 GC returned signed by Thomas Knight.

March 11, 2016 Violation had not been corrected. Mailed Notice to Appear.

March 15, 2016 GC returned signed by Doris Knight on March 14, 2016.

### Status

The Board took no action. The Property was brought into compliance prior to CEB Meeting.

## Investigative Report

April 28, 2016

Case # CE15-200-07127

To: Callaway Code Enforcement Board Members

From: Bonnie Poole, Code Enforcement Officer

Location: 200 S. Kimbrel Ave., Parcel I.D. # 07127-611-000

Property Owner: Carl D. Hines

Violations: Accumulation of demolition debris, trash, and litter in yard,  
Ord. # 508 section 1(g-1) & section 1(g-13)

Inoperative / Unregistered Vehicles, Ord. # 508, Section 1(g-12) &  
LDR Sec. 15.760.12

### Testimony

March 24, 2016 Request that the Board allow Ms. Christy Hairston, Daughter, time to work with her Father and his illness and continue to make progress. It was stressed to the property owner that progress is necessary to avoid further actions.

### Status

The CEB allowed more time for the Respondent to work on correcting the violations.

## Investigative Report

March 24, 2016

Case # CE16-6805-06860

To: Callaway Code Enforcement Board Members

From: Bonnie Poole, Code Enforcement Officer

Location: 6805 Letohatchee St. Parcel I.D. # 06860-000-000

Property Owner: Lillian Patterson

Violations: **Mobile Home/Manufactured Building Without Skirting**

The conditions of the property constitute a nuisance, as defined by LDR Section 15.810.2 Mobile Homes Requiring Skirting.

### Testimony

January 15, 2016 N.O.V. letter allowing 30 days to correct the violation was mailed to property owner and resident.

January 20, 2016 GC returned signed by Lillian Patterson on January 19, 2016.

March 11, 2016 Violation had not been corrected. Took pictures. Mailed Notice to Appear.

March 16, 2016 GC returned signed by Lillian Patterson on March 14, 2016.

### Status

The property has been brought into compliance.

**Investigative Report**

March 24, 2016

Case # CE16-7116-06773

To: Callaway Code Enforcement Board Members  
From: Bonnie Poole, Code Enforcement Officer  
Location: 7116 Singleton Ave. Apt. A Parcel I.D. # 06773-054-000  
Property Owner: M J Enterprises  
Violations: Delinquent Tax Receipt

This is a violation of Ordinance #837 which states; Any persons, firms, businesses or home occupations located or operating in the City of Callaway must obtain (and maintain) a local Business Tax Receipt (BTR).

**Status**

The Board took no action as it was determined that M J Enterprises is no longer in business.

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
REGULAR WORKSHOP MINUTES  
MARCH 21, 2016 – 6:00 P.M.**

The Callaway Commission met in workshop session with Mayor Pro tem Pam Henderson, Melba Covey Bob Pelletier and Ralph Hollister in attendance. Also present was J. Michael Fuller, City Manager; Kevin Obos, City Attorney; Janice L. Peters, City Clerk; Beverly Waldrip, Finance Director; Tim Legare, Leisure Services Director; Bill Frye, Zoning & Code Enforcement; David Joyner, Fire Chief; Trevor Noble, Public Works Director and Lisa Koepke, Assistant to the City Manager. Mayor Abbott was absent.

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

**CONSENT AGENDA**

**Financial Update - "Budget-in-Brief"**

Commissioner Pelletier asked if franchise fee monies have been paid to the city. City Manager Fuller advised he will find out for tomorrow's meeting.

**Budget Amendments**

Commissioner Covey commented that the budget amendment was for the grant money received for the water main relocation. City Manager Fuller confirmed.

**Garbage Haulers Permit Renewal**

No discussion.

**Surplus Vehicles/Equipment**

Commissioner Covey asked if the Durango is the one currently being used by the Fire Chief. City Manager Fuller indicated it is. She asked about the Taurus in the Street Dept. Director Noble advised it is not safe. Regarding the Durango's mechanical problems, Director Noble advised it is not able to be used for emergency fire but it can be used in the streets department. The history of the Taurus and its uses was reviewed. Staff will bring back specifics on the Durango's mechanical problems.

**Advisory Board Appointments**

No discussion.

**Development Order for Zaxby's**

Mayor Pro tem Henderson advised she is happy to see the development orders.

Mr. Jim Slonina, with Panhandle Engineering, Inc., advised Zaxby's is currently in negotiations with the church on the adjoining property for parking via a joint use access

agreement, which was reviewed. City Manager Fuller advised the cross-parcel access is encouraged when possible.

### **Development Order for Retail Building – 7<sup>th</sup> St. & Tyndall Parkway**

Commissioner Covey asked what the retail building will be. City Manager Fuller advised it will be a retail Shell building with two suites that will be leased out. It is located where Callaway Lawn & Cycle was located. Cameron Snipes of Kimbley-Horne advised the potential owner is working to get lease agreements for the additional retail.

City Manager Fuller advised cross-parcel access is being encouraged for this project as well, in the rear of the property.

### **REGULAR AGENDA**

#### **Resolution No. 16-10 – Election Qualifying**

No discussion.

#### **Resolution No. 16-11 - Sports & Recreation Committee**

No discussion.

#### **Resolution No. 16-12 – Yard of the Month Program**

Mayor Pro tem Henderson advised the resolution is to recognize citizens who make an extra effort to beautify Callaway and encourage others to follow suit. Criteria for the program were reviewed. A separate e-mail will be set up for nominations. Commission and employees of the City will not be eligible to participate. The City Manager and City Clerk will review nominations for submission to Commission for approval.

Commissioner Covey thought it was a good idea and would like winners to be advocates for others in their neighborhood.

### **PUBLIC PARTICIPATION**

David Griggs, 7111 Winona St., was in agreement of the program and felt it would be good to bring awareness to beautifying the City. He referenced the magnitude of rental properties within the city, whose residents normally are not concerned with beautification of the property and city.

#### **Right-of-way Construction Agreement – Boat Race Rd.**

City Manager Fuller reviewed the request for the right-of-way use agreement to install a fence, noting that the homeowner would be responsible for any damage to the fence should the city need to make any repairs in the right-of-way.

Commissioner Covey expressed concerned that mowing the ditch with the fence there would add labor efforts to staff. City Manager Fuller advised there are no utilities in that area and the ditch is a shallow stormwater swale which requires minimal maintenance. He advised the area and ditch is currently being maintained by the owner and the agreement can be terminated at any time. Director Noble did not feel mowing would be a problem.

### **Comp Plan Evaluation & Appraisal Report (EAR) Notification Letter**

City Manager Fuller reviewed the EAR requirements and advised no amendments are needed at this time. Prior to 2011 cities had to submit the EAR every 7 years. Now, cities can simply send a letter by April 1<sup>st</sup> if no updates are needed, which he requested. He advised amendments can be made to the Comp Plan with more flexibility if the city does not submit the amendments as part of the EAR. Comp Plan Amendments submitted as part of the EAR would be subject to state coordinated review. Outside the EAR, amendments can be made later on as part of an expedited state review, which limits state comments an input. He further reviewed a list of suggestions for inclusion in future amendments.

Commissioner Covey would like to have a workshop to discuss the EAR and how it affects the community.

City Manager Fuller advised that submitting the letter would give the City until the end of December to make any amendments to the EAR. Commissioner Pelletier felt the letter should have been brought to Commission in February's Commission meeting? Mayor Pro tem Henderson noted the letter was sent to the Mayor and not the City Manager. Commissioner Covey recommended the process be changed to notification of the City Manager since he actually runs the day-to-day business of the City.

Mayor Pro tem Henderson asked if there is a down side to not submitting the EAR at this time. City Manager Fuller advised there is not.

### **PUBLIC PARTICIPATION**

David Griggs, 7111 Winona St., as Vice-Chair of the Planning Committee, advised he is in agreement with not doing an EAR at this time, thereby extending the time and flexibility to make changes. He further commented on the process.

### **Light Pole Banners – Informational Update**

City Manager Fuller reviewed the costs for twenty-four banners with hardware, which is well within the \$3,000 budgeted. The banners would be 16" x 45" in size. He advised this would be enough to do most all of Cherry Street and parts of Beulah. He indicated that since Tyndall Parkway and Highway 22 are state roads, FDOT would need to approve placement on those roads.

Commissioner Covey felt Tyndall to be the main thoroughfare in Callaway and requested staff contact FDOT for approval of placement before money is spent. Commission agreed. She would like to see mainly the parts of Tyndall Parkway that are in the City decorated and Cherry Street for Veteran's Day. City Manager advised staff will coordinate with FDOT for the process needed to get approval.

Commissioner Covey asked that City Hall be decorated for holidays, both outside and in the lobby.

Commissioner Pelletier felt the main emphasis for the banners should be Tyndall Parkway.

#### Prayer at Meetings

Regarding prayer at meeting, City Attorney Obos advised another federal court case came out that seems to reflect it probably is best not to have prayer led by elected officials but by a volunteer citizen, or not at all. He advised a policy could be provided for the process. Commissioner Covey advised she would not want to discontinue that process.

#### City Sign

Mayor Pro tem Henderson would like staff to look into requirements for a city sign to be constructed and installed on Tyndall Parkway. Commission felt that location to be the entrance to the City. City Manager Fuller will look into the process, advising CRA funds can be used if the location is within the CRA designated area.

### **UB Customer Service - Commissioner Covey**

Commissioner Covey reviewed cases of citizen issues with water services at night and on the weekends, as well as the procedure for crediting payments to customer accounts.

She inquired as to why a temp has been hired to work in Customer Service when there are other staff members that can fill in and expressed concern over continued problems within customer service. City Manager Fuller advised other staff within city hall have been used to the extent possible. Commissioner Covey asked if a temp fee is being paid that will require a budget amendment. City Manager Fuller indicated the details of an employee's leave are not open for public discussion, but two people are not being paid for this position. He advised that the circumstances required a temp to fill in. Commissioner Covey did not feel a temp to be the way to go to cover absences of staff.

City Manager Fuller advised he is in discussions with Gulf Coast State College for customer service training options city-wide. Training will be customized for the city's needs.

Mayor Pro tem Henderson advised the City Manager needs to be directed to resolve the customer services issues and not discussed in the public meeting. Commissioner Covey advised she wanted the discussion on the record per citizen requests.

Commissioner Pelletier asked the City Manager to look at internal procedures and look for ways to eliminate human error, including cutoff/reconnect processes. City Manager Fuller advised processes are being reviewed for efficiencies and staff is working with Springbrook to implement paperless processes. A procedure has been put into place by Public Works in which all utility techs have an electronic folder which is reviewed at the end of the day for any outstanding work orders needing to be completed. He added that Springbrook is currently here and training is underway.

Finance Director Waldrip indicated errors occur when customers do not submit their bill stub, and if the address on their check does not match the residence, errors are going to happen. Commissioner Covey asked what is done if the account cannot be referenced. Director Waldrip advised calls are made if bills are not paid by the 15<sup>th</sup>, advising of the delinquency, but if the correct phone number is not on the account they won't get the notification. The customer will also get a call if they are on the cutoff list.

Commissioner Covey advised the public discussion is not to reflect badly on staff but to find a solution to the problems citizens are having. Director Waldrip advised training is happening and she believes processes will be much improved going forward. She advised city hall staff has helped cover customer service during absences and training but they have jobs to do as well. She felt the temp was a good alternative to help staff and keep the process running as she did have prior customer service experience.

Regarding the customer with .09 bill, City Manager Fuller advised it was an irrigation account that was not used much during that billing cycle. Finance Director Waldrip indicated staff is working with Springbrook in UB training to combine irrigation accounts with the homeowner's regular account. Currently a separate bill is sent for irrigation accounts.

Commissioner Hollister asked if the water tower and the fire house are paid off. City Manager Fuller advised they are.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:38 p.m.

\_\_\_\_\_  
Janice L. Peters, MMC, City Clerk

Attest: \_\_\_\_\_  
Mayor

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
MARCH 22, 2016 – 6:00 P.M.**

The Callaway Commission met in regular session with Thomas Abbott, Mayor and Commissioners Melba Covey, Pam Henderson, Bob Pelletier and Ralph Hollister. Also present was J. Michael Fuller, City Manager; Kevin Obos, City Attorney; Janice L. Peters, City Clerk; Beverly Waldrip, Finance Director; Tim Legare, Leisure Services Director; David Joyner, Fire Chief; Trevor Noble, Public Works Director and Lisa Koepke, Assistant to the City Manager.

The meeting was called to order by Mayor Abbott, followed by an invocation, given by Ron Fairbanks and the Pledge of Allegiance, led by Fire Chief Joyner.

Mayor Abbott called for changes to the agenda. He asked that item 14 be tabled until the next meeting. Commissioner Covey asked that Item 4, Surplus Vehicles, be added to the Regular Agenda.

**PRESENTATIONS**

**Employee of the Month – Gregory Turner**

Mayor Abbott read the letter of recommendation in which Mr. Turner was commended on his knowledge, experience and teamwork. Commission thanked Mr. Turner and presented him with a Certificate of Recognition.

**Proclamation – April as Clean-up, Paint-up, Fix-up Month**

The proclamation was read in its entirety, which noted that April 15<sup>th</sup> and 16<sup>th</sup> are Bay County Amnesty Days.

**Proclamation – Child Abuse Prevention Month**

The proclamation was read in its entirety, designating April as child abuse awareness and prevention month.

**Code Enforcement Board Report**

Chairman Tony Mullinax informed the Commission of the outcome of the six cases heard by the Code Enforcement Board at their meeting on February 25, 2016.

Commissioner Covey asked that Mr. Mullinax provide a copy of his report, which will be provided by the Code Enforcement office.

**Bay County Sheriff's Office Report**

Cpl. Deutsche reviewed statistics for the month of February as follows:

Miles Patrolled	-	21,005	Traffic Stops	-	90
Calls for Service	-	994	Citations Issued	-	88
Arrests Made	-	47	Traffic Crashes	-	44

As a follow-up to last month's meeting he advised that during the month of February they were able to utilize an FDOT grant through the Sheriff's Office which provided additional manpower for traffic enforcement in the City of Callaway. They provided service on 6 days over 36 hours, conducted 26 traffic stops over and above the normal patrol, issued 33 citations, of which 26 were for unlawful speed, 2 suspended drivers license, one had no drivers license, an expired drivers license, and a couple of expired registration violations. Out of that, three individuals were arrested.

Commissioner Covey requested a speed limit sign be installed midway of Seneca Street. City Manager Fuller will confer with the Streets Department.

Commissioner Pelletier asked what determines the various speed limits in neighborhoods. Cpl. Deutsche advised the City sets the speed limit. The statute calls for 38 mph in residential areas unless otherwise set by the governing body. Mayor Abbott advised there was a thorough review of this subject in the past. Brief discussion followed; the City Manager Fuller will provide documentation to Commissioner Pelletier.

### **Public Participation**

**John J. Malone, 707 Plantation Circle**, referenced the minutes of January, 2016, regarding the auditor's recommendations. He asked about the franchise fee revenues in the amount of \$88,000 duplicate posting, which had been corrected. He wondered how she had found the duplicate posting. He referenced that Commissioner Pelletier asked what seems to be the problem in reconciliations and keeping up with them month to month. To which the auditor advised that the finance staff is stretched thin and recommended adding a staff person. Mr. Malone stated that Commission does not pay any attention to the recommendations in the annual audit reports. Mayor Abbott advised there have been discussions since January by Commission regarding the recommendations in the audit. Commissioner Covey advised the auditor came to a meeting and issues were reviewed.

Mr. Malone referenced that, according to the 2014 audit, the City made a million dollar profit. He asked how that was accomplished, if it was cutting back on service or the overtaxing of citizens. Commissioner Covey advised the commission absorbed over \$200,000 in utility increases for 2016 and did not pass the costs on to the citizens. Mr. Malone advised he will be more involved in making sure Commission is heeding the advice of the auditors.

### **MINUTES**

February 22, 2016	Regular Workshop
February 23, 2016	Regular Meeting
February 26, 2016	Special Meeting

City Clerk Peters reviewed amendments made to the February 22<sup>nd</sup> and 23<sup>rd</sup> minutes.

### **Motion:**

Motion was made by Commissioner Covey and seconded by Commissioner Hollister to approve the minutes as amended. Motion carried unanimously upon roll-call vote.

### **CONSENT AGENDA**

**Financial Update “Budget-in-Brief”**  
**Budget Amendments**  
**Garbage Haulers Permit Renewal**  
**Surplus Vehicles/Equipment**  
**Advisory Board Appointments**  
**Development Order for Zaxby’s**  
**Development Order for Retail Bldg.**

**Motion:**

Motion was made by Commissioner Pelletier and seconded by Commissioner Henderson to approve the consent agenda, with the exception of Item #4. Motion carried unanimously upon roll-call vote.

**REGULAR AGENDA**

**Surplus Vehicles/Equipment**

Commissioner Covey expressed concern regarding the request for the Fire Department Durango to be transferred to Streets. She requested the Durango be sent to surplus as well. City Manager Fuller was unable to place a monetary value on repairs needed, which is overheating and idling. He felt the Durango could be useful in the Streets Dept. for the Superintendent and recommended keeping it. Director Noble advised the Durango is inadequate for use at the Fire Department but will work for use in the Streets Department.

**Motion:**

Motion was made by Commissioner Hollister and seconded by Commissioner Henderson to approve surplus vehicles/equipment as recommended with the Durango being transferred to the Streets Department. Motion carried 3-2 upon roll-call vote, with Commissioner Covey and Commissioner Pelletier voting in opposition.

**Resolution No. 16-10 – Election Qualifying**

City Attorney Obos read Resolution No. 16-10 by title as follows:

**A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA, APPROVING THE BALLOT FOR THE MUNICIPAL SUPER TUESDAY ELECTION ON APRIL 19, 2016; DECLARING QUALIFYING OF CERTAIN CANDIDATES TO FILL THE CITY COMMISSION WARD III~~V~~ SEAT; DECLARING THAT NO MUNICIPAL ELECTION SHALL BE HELD FOR COMMISSION WARD IV~~H~~ SEAT AND THE MAYORAL SEAT; AND PROVIDING AN EFFECTIVE DATE.**

**Motion:**

Motion was made by Commissioner Henderson and seconded Commissioner Hollister for approval of Resolution No. 16-10. Motion carried unanimously upon roll-call vote.

**Resolution No. 16-11 - Sports & Recreation Committee**

City Attorney Obos read Resolution No. 16-11 by title as follows:

**A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA; AMENDING RESOLUTION 12-21 THE CALLAWAY SPORTS AND RECREATION COMMITTEE; PROVIDING FOR TERMS; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

**Motion:**

Motion was made by Commissioner Covey and seconded Commissioner Hollister for approval of Resolution No. 16-11. Motion carried unanimously upon roll-call vote.

**Resolution No. 16-12 – Yard of the Month Program**

Commissioner Henderson reviewed the resolution and the proposed Yard of the Month program, in an effort to encourage citizens to beautify the City. Commissioner Covey would like to see groups get involved and asked that City staff make contact.

City Manager Fuller advised that last year the City waived costs for pickups during the whole month of April for Clean-up, Paint-up, Fix-up and recommended waiving the fees for the week corresponding with Bay County's Amnesty Days only. Commissioner Covey recommended a two week period to waive fees. Options were discussed.

City Attorney Obos read Resolution No. 16-12 by title as follows:

**A RESOLUTION OF THE CITY OF CALLAWAY, FLORIDA SUPPORTING A YARD OF THE MONTH PROGRAM ADMINISTERED BY THE CITY FOR THE SELECTION AND RECOGNITION OF A YARD OF THE MONTH; AND PROVIDING AN EFFECTIVE DATE.**

**Motion:**

Motion was made by Commissioner Pelletier and seconded Commissioner Henderson for approval of Resolution No. 16-12. Motion carried unanimously upon roll-call vote.

**Right-of-way Construction Agreement – 6318 Boat Race Rd.**

City Manager Fuller reviewed the request by the homeowner to construct a chain link fence in the City's right-of-way adjacent to his property.

**Motion:**

Motion was made by Commissioner Pelletier and seconded Commissioner Hollister for approval of the right-of-way construction agreement.

Mayor Abbott asked if there is a hold-harmless statement in the agreement, which City Manager Fuller confirmed.

Code Enforcement Officer Bill Frye requested two sentences be added to the agreement stating that the homeowner will be obligated to maintain the property on both sides of the fence so that no additional work is created for the staff of Public Works.

The motion was amended to include the request and carried unanimously upon roll-call vote.

### **Comp Plan Evaluation & Appraisal Report Notification Letter**

City Manager Fuller reviewed, requesting a letter be sent to the Land Planning Agency stating no amendments are necessary. He noted that if the City went through the EAR process, any amendments proposed would have to be adopted by the City within a 1-year period, whereas, if the letter declaring no amendments necessary is sent, CPA's can still be adopted at a later date without having to go through the state coordinated review process. Changes would then go through an expedited review. He noted that the state no longer restricts the number of amendments that can be submitted.

Mayor Abbott pointed out that the West Florida Regional Planning Council is available to assist in any amendments.

#### **Motion:**

Motion was made by Commissioner Hollister and seconded Commissioner Henderson for approval to submit letter of no changes needed.

Commissioner Covey requested a workshop be held to review the Comp Plan. City Manager Fuller will put together possible dates for Commission approval.

Motion carried unanimously upon roll-call vote.

### **Light Pole Banners – Informational Update**

Commissioner Covey requested FDOT be contacted for approval to put banners on Tyndall Parkway before moving forward. Director Legare advised he had contacted the District Permits Office regarding the banners and the City of Callaway sign. The person he needs to speak with was not in at the time but will call him back. He also advised the Historical Society had requested banners on Cherry Street.

### **UB Customer Service Discussion**

This item was tabled until the April meeting.

### **COMMISSION COMMENTS**

#### **Bob Pelletier, Commissioner, Ward III**

##### Springbrook Payroll Training

He asked City Manager Fuller if this will include automating payroll. City Manager Fuller advised payroll is part of the discussions and computerized time clocks will be considered.

## **Pamn Henderson, Commissioner, Ward II**

Commissioner Henderson thanked Mayor Abbott and Commissioner Hollister for their service and stated she had enjoyed serving on the Commission with them.

## **Melba Covey, Commissioner, Ward I**

### WOW

Commissioner Covey asked if we were now on a month-to-month basis with WOW and if any action has been taken regarding the telephone system. City Manager Fuller advised we are on a month-to-month basis at this time and staff is working on publishing a Request for Proposals.

### Collection of Franchise Fees

City Manager Fuller advised the Franchise Fees are current and all payments have been received.

### 2015 Audit

Commissioner Covey asked City Manager Fuller for confirmation that the 2015 Audit has not been received, which he confirmed.

City Manager Fuller also stated Warren Averett is still holding the 2015 Audit because of Military Point and FRS.

### Code Enforcement

Commissioner Covey asked the status of the 13 mobile home skirting violations. City Manager Fuller will e-mail updates to Commission. Commissioner Pelletier advised he has a list of the addresses. Commissioner Covey asked that when one Commissioner receives information that it be copied to all.

### Audit Letter of Non-Compliance

Commissioner Covey asked about the status of the non-compliant letter from the state Legislative Committee regarding our audit. City Manager Fuller indicated he is working with Warren Averett and they are confident the concern will be addressed satisfactorily.

### Paving Grant

Commissioner Covey asked where we are with the paving grant. City Manager Fuller advised we are waiting for the new grant application cycle while still looking for other grant opportunities.

### Wal-Mart Shopping Carts

Commissioner Covey asked if something can be done about the abandoned shopping carts along Seneca, Garden Cove and Camellia. She had contacted Wal-Mart and nothing came of it. The City employees had to retrieve them. She asked if a letter could be sent to Wal-mart. Mayor Abbott indicated other stores have this problem as well and it's the residents who are taking the carts on the streets. He recommended considering solutions to the problem. City Manager Fuller will research common solutions prior to next meeting. Mayor Abbott suggested asking what other cities have done.

### Older Mobile Homes

Commissioner Covey referenced dilapidated mobile homes around the City and requested City Manager Fuller inquire of surrounding cities what their solutions are.

### Household Garbage

Commissioner Covey indicated City Manager Fuller is working on an ordinance addressing the time frame for putting garbage out to the curb.

## **Thomas Abbott, Mayor**

### West Florida Regional Planning Council

Mayor Abbott apologized for missing the workshop on the prior night due to his meeting at the West Florida Regional Planning Council. Going forward, he was informed that the Council sent a request to Governor Scott to change his status from an elected official member to a Governor appointee. The City of Callaway is not required to, but he recommended Commission appoint another representative.

## **J. Michael Fuller, City Manager**

### Bulk Solid Waste Fees

City Manager Fuller advised that last year the City waived fees for the entire month of March, which resulted in double the amount of waste picked up on a number month. This year staff is recommending April 25<sup>th</sup> – 29<sup>th</sup> for waiver of fees. Commissioner Covey requested the last two weeks of April.

### **Motion:**

Motion was made by Commissioner Covey and seconded by Commissioner Henderson to add the item to the agenda and for approval of April 25<sup>th</sup> – 29<sup>th</sup> for waiver of bulk solid waste fees. Motion carried unanimously upon roll-call vote.

## **Kevin Obos, City Attorney**

### Damaged Utility Line

Regarding the \$2,700 the city had paid for the damaged utility line a month or so ago, City Attorney Obos indicated a letter had been sent, resulting in an offer to split the damages. He responded that the line had been clearly marked and requested they pay the entire amount. He has not heard back from their insurance company. Mayor Abbott asked that he update the Commission at the next meeting.

City Manager Fuller advised Public Works Director Trevor Noble had accepted employment elsewhere and wished him well.

## **Janice L. Peters, City Clerk**

### Advisory Board Members

City Clerk Peters advised we are still in need of advisory board members.

Elections

City Clerk Peters invited prospective new City Commissioners to meet with her for a copy of processes. City Attorney Obos will also be reviewing open meetings and sunshine law. Mayor Abbott advised those leaving the Commission will need to fill out the final Form F-1 Financial Disclosure.

**ANNOUNCEMENTS**

Mayor Abbott read the announcements for the month of April.

**ADJOURNMENT**

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

\_\_\_\_\_  
Janice L. Peters, MMC, City Clerk

Attest: \_\_\_\_\_  
Mayor

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: FINANCIAL UPDATE

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)**

Please see the attached "Budget-In-Brief" financial statement as of March 31, 2016.

**ATTACHMENT:**

- BUDGET-IN-BRIEF

5. **REQUESTED MOTION/ACTION:**

For review only. No action required.

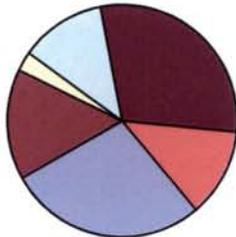


# CITY OF CALLAWAY

## Fiscal Year 2016

### BUDGET-IN-BRIEF as of March 31, 2016 50% of Year Elapsed

#### YTD-Citywide Expense Allocation



Operating 27.9%	Personnel Svc 15.4%
Non-Operating 2.7%	Transfers 12.1%
Principal Debt Pmts 29.6%	Capital 12.4%

#### General Fund Revenues

Revenues	Budget	Year-to-Date	%
Advalorem Taxes	1,003,362	873,649	87.1%
Other Taxes	1,918,340	894,310	46.6%
Permits, Fees, & Licenses	1,013,650	468,669	46.2%
Grants & Shared Revenue	1,948,165	874,478	44.9%
Service Charges	157,650	80,323	51.0%
Judgements, Fines, & Forfeits	4,400	1,477	33.6%
Interest & Other Earnings	4,550	1,979	43.5%
Rents & Royalties	59,500	24,342	40.9%
Sales of Fixed Assets	30,200	3,152	10.4%
Contributions & Donations	2,500	799	32.0%
Miscellaneous Revenue	300	342	114.0%
<b>Total Revenues</b>	<b>\$ 6,142,617</b>	<b>\$ 3,223,520</b>	<b>52.5%</b>

#### General Fund Expenditures

Expenditures	Budget	Year-to-Date	%
Executive (Commission)	58,648	26,871	45.8%
City Manager	233,719	112,488	48.1%
Finance	248,961	142,531	57.3%
Legal	110,000	53,597	48.7%
Planning & Code Enforcement	315,752	101,931	32.3%
Information Technology	69,150	24,175	35.0%
Elections	6,250	-	0.0%
General Government	306,146	125,179	40.9%
Law Enforcement	1,483,300	741,473	50.0%
Fire Department	1,069,608	513,135	48.0%
Streets	1,144,794	506,254	44.2%
Maintenance Shop	210,482	104,576	49.7%
Leisure Services	804,008	454,297	56.5%
Transfers	1,537,235	1,447,235	94.1%
Indirect Cost Allocation	(544,087)	(272,043)	50.0%
<b>Total Expenditures</b>	<b>\$ 7,053,966</b>	<b>\$ 4,081,699</b>	<b>57.9%</b>

#### General Fund Increase/Decrease to Fund Balance

	Budget	Year-to-Date
Incr / (Decr) to Fund Balance	(911,349)	(858,179)

#### Community Redevelopment Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	23,573	17,952	76.2%
Expenditures	102,750	12,267	11.9%
Incr / (Decr) to Fund Balance	(79,177)	5,685	

#### Debt Service Fund

	Budget	Year-to-Date	%
Transfers In	1,447,235	1,447,235	100.0%
Debt Service Pmts.	1,447,235	1,447,235	100.0%
Incr / (Decr) to Fund Balance	-	-	

#### Capital Projects Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	810,325	363,096	44.8%
Expenditures	810,325	365,620	45.1%
Incr / (Decr) to Fund Balance	-	(2,524)	

#### Water Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	2,761,750	1,264,456	45.8%
Expenses & Trfrs Out	6,445,143	3,735,455	58.0%
Incr / (Decr) to Net Assets	(3,683,393)	(2,470,999)	

#### Sewer Fund

	Budget	Year-to-Date	%
Revenues & Trfrs In	4,359,200	2,091,487	48.0%
Expenses & Trfrs Out	9,002,654	2,113,287	23.5%
Incr / (Decr) to Net Assets	(4,643,454)	(21,800)	

2015 Bond principal contributions were not recorded as an expense.

#### Solid Waste Fund

	Budget	Year-to-Date	%
Revenues	581,800	292,130	50.2%
Expenses & Trfrs Out	519,259	249,478	48.0%
Incr / (Decr) to Net Assets	62,541	42,652	

#### Citywide Increase/Decrease to Fund Balance / Net Assets

	Budget	Year-to-Date
Incr / (Decr) to Fund Balance/Net Assets	(9,254,832)	(3,305,165)

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: BUDGET TRANSFER – PUBLIC WORKS SOLID WASTE DIVISION

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

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

One of the solid waste trash trucks required a repair to the boom. This piece of equipment can only be purchased through the dealer at a cost of \$7,537.75. The R&M - Machinery and Equipment (43-534-304-61) account only contained \$1,938.24, requiring a budget transfer to cover the cost of this repair, which have already been made.

**ATTACHMENT:**

- BUDGET TRANSFER FORM
- BUDGET STATUS REPORT
- MEMO TO CITY MANAGER
- SOLE SOURCE FORM

5. REQUESTED MOTION/ACTION:

Staff requests Commission approval of the budget transfer for repair to the solid waste trash truck.

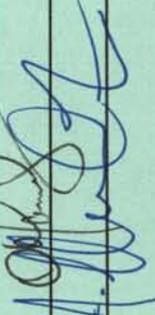


# BUDGET TRANSFER REQUEST

Department Public Works - Solid Waste Div. AMOUNTS MUST BE IN WHOLE DOLLARS

Account #	Account Description	CURRENT Budget Amt	Requested Increase	Requested Decrease	REVISED Budget Amt	Explanation for Request
43-534-304-90	Other Current Charges	\$9,400		\$7,540	\$1,860	Fewer materials and services needed.
43-534-304-61	R & M - Machinery & Equipment	\$5,250	\$7,540		\$12,790	Single Source repair part needed to prevent work stoppage.
		\$14,650	\$7,540	\$7,540	\$14,650	

### APPROVALS

Department Head \_\_\_\_\_ Date: 3/30/2016  
 City Manager  Date: 4/21/2016  
 Finance \_\_\_\_\_ Date: \_\_\_\_\_  
System Updated By: \_\_\_\_\_ Date: \_\_\_\_\_

# General Ledger

## Detailed Trial Balance

User: Dixon.T  
 Printed: 03/30/2016 - 7:41AM  
 Period: 01 to 06, 2016



Account Number	Description	Budget	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
43	Solid Waste Fund					
EXPENSE						
43-534	Solid Waste	9,400.00				
43-534-304-90	Other Current Charges					
10/31/2015 AP	1 285 STAR350 - Star Fire Extinguisher			12.00	0.00	
	Clk# 20054					
	43-534-304-90 Totals:	9,400.00	0.00	12.00	0.00	12.00
	Var: 9,388.00					
	43-534 EXPENSE Totals:	9,400.00	0.00	12.00	0.00	12.00
	EXPENSE Totals:	9,400.00	0.00	12.00	0.00	12.00
	43 Totals:	-9,400.00	0.00	12.00	0.00	12.00
	Report Totals:	-9,400.00	0.00	12.00	0.00	12.00

THIS YEAR 2016  
 BUDGET OF 9400.00

# General Ledger

## Detailed Trial Balance

User: Dixon.T  
 Printed: 03/30/2016 - 7:40AM  
 Period: 01 to 12, 2015



Account Number	Description	Budget	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
43	Solid Waste Fund					
EXPENSE						
43-534	Solid Waste					
43-534-304-90	Other Current Charges	1,542.00				
10/30/2014 AP	1 243 BAYC680 - Bay County Solid Waste Dept			120.52	0.00	
12/31/2014 AP	3 313 REGF000 - Regions/FL Stormwater Assn.			245.25	0.00	
2/28/2015 AP	5 291 BUSI527 - Business Promotions			219.40	0.00	
2/28/2015 AP	5 291 BUSI527 - Business Promotions			2.50	0.00	
4/30/2015 AP	7 344 BAYW044 - Bay Walk-in Clinic			65.00	0.00	
	43-534-304-90 Totals: Var: 889.33	1,542.00	0.00	652.67	0.00	652.67
	43-534 EXPENSE Totals:	1,542.00	0.00	652.67	0.00	652.67
	EXPENSE Totals:	1,542.00	0.00	652.67	0.00	652.67
	43 Totals:	-1,542.00	0.00	652.67	0.00	652.67
	Report Totals:	-1,542.00	0.00	652.67	0.00	652.67

LAST YEAR 2015  
 BUDGET OF \$1542.00  
 ENDING BALANCE OF \$652.67

# General Ledger

## Budget Status

User: Dixon.T  
 Printed: 3/22/2016 - 1:21 PM  
 Period: 1 to 6, 2016



Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
Fund 43	Solid Waste Fund							
Dept 43-534	Solid Waste							
E01	Personnel Services							
43-534-101-20	Regular Salaries	155,849.00	72,025.59	72,025.59	83,823.41	0.00	83,823.41	53.79
43-534-101-35	Cell Phone Allowance	300.00	0.00	0.00	300.00	0.00	300.00	100.00
43-534-101-39	CA - Personnel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-101-40	Overtime	525.00	0.00	0.00	525.00	0.00	525.00	100.00
43-534-101-50	Special Pay	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-101-60	Sale of Annual Leave	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-101-99	CA - Personnel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-102-10	FICA Taxes	9,261.00	4,295.95	4,295.95	4,965.05	0.00	4,965.05	53.61
43-534-102-11	Medicare Taxes	2,166.00	1,004.73	1,004.73	1,161.27	0.00	1,161.27	53.61
43-534-102-20	Retirement Contrib	11,315.00	5,223.66	5,223.66	6,091.34	0.00	6,091.34	53.83
43-534-102-30	Group Insurance	26,637.00	13,317.58	13,317.58	13,319.42	0.00	13,319.42	50.00
43-534-102-40	Worker's Compensation	6,479.00	1,197.14	1,197.14	5,281.86	0.00	5,281.86	81.52
43-534-102-50	Unemployment Compensation	0.00	0.00	0.00	0.00	0.00	0.00	0.00
E01 Sub Totals:		212,532.00	97,064.65	97,064.65	115,467.35	0.00	115,467.35	54.33
E02	Operating Expenses							
43-534-303-11	Legal Fees - City Atty.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-303-20	Audit / Accounting	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-303-40	Cleaning & Laundry	2,250.00	1,061.58	1,061.58	1,188.42	0.00	1,188.42	52.82
43-534-303-41	Other Contractual Service	72,306.00	52,331.78	52,331.78	19,974.22	20,698.19	-723.97	0.00
43-534-303-45	Debt Collection Service	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-303-46	Bad Debts	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-303-49	CA - Operating Exp	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-304-00	Travel & Per Diem	105.00	0.00	0.00	105.00	0.00	105.00	100.00
43-534-304-10	Communications/Telephone	525.00	0.00	0.00	525.00	0.00	525.00	100.00
43-534-304-20	Transportation/Postage	8,980.00	2,790.27	2,790.27	6,189.73	0.00	6,189.73	68.93
43-534-304-30	Utilities	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-304-40	Rentals & Leases	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-304-50	Insurance	6,011.00	3,038.77	3,038.77	2,972.23	0.00	2,972.23	49.45
43-534-304-60	R & M Buildings & Grounds	525.00	0.00	0.00	525.00	0.00	525.00	100.00
43-534-304-61	R & M - Machinery & Equipment	5,250.00	611.23	611.23	4,638.77	2,700.53	1,938.24	36.92
43-534-304-62	R & M Vehicles	15,750.00	6,154.75	6,154.75	9,595.25	4,353.24	5,242.01	33.28
43-534-304-65	R & M - IT Equipment	600.00	0.00	0.00	600.00	0.00	600.00	100.00

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
43-534-304-70	Printing & Binding	4,770.00	930.69	930.69	3,839.31	2,105.25	1,734.06	36.35
→ 43-534-304-90	Other Current Charges	9,400.00	12.00	12.00	9,388.00	125.00	9,263.00	98.54
43-534-304-91	Tipping Fees	68,770.00	18,330.67	18,330.67	50,439.33	3,391.00	47,048.33	68.41
43-534-305-10	Office Supplies & Small Equip	111.00	150.98	150.98	-39.98	0.00	-39.98	0.00
43-534-305-20	Operating Supplies	2,665.00	0.00	0.00	2,665.00	10.98	2,654.02	99.59
43-534-305-21	Fuel & Lubricants	23,000.00	7,434.11	7,434.11	15,565.89	0.00	15,565.89	67.68
43-534-305-22	Uniforms	735.00	407.45	407.45	327.55	0.00	327.55	44.56
43-534-305-40	Books, Publications, & Dues	150.00	0.00	0.00	150.00	35.00	115.00	76.67
43-534-305-50	Education	105.00	0.00	0.00	105.00	0.00	105.00	100.00
E02 Sub Totals:		222,008.00	95,046.67	95,046.67	126,961.33	32,373.26	94,588.07	42.61
E03	Capital Outlay							
43-534-303-10	Engineering Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-606-20	Buildings	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-606-30	Improvements O/T Buildings	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-606-40	Mach & Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-606-41	Office Mach & Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
E03 Sub Totals:		0.00	0.00	0.00	0.00	0.00	0.00	0.00
E04	Principal Debt Svc							
43-534-707-10	Principal Pmt	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43-534-707-30	Amorization Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00
E04 Sub Totals:		0.00	0.00	0.00	0.00	0.00	0.00	0.00
E08	Non-Operating Expense							
43-534-707-20	Interest Pmt	0.00	0.00	0.00	0.00	0.00	0.00	0.00
E08 Sub Totals:		0.00	0.00	0.00	0.00	0.00	0.00	0.00
E09	Depreciation							
43-534-305-90	Depreciation	0.00	0.00	0.00	0.00	0.00	0.00	0.00
E09 Sub Totals:		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Expense Sub Totals:		434,540.00	198,980.46	198,980.46	235,559.54	32,373.26	203,186.28	46.76
Dept 534 Sub Totals:		434,540.00	198,980.46	198,980.46	235,559.54	32,373.26	203,186.28	46.76
Fund Revenue Sub Totals:		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fund Expense Sub Totals:		434,540.00	198,980.46	198,980.46	235,559.54	32,373.26	203,186.28	46.76
Fund 43 Sub Totals:		434,540.00	198,980.46	198,980.46	235,559.54	32,373.26	203,186.28	46.76

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

**ITEM: BUDGET TRANSFERS – ANNUAL LEAVE PAYOUT AND CREDIT CARD MERCHANT FEES**

**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

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

The attached Budget Transfer Requests include:

1. A transfer in the amount of \$5,680 from "Regular Salaries" budget to "Annual Leave Payout" budgets to account for the payment of accumulated leave to employees leaving the City's employment.
2. An increase in the Water budget to account for payment of credit card merchant fees for Springbrook online utility payments. These fees are offset by convenience fees collected.

**ATTACHMENT:**

- BUDGET TRANSFER FORMS

**5. REQUESTED MOTION/ACTION:**

Staff requests Commission approval of the budget transfers.



## BUDGET TRANSFER REQUEST

AMOUNTS IN WHOLE DOLLARS

4/26/2016

Department  
City - Wide

Account #	Account Description	CURRENT Budget Amt	Requested Increase	Requested Decrease	REVISED Budget Amt	Explanation for Request
01-522-101-65	Fire - Annual Leave Payout	\$0	\$20		\$20	Transfers from "Regular Salaries" budgets to "Annual Leave Payout" budgets to account for the payment of accumulated leave to employees leaving the City's employ.
01-522-101-20	Fire - Regular Salaries	549,601		20	549,581	
01-541-101-65	Streets - Annual Leave Payout	0	260		260	
01-541-101-20	Streets - Regular Salaries	307,109		260	306,849	
41-533-101-65	Water - Annual Leave Payout	0	5,100		5,100	
41-533-101-20	Water - Regular Salaries	333,706		5,100	328,606	
42-535-101-65	Sewer - Annual Leave Payout	430,738	300		300	
42-535-101-20	Sewer - Regular Salaries			300	430,438	
<b>Totals</b>			<b>\$5,680</b>	<b>\$5,680</b>		

**APPROVALS**

Department Head \_\_\_\_\_

City Manager \_\_\_\_\_

Commission \_\_\_\_\_

Finance \_\_\_\_\_

Date: \_\_\_\_\_  
 Date: 4/19/2016  
 Date: \_\_\_\_\_  
 Date: \_\_\_\_\_

# Payroll

## Pay Type Register



User: bwaldrip  
 Printed: 04/19/2016 - 10:40AM  
 Check Date Range: 10/01/2015 to 04/19/2016  
 Period Date Range: All  
 Batch Info: All  
 Pay Types: VP

Department	Employee	Pay Type	Description	Hours	Amount
522	CostelloW	Costello, William P VP	Vacation Payout	1.50	16.16
			<b>Employee Total</b>	1.50	16.16
			<b>Department Total</b>	1.50	16.16
533	BishopJ	Bishop, Johnny R VP	Vacation Payout	132.50	2,445.95
			<b>Employee Total</b>	132.50	2,445.95
	KoetzleR	Koetzle, Roger P VP	Vacation Payout	186.00	2,354.76
			<b>Employee Total</b>	186.00	2,354.76
			<b>Department Total</b>	318.50	4,800.71
541	NobleT	Noble, Trevor D VP	Vacation Payout	26.00	850.00
			<b>Employee Total</b>	26.00	850.00
			<b>Department Total</b>	26.00	850.00
			<b>Report Total</b>	346.00	5,666.87



Online Payments Summary Analysis		Conv. Fees	CC Merchant fees			
15-Oct		2,892.00	2,660.22			
15-Nov		2,828.00	2,549.30			
15-Dec		3,336.00	2,575.81			
16-Jan		3,144.00	2,835.19			
16-Feb		3,384.00	2,636.52			
16-Mar	Estimated	3,200.00	3,044.49			
16-Apr		3,200.00	3,123.45			
16-May		3,200.00	2,800.00			
16-Jun		3,200.00	2,800.00			
16-Jul		3,200.00	2,800.00			
16-Aug		3,200.00	2,800.00			
16-Sep		3,200.00	2,800.00			
Totals		37,984.00	33,424.98			
Other actuals X 2		4,988.28	6,048.82			
Estimated Annual totals		42,972.28	39,473.80			
Current budgets		7,500.00	16,550.00			
		35,472.28	22,923.80			
			22,000.00			
			55,424.98			
	Estimated cost of Spgbrk online paymtns (33,425 + 22,000)					
	Convenience fees collected less expenses paid		(19,952.70)			

Conv. Fees should also offset \$1 fee per transaction paid to Spgbrk (approximately 1,300 per month) and maintenance fee (approximately \$6,500 per year); approximately \$22,000 in total.

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

**DATE:** FEBRUARY 23, 2016

**ITEM:** BUDGET AMENDMENT

**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 Spillway Project was budgeted for in FY2015 but not carried over to FY2016. This amendment will increase the amount in the Capital Projects Fund budget line item to carry forward the project.

**ATTACHMENTS:**

- BUDGET AMENDMENT REQUEST

**5. REQUESTED MOTION/ACTION:**

Staff recommends that the City Commission approve the referenced budget amendment.



## BUDGET AMENDMENT REQUEST

Department: Public Works AMOUNTS IN WHOLE DOLLARS

4/26/2016

Account #	Account Description	CURRENT Budget Amt	Requested Increase	Requested Decrease	REVISED Budget Amt	Explanation for Request
31-541-606-40	Berthe Ave. Spillway Project	\$ -	\$ 110,000		\$ 110,000	The Spillway project was budgeted for in fiscal year 2015, but not carried over to fiscal year 2016. This amendment will increase the amount in the Capital Projects Fund budget line item to carry forward the project.
31-380-381-10	Transfer from General Fund	\$ (90,000)	\$ (110,000)		\$ (200,000)	
01-380-389-10	Budgeted Use of Reserves	\$ (881,649)	\$ (110,000)		\$ (991,649)	
01-581-909-20	Transfer out to Capital Projects	\$ 90,000	\$ 110,000		\$ 200,000	
<b>Totals</b>			\$ -	\$ -		

**APPROVALS**

Department Head \_\_\_\_\_  
 City Manager \_\_\_\_\_  
 Commission \_\_\_\_\_  
 Finance \_\_\_\_\_

Date: \_\_\_\_\_  
 Date: 4/26/2016  
 Date: \_\_\_\_\_  
 Date: \_\_\_\_\_

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL26, 2016

ITEM: BOARD APPOINTMENT –CODE ENFORCEMENT BOARD

**1. PLACED ON AGENDA BY:**

J. Michael Fuller, City Manager / Janice L. Peters, City Clerk

**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 **Code Enforcement Board** currently has two Alternate vacancies. The City has received one application for appointment.

- Carmelo Roman-Quinones, if appointed, would fill a 3-year term of office through December 31, 2018.

The applicant lives within the City of Callaway and required background check has been done.

**Attachment(s):**

- Application

**5. REQUESTED MOTION/ACTION:**

Staff recommends appointment of Mr. Roman-Quinones to the Code Enforcement Board as an Alternate for a 3-year term as referenced above.



# CITY OF CALLAWAY

## ADVISORY BOARD APPLICATION

6601 EAST HIGHWAY 22  
CALLAWAY, FL 32404  
TELEPHONE: (850) 871-6000  
FACSIMILE: (850) 850-871-2444  
WEB: WWW.CITYOFCALLAWAY.COM

NEW APPLICATION

RE-APPLICATION

- ADJUSTMENT BOARD
- AUDIT COMMITTEE
- CODE ENFORCEMENT BOARD\* (3-Year Terms; 7 Members; 2 Alternates)
- PLANNING BOARD\* (3-Year Terms; 7 Members)
- SPORTS & RECREATION COMMITTEE
- OTHER: \_\_\_\_\_

Name: ROMAN-QUEÑONES CARMELLO "TONY"  
(Last) (First) (Middle)

Address: 6700 LAKE DRIVE

Mailing Address (if different): \_\_\_\_\_

Business Address: \_\_\_\_\_

Occupation: AIR FORCE RETIRED - 33 YEARS

Home Phone: 850.640.1512 <sup>CELL</sup>  
~~Work~~ Phone: 786.525.4753

E-mail: FLYER46@YAHOO.COM

Do you reside within the City limits?  Yes  No

Are you a Registered Voter in Bay County?  Yes  No Voter ID#: \_\_\_\_\_

Please rank your board preference(s):  
1. CODE ENFORCEMENT  
2. PLANNING  
3. ADJUSTMENT

Have you ever served on a volunteer board or in a volunteer capacity with the City of Callaway before?  Yes  No If yes, please indicate name of board and dates of service: \_\_\_\_\_

Why would you like to serve on this board? SERVICE. AFTER 33 YEARS OF SERVICE TO OUR NATION, I WOULD LIKE TO EXTEND THAT WEALTH OF EXPERIENCE AND ORGANIZATIONAL SKILLS TO MY LOCAL COMMUNITY.

What special skills would you bring to this position? LIFE AND WORK ETHICS; HIGH LEVELS OF RESPONSIBILITY; EDUCATIONAL BACKGROUND - B.S. DEGREE IN TRANSPORTATION MANAGEMENT, U OF MARYLAND.

Please list fields of work experience: FLIGHT ENGINEER INSTRUCTOR; ORGANIZATIONAL SKILLS AND BACKGROUND EXPERIENCE; READ, WRITE AND SPEAK SPANISH, ENGLISH AND GERMAN

List any licenses and/or degrees (location and year): COMMERCIAL, INSTRUMENT, MULTI-ENGINE PILOT RATED; FLIGHT ENGINEER - TURBOJET/TURBOPROP LICENSE; AIRCRAFT MAINTENANCE TECHNICIAN; 4 YEAR DEGREE - U OF MARYLAND

Local Referenced (Please list three (3)):

1. FATHER STEVE OLSON - ST. DOMINIC CATHOLIC CHURCH - 850.238.1899
2. FRANK MANDINELLI, NEIGHBOR - 850.596.5445
3. DAVID CLARK, NEIGHBOR - 850.819.6778

Would you have a problem with the meeting dates and times for the board/agency for which you are applying?  Yes  No If yes, please explain: \_\_\_\_\_

Signed: Samuel R. Quinn Date: 25 MARCH 2015

### SCHEDULE OF BOARD MEETINGS

[Note - Balance of Boards meet quarterly or as needed.]

Code Enforcement Board	3 <sup>rd</sup> THURS of each Month	6:00 p.m.
Planning Board	1 <sup>st</sup> & 3 <sup>rd</sup> TUES of each Month as needed	6:00 p.m.

\*These boards are subject to Financial Disclosure.

**Please submit application to:**

Janice L. Peters, City Clerk  
City of Callaway  
6601 E. Highway 22  
Callaway, FL 32404

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: UB CUSTOMER SERVICE

1. **PLACED ON AGENDA BY:**  
MELBA COVEY, COMMISSIONER WARD I

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)

Discussion and update of Utility Billing Customer Service.

**ATTACHMENT:**

5. **REQUESTED MOTION/ACTION:**

Discussion and/or direction to staff.

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: LIGHT POLE BANNERS UPDATE

**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

Approximately \$3,000 is budgeted for this item.

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

The City of Callaway has been planning to add banners and/or flags to many of the light poles along some of the main city roads. To follow up on the item presented at the last regular meeting, staff contacted FDOT regarding the process of adding banners within state roadways, namely Tyndall Parkway/US98 and SR22.

Chapter 337.407, F.S. authorizes FDOT to adopt rules providing for the placement of signs, canopies, and other overhanging encroachments along and over any state roads which are within municipalities. Those rules are established in Florida Administrative Code (FAC) 14-43, Regulation of Overhanging Encroachments. Pole banners may be permitted in state right-of-ways subject this rule and application process. A copy of Rule 14-43, FAC is attached.

If the City Commission wishes to moved forward with the pole banners, a Resolution has been attached for consideration.

**Attachment(s):**

- Rule 14-43, Florida Administrative Code
- Draft Resolution to Authorize Pole Banners

**5. REQUESTED MOTION/ACTION:**

It is recommended that the City Commission determine if pole banners be placed in and along Tyndall Parkway and/or State Road 22.

#### 14-43.001 Regulation of Overhanging Encroachments.

##### (1) Definitions.

(a) "Applicant" means any person or entity, including a local governmental entity, seeking permission for an overhanging encroachment.

(b) "Banner" means a length or sheet of cloth, fabric, plastic, or other flexible material bearing a message which may be either of the following:

1. "Pole Banner," which is located adjacent to the travel lanes of the roadway and is attached to a single existing permanent support.

2. "Street Banner," which extends over the travel lanes of the roadway and is attached to two or more existing permanent supports.

(c) "Canopy" means a permanent or semi-permanent, on-premise roof-like projection partially extending over the right of way.

(d) "Department" means the State of Florida Department of Transportation.

(e) "Local Governmental Entity" means as provided in Section 334.03(14) F.S.

(f) "Official Marker" means a Pole Banner identifying specific areas, such as historic, banking, or entertainment districts.

(g) "Overhanging Encroachment" means a sign, canopy, banner, or official marker, as these terms are herein defined, which is placed along and over any state roads which are within municipalities, or which are of curb and gutter construction outside municipalities.

(h) "Sign" means as provided in Section 479.01(17), F.S.

(2) Overhanging encroachments are prohibited on limited access facilities, including the Interstate System. Overhanging encroachments are subject to the following conditions on non limited access facilities:

(a) No new supports may be located within state right of way.

(b) Must be allowed by the local governmental entity within whose jurisdictional boundaries the banners are to be placed.

(c) Must be adjusted or removed at the owner's expense if the overhanging encroachment interferes with Department construction.

(d) Shall not obstruct the view of any traffic signal, traffic device, or official sign, nor in any way interfere with motorists' ability to safely operate vehicles.

(e) Must comply with the setback or clearance requirements set forth in paragraphs (3)(a) and (2)(b) below. Overhanging encroachment must be adjusted within 36 hours of notification to meet setback or clearance requirements, and, upon failure of the owner to make such adjustment, it will be removed by the Department.

(f) May not be erected or maintained in a manner which interferes with the Department's maintenance, operation, or other use of a transportation facility.

(g) Upon removal by the Department, the owner may reclaim it within 30 calendar days from the date of removal, upon payment of any costs incurred by the Department in removing the overhanging encroachment.

(h) Shall not contain changeable message technology.

(i) Shall be maintained in like new condition. Failure to properly maintain the encroachment shall cause the permit to be revoked after a ten (10) day notice from the Department.

(j) If the overhanging encroachment presents a safety hazard, the Department will remove it and notify the owner of the removal.

(3) Signs and canopies which meet the criteria of Section 479.16(1), F.S., may only be placed in compliance with the following conditions:

(a) Where curb and gutter construction exists, the entire structure, including attachments and supports, must clear the sidewalk vertically by at least nine feet; the outside edge of the structure must be at least two feet behind a vertical line extending upward from the face of the curb; and the entire structure must comply with the Department's horizontal clearance requirements set forth in the Roadside Offsets standard, Index 700, of the 2010 Department Design Standards, incorporated herein by reference, and available at: [www.dot.state.fl.us/officeofdesign](http://www.dot.state.fl.us/officeofdesign).

(b) Within municipalities where there is not curb and gutter construction, the entire structure, including attachments and supports, may not extend more than six feet over the right of way; may not extend closer than 12 feet from the edge of the driving lane; must have a vertical clearance of at least 10 feet; and the entire structure must comply with the Department's horizontal clearance requirements set forth in the Roadside Offsets standard of the Department's Design Standards.

(c) The design of canopies or signs, as to bracing and attachments to buildings, shall be approved for safety features by the appropriate official of the local governmental entity within whose jurisdictional boundaries the banners are placed.

(d) No canopy or sign shall be erected away from the site of the business which it promotes.

(e) Lighting of signs and canopies shall conform to the requirements of Section 479.11(5), F.S.

(4) Banners may be placed along and over any non limited access state roads which are within municipalities, or which are of curb and gutter construction outside municipalities subject to the following conditions:

(a) There must be written authorization for the placement of banners from the local governmental entity within whose jurisdictional boundaries the banners are to be placed.

(b) Banners may be displayed for a period not to exceed 30 consecutive calendar days and may not be within 180 days of the last day of its most recent display period, except as otherwise provided herein.

(c) Placement of banners on frangible light standards or other frangible devices will require a load rating analysis, signed and sealed by a registered professional engineer, certifying that the specific light standards or devices used to support the banners will handle the additional load placed on the structures by the banner and attachments, and will not exceed the wind loading design requirements of the structure. Copies of load rating analyses previously submitted are acceptable for subsequent applications when specifications are the same.

(d) Banners shall not be placed within 500 feet of a limited access interchange.

(e) Banners are not permitted where a Department construction project is planned or ongoing during the requested display period.

(f) Street banners may be displayed for routinely recurring events, e.g., events occurring monthly or quarterly, unless otherwise provided in this rule, provided the banner is displayed for no more than three consecutive days per month, for 12 months.

(g) Street banners must be:

1. Placed a minimum of 1,000 feet apart on the right of way of non limited access roadways; and

2. At its lowest point vertically clear the pavement by at least 18 feet.

(h) Pole banners must be:

1. Placed a minimum of 1,000 feet apart on the same side of the travel lane on non limited access facilities outside the corporate limits of a municipality;

2. At its lowest point at least 14 1/2 feet above the pavement elevation;

3. Attached to a light standard or other such device which is permanently located in the right of way.

(i) Pole banners may not be attached to any utility pole.

(j) Any object or device other than a banner, whether characterized as an ornament, decoration, display, or by other descriptive term, which is to be attached to a single existing permanent support must meet the requirements of this rule for pole banners.

(k) Official markers shall not be used to advertise an individual off-site business or shopping center.

(5) Official markers shall comply with all pole banner requirements except for sub-subparagraph (2)(i)8.a. Additionally, the following shall apply:

(a) Official markers must be identical and may only be displayed within the identified area, with no more than one official marker on each side of the roadway and placed a minimum of 150 feet apart.

(b) All official markers shall display the same legend or lettering identifying the area, however, individual sponsorship may be displayed beneath the legend provided the name or business logo of the sponsor is no greater than 25% of the total display.

(c) The sponsorship portion of the official marker may only contain the name and/or logo of the sponsor. No additional information may be displayed, including:

1. Telephone number;

2. Address;

3. Distance to a business;

4. Direction to a business.

(d) Official markers must be made of flexible material.

(e) Permits are issued for up to 12 months, and may be renewed at the end of the permit term.

(f) The applicant shall be responsible for all costs, including installation and removal, of the official markers.

(6) Applications for a sign or canopy must be made in writing to the appropriate District Maintenance Office and shall include:

(a) The name and address of the applicant.

(b) A drawing of the sign or canopy, drawn to scale, including any message, logo, or emblem.

(c) A sketch of the specific location of the sign or canopy, including height, location of supports, proximity to utility poles, and the identification of the state highway where the sign or canopy will be located.

(d) Sketches or specific descriptions of the method to be used to affix the sign or canopy to the support structure(s).

(e) Proof of compliance with resolutions of the local governmental entity within whose jurisdictional boundaries the banners are to be placed.

(7) The application for banners shall be on Application to Place Banners on Non Limited Access State Right of Way, DOT Form 575-070-18, Rev. 08/08, incorporated herein by reference. Copies of DOT Form 575-070-18 are available from the State Maintenance Engineer or any District Maintenance Engineer.

(8) The application for official markers shall be on Application to Place Official Markers on Non Limited Access State Right of Way, FDOT Form 575-070-21, Rev. 10/10, incorporated herein by reference. Copies of DOT Form 575-070-21 are available from the State Maintenance Engineer or any District Maintenance Engineer.

*Rulemaking Authority 334.044(2), 337.407 FS. Law Implemented 337.406, 337.407, 479.01, 479.16 FS. History--New 3-21-64, Amended 5-9-70, 7-9-75, Formerly 14-43.01, Amended 8-3-99, 8-2-01, 5-30-05, 2-18-09, 11-6-11.*

**RESOLUTION 16-\_\_\_\_**

RESOLUTION OF THE CITY OF CALLAWAY APPROVING THE PLACEMENT OF POLE BANNERS IN AND ALONG THE TYNDALL PARKWAY AND STATE ROAD 22 RIGHT-OF-WAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Callaway ("City") wishes to place banners in and along the road right-of-ways located within its municipal corporate limits; and

WHEREAS, the City intends to request approval from the Florida Department of Transportation ("Department") to place banners along Tyndall Parkway and State Road 22, non-limited access right-of-ways of the state; and

WHEREAS, the Department has established Rule 14-43, F.A.C. and an application procedure for banner placement in accordance with Chapter 337, F.S; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA, AS FOLLOWS:

SECTION 1. The City Commission hereby approves the placement of banners in and along the Tyndall Parkway (US98) and State Road 22 right-of-ways and authorizes the City Manager to sign the FDOT Application attached hereto as Exhibit "A".

SECTION 2. This Resolution shall become effective upon adoption.

PASSED, APPROVED AND DULY ADOPTED by the City Commission of the City of Callaway, Florida, meeting in regular session this \_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF CALLAWAY

\_\_\_\_\_  
Mayor

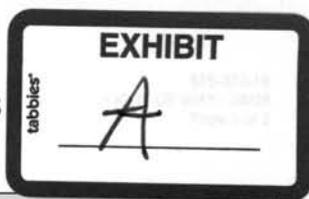
ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS  
 RIGHT OF WAY**



**FOR FDOT USE ONLY**  
 Permit No.:

**APPLICANT INFORMATION**

Name of Applicant/Organization: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
 Contact person (This person will serve as the contact person for all questions concerning the banner application and placement): \_\_\_\_\_  
 Address (if different from above): \_\_\_\_\_  
 Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

**LOCATION AND DISPLAY PERIOD**

This is a request to place  pole banners  street banners  on the right of way of:  
 Highway name & number: \_\_\_\_\_  
 From (south or west limits): \_\_\_\_\_ To (north or east limits): \_\_\_\_\_  
 Highway name & number: \_\_\_\_\_  
 From (south or west limits): \_\_\_\_\_ To (north or east limits): \_\_\_\_\_  
 Highway name & number: \_\_\_\_\_  
 From (south or west limits): \_\_\_\_\_ To (north or east limits): \_\_\_\_\_  
 Highway name & number: \_\_\_\_\_  
 From (south or west limits): \_\_\_\_\_ To (north or east limits): \_\_\_\_\_  
 Projected installation date: \_\_\_\_\_  
 Banners will be removed on or before (if applicable): \_\_\_\_\_  
 Signature of Applicant or Contact Person: \_\_\_\_\_ Date: \_\_\_\_\_

**LOCAL GOVERNMENTAL ENTITY APPROVAL**

Name of Local Governmental Entity: \_\_\_\_\_  
 Name of signing official (please print): \_\_\_\_\_  
 Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
 Signature of local official: \_\_\_\_\_ Date: \_\_\_\_\_

**CONDITIONS AND STIPULATIONS AGREED TO BY THE APPLICANT**

1. Pole banners must be at least 14 ½ feet above the pavement elevation. Street banners must be a minimum of eighteen (18) feet above the pavement elevation.
2. Pole banners will clear the face of the curb (if present) by at least two (2) feet.
3. The applicant (or applicant's designee) will maintain the banners as permitted.
4. The installation of the banners will not require the installation of poles or other support devices on the right of way.
5. The applicant and sponsoring organization will hold the Florida Department of Transportation harmless to the extent allowed by the laws of Florida in all matters concerning the banners and bear all expenses for defense of claims against the Florida Department of Transportation.
6. The applicant is responsible for any damages to public property resulting from the materials or the work of this permit.
7. A sketch of the proposed banners is attached.
8. View of traffic control devices is not impeded to those served by the erection of these permitted banners.

Signature of District Permits Engineer (or designee): \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS  
RIGHT OF WAY**

**APPLICATION FOR BANNER**

**AGREEMENT:** By signing the reverse of this form, each applicant agrees to the provisions of Section 14-43.001(5)(d), Florida Administrative Code:

1. To the extent provided by law, the Applicant shall indemnify, defend, and hold harmless the Department and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any act, error, omission, or negligent act by the Applicant(s), its agents or employees arising from activities under this permit.
2. When the Department receives a notice of claim for damages that may have been caused by the Applicant in the performance of activities that arise under this permit, the Department will forward the claim to the Applicant. The Applicant and the Department will evaluate the claim and report their findings to each other within 14 working days and will discuss options in defending the claim. The Applicant shall bear all expenses for defense of claims against the Department.

**REQUIRED ATTACHMENTS:**

- A sketch or drawing of the banner(s), drawn to scale, including any message, logo, or emblem that will appear on the banner.
- A sketch of the specific location(s) of the banner(s), including height, location of supports, proximity to utility poles.
- Sketches, photographs, or specific descriptions of the method used to affix the banner to the support structure.
- Load rating analysis (or photocopy of previously-submitted analysis) bearing the seal of a professional engineer.

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: YARD OF THE MONTH FOR MAY 2016

**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)**

Commission, at their March 22<sup>nd</sup> meeting, approved a resolution to adopt a Yard of the Month program. One nomination was received by the April 15<sup>th</sup> deadline for the May 2016 award.

Attached is the nomination for Mr. & Mrs. William Keeney for their property located at 137 Lauren Lane.

**ATTACHMENT:**

- CERTIFICATE OF RECOGNITION
- NOMINATION AND PICTURE OF PROPERTY

**5. REQUESTED MOTION/ACTION:**

Commission approval and presentation of award for the May 2016 Yard of the Month.

CITY OF CALLAWAY

# Certificate of Recognition

The City Commission for the City of Callaway, Florida, recognizes and honors the named recipient for improvements and beautification to their property located within the City.

*Mr. & Mrs. William Keeney*

137 LAUREN LANE

PRESENTED THIS 26<sup>TH</sup> DAY OF APRIL, 2016

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY MANAGER



City Manager Fuller,

I would like to submit a home to compete in the "Callaway Yard of the Week".

The owners of this home put in an incredible amount of time, and money, to present this beautiful yard. Please consider this home.

This is a great suggestion - presented by Commissioner Pam Henderson, where the City can recognize citizens in a very positive way.

Thank you.

John Littlewood

The home is located at 137 Lauren Lane.



**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: RESOLUTION NO. 16-14 - UTILITY BILLING POLICY MANUAL

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 policy manuals are an invaluable resource/tool for all city employees, particularly new hires or employees taking on new duties and assignments. The City's Utility Billing Policy Manual has been reviewed and updates are recommended to reflect newly adopted policies, billing procedures, and staffing configuration.

Many of the updates are "housekeeping" items, including removal of the voluntary park fee, adding seasonal account status, incorporating the debt/delinquent account policy, and updating the rates and fees schedule. The recommended changes attempt to make establishing a new utility account more customer friendly. A 7 day temporary service for cleaning, inspecting, etc. is also part of the recommended changes.

Attached, please find Resolution No. 16-14 adopting the Utility Billing Policy Manual for your consideration.

- ATTACHMENT:
- RESOLUTION NO. 16-14
  - UPDATED UTILITY BILLING POLICY MANUAL

5. REQUESTED MOTION/ACTION:

It is recommended that the City Commission approve Resolution No. 16-14 adopting the Utility Billing Policy Manual.

**RESOLUTION #16-14**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA ADOPTING AN UPDATED UTILITY BILLING POLICY MANUAL; REPEALING RESOLUTION NO. 12-17 AND ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Callaway, Florida formally adopted policies and procedures in regards to utility billing practices in 2012 by Resolution 12-17; and

**WHEREAS**, the existing utility billing policies and procedures have been updated to reflect improved processes in efficiencies.

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

**SECTION 1.** The City Commission of the City of Callaway hereby adopts the updated City of Callaway Florida Utility Billing Policy Manual attached hereto as Exhibit A.

**SECTION 2. REPEAL.** Resolution No. 12-17, and all resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

**SECTION 3. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Resolution, including Exhibit A, is for any reason held invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of April, 2016, by the CALLAWAY CITY COMMISSION meeting in regular session.

**CITY OF CALLAWAY, FLORIDA**

\_\_\_\_\_  
Bob Pelletier, Mayor

Attest: \_\_\_\_\_  
Janice L. Peters, MMC, City Clerk

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY FOR THE CITY OF CALLAWAY  
ONLY:

VOTE OF COMMISSION:

Covey \_\_\_\_\_  
Fairbanks \_\_\_\_\_  
Henderson \_\_\_\_\_  
Pelletier \_\_\_\_\_  
Townsend \_\_\_\_\_

\_\_\_\_\_  
Kevin D. Obos, City Attorney

CITY OF CALLAWAY  
FLORIDA  
~~CITY OF CALLAWAY~~



~~FLORIDA~~

UTILITY BILLING  
POLICY MANUAL

ADOPTED BY RESOLUTION: ~~#12-17 JUNE 12, 2012~~ 16-13 APRIL 26, 2016  
UPDATED BY RESOLUTION ~~#13-27 NOVEMBER 12, 2013~~

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## ESTABLISHING NEW UTILITY SERVICE ACCOUNTS

New utility accounts may be opened in person at City Hall or signed and notarized Customer Service Applications may be submitted by mail, facsimile or email along with the appropriate documentation. ~~—during regular business hours.~~ Requirements, all of which must be submitted PRIOR to connection, include:

- Information required on the City's Customer Service Application ~~F~~form. Forms are available at City Hall or from the City's website.
- Applicant's signature is required on a Service Request Form.
- A copy of (either): -documented proof of ownership, a signed lease agreement, a valid sales agreement, OR a signed Realtor's listing agreement, OR letter of authorization from the property owner.
- A legible and valid driver's license, Military ID, OR other valid State issued (photo) ID card.
- In the event that the account is to be established in the name of a business, proof of fictitious name registration is required that confirms that the signer of the application is authorized to do so.
- If a business applicant is located within the city limits of Callaway, a valid Business Tax Certificate (or proof of application thereof) is required.
- A non-refundable account fee. (See fee schedule for amount.)
- The appropriate deposit (as described in the fee schedule) which may be paid by cash, check, money order, or credit card. A voucher or promise to pay from a charitable organization or agency providing government assistance may be accepted. Such documents must be received by email or fax and not presented by the applicant. If payment is not received, account holder will be liable for the payment.
- A secondary name may be added to a customer's account with equal access and authority. Both account holders will be equally responsible for any unpaid balance.

~~In the event an applicant is out of town or otherwise unable to visit City Hall in person, the signed and notarized Customer Service Application may be submitted by mail, facsimile, or email along with the appropriate documentation as described above.~~

If an applicant has a past due balance owed to the City for prior service at any ~~location, that~~location, that balance must be paid in full prior to establishment of the new service.

If, due to running water on the premises, water service cannot be left on at the time that City staff attempts to connect the service, a notice will be placed on the door of the address to notify the occupant that the meter has been turned back off. The meter will remain unlocked so that the occupant can turn it on. If a City staff member is required to return, an additional service charge will be due and payable before any subsequent attempts will be made to turn on the water. (See fee schedule for amount.)

If ownership or stewardship of a property for an unpaid utility account transfers to either a realty company or to a financial institution (as in the case of property repossession), utilities will not be commenced in the name of a final purchaser of the property until all amounts owed to the City are paid in full.

New service connections are performed same day if received before 3:00 P.M. ~~only performed during City Hall's regular business hours.~~

## TEMPORARY SERVICES

### For clean-up during vacancy:

Temporary service can be established by the property owner, ~~or~~ a property's management company, or those authorized by the owner. Temporary service may be established for a period of time not to exceed 745 days for the purpose of cleaning, constructing, inspecting, appraising, renovating a property while vacant, a property while vacant, between tenants. In lieu of a deposit, a non-refundable fee will be billed to the account along with the prorated base rate charges and the actual water and sewer usage charges must be paid prior to service. The non-refundable fee for temporary service will include 1,000 gallons of water and sewer usage and one collection day for solid waste (solid waste applies to residential dwelling within city limits only). (See fee schedule for amounts.)

Requirements for requesting ~~T~~temporary ~~S~~service, all of which must be submitted PRIOR to connection, include:

- A complete and signed Request ~~for afor~~ Temporary Utility Service 15 7 Day Clean Up form. Form. Blank forms are available at City Hall or from the City's website.
- A copy of documented proof of ownership, ~~or~~ a signed commercial management agreement, and a letter of authorization from the property owner (if applicant is not the owner). Commercial management agreements may be retained (if requested) on-file at City Hall for future request documentation. These applicants must also provide a list of their personnel who are authorized to request temporary services.
- A legible, valid driver's license, Military ID, OR a State issued (photo) ID card.

~~In the event an applicant is out of town or otherwise unable to visit City Hall in person, t~~The signed ~~Request F~~ form may be submitted by mail, in person, facsimile, or email along with the appropriate documentation as described above.

If an applicant has a past due balance owed to the City for prior service at any ~~location, that~~location, that balance must be paid in full prior to establishment of temporary service.

~~Only one temporary service connection is allowed for a property within a six month period unless it can be shown that the property was occupied and again vacated within six months from a previous temporary service connection.~~

If ownership or stewardship of a property for an unpaid utility account transfers to either a realty company or to a financial institution (as in the case of property repossession), a temporary service connection may be allowed for preparing the property for sale or transfer. ALL utility amounts owed, however, must be paid in full for service to commence or continue in the name of the final purchaser of the property.

~~Any extension of temporary service beyond 15 7 days must be approved by the City Manager.~~

~~Temporary services connections are performed same day if received before 3:00 P.M received prior to 3:00 p.m. will be performed the same day. Request received after 3:00 p.m. will be performed the following business day.~~

### HYDRANT METERS~~During periods of new construction:~~

At times, the City's Public Works Department may determine that a hydrant meter is needed during the construction phase of a residence or business. An application form must be completed and proper identification must accompany the payment of a refundable deposit for this service. (See fee schedule for amount.)

Water consumption will be billed upon meter return.

Hydrant meters may only be applied for during City Hall's regular business hours.

## IRRIGATION METERS

An existing water service customer may request the installation of an additional water meter to be used for irrigation purposes only. An additional deposit is required for an irrigation meter. (See fee schedule for amount.)

An owner of an unoccupied structure or vacant lot where there is no existing metered water service to the property may also request the installation of a water meter for irrigation services only and may maintain irrigation only service for so long as the property is unoccupied. Once occupied, irrigation only meters are not allowed unless a regular meter is installed for water service to the occupied structure. Violations shall result in permanent disconnection of the irrigation service and the violating user shall be fined \$ 500.

Irrigation meters are subject to discontinuation of services if all applicable charges, fees, and costs are not paid for water services provided either through the primary water meter or the irrigation meter.

Impact fees and connection fees are applicable for irrigation meters.

## METER SET & UTILITY TAP & CONNECTIONS

Rates have been established for tapping utility connection lines and setting and connecting meters up to a 2" size with connection. Taps/meter sets may include utility connection service lines not exceeding 12 feet in length each. (See fee schedule for amounts.)

Meters larger than 2" and/or requiring more than 12 feet of service line will require an individual quote from the Public Works Department to account for the increase in material costs and man hours required for installation.

Utility tap fees and meter set fees shall be determined in connection with Water and Sewer Impact Fees, Special Capital Extension Fees (if applicable), and road boring fees (if applicable). All fees shall be paid prior to the work being performed. Applications are available at the Public Works and Planning Departments.

## SHARED CONNECTIONS

Wherever possible, a separate sewer connection shall be provided for every building. Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building, service to the front building may be extended to the rear building and the whole considered as one building for sewer.

The City shall not assume any obligation or responsibility for damage caused by or resulting from any such single "shared" connection.

Connections as provided herein shall be considered as one utility account although more than one residence is connected to the system. The sewer account deposit shall be the regular residential deposit amount multiplied by the number of units serviced. The property owner is responsible for the deposit, account fee, and payment for services.

## DEPOSITS

~~No utility services shall be furnished free of charge.~~ All new account applicants for water and/or wastewater (sewer) services are required to pay a refundable deposit along with a non-refundable account charge. ~~No deposit is required for an account with only solid waste service.~~

Deposit amounts are determined by the type of service requested, type/size of meter, and number of units to be served by the meter. Existing customers who request a change in service (i.e. adding water or sewer) will be required to pay an additional deposit amount to equal the minimum currently required for that additional service. (See fee schedule for amounts.)

In the event of a disconnection for non-payment twice within a 24 month period, deposit amount must be equal to the current minimum required. Customers may elect to pay additional deposit required in monthly installments not to exceed 6 months.

## DEPOSIT REFUND OR TRANSFER

If a customer closes an account, the deposit, if not already refunded, will be first applied to any sums outstanding on the account and the balance will be refunded to the customer.

All refunds are mailed to the customer at the last known address on file with the City.

If a customer re-locates from one address to another within the City's service area, the deposit may be transferred to the account for the new address provided that the account for the former address is paid to current status. ~~The customer must also agree to allow the final bill for the former address to be included on the first final bill for the former address will be included on the first~~ billing for their new account. An account fee is applicable for the new account.

## DEPOSIT NAME CHANGE

A current account holder may request that their utility account be put in the name of an immediate family member by completing the appropriate form and the account is paid to current status. ~~The account will remain in the current account holder's name for a period of twelve (12) months during which time the immediate family member must establish a twelve month payment history with no late payments. The original account holder must also acknowledge in writing that the deposit held on the account will be transferred to the relative.~~ Once transferred, the original account holder will have no claim to the deposit.

When a spouse or relative is deceased, the living relative can provide to the City a death certificate which lists them as the decedent's relative and request that the deposit be transferred to the living relative. If they are not listed on death certificate as such, a copy of the decedent's will, letter of authorization from a living relative listed on the death certificate, or other legal document must be furnished which indicates that they have a legal right to the deposit. Photo ID is also required.

When a divorce occurs, the City will transfer the account and deposit to the spouse legally residing at the address when a certified copy of the divorce decree is provided to the City. Photo ID is required.

## HOW RATES ARE CALCULATED

### Water

The monthly bill for water service shall be the sum of a base charge and a consumption charge applied to all metered water.

The City imposes a monthly base charge for water service which is independent of the amount of water consumed. An additional consumption charge is based on the metered volume of water on a per thousand-gallon basis or any portion thereof.

Base rates for multi-family master metered customers shall be applied on a per-unit basis.

In the initial and final month of service during which the customer will be establishing or terminating service, the base charge shall be determined on a pro rata basis, predicated on the number of days in a month which service is provided to the account.

Rates are increased by 25% for services provided within the City's service area ~~BUT~~ but outside of the city limits. See the Fee Schedule for current rates. (See fee schedule for amounts.)

### Wastewater (Sewer)

The monthly bill for wastewater (sewer) service shall be the sum of a base charge and a consumption charge for the amount of water treated.

The City imposes a monthly base charge for wastewater treatment service ~~which is independent of the amount of water consumed~~. An additional consumption charge is based on the metered volume of water on a per thousand-gallon basis or any portion thereof.

Base rates for multi-family homes are applied on a per-unit basis.

If a wastewater (sewer) customer does not also have metered water service, they will be charged a monthly consumption charge based upon 5,000 gallons per month.

Construction accounts shall be defined as "water only accounts" and will not be charged for sewer service until such time as the Certificate of Occupancy is issued.

In the initial and final month of service during which the customer will be establishing or terminating service, the base charge shall be determined on a pro rata basis, predicated on the number of days in a month which service is provided to the account.

Rates are increased by 25% for services provided within the City's service area ~~BUT~~ but outside of the city limits. (See fee schedule for amounts.)

See the Fee Schedule for current rates.

## Solid Waste

Rates for solid waste collection and disposal are imposed for each residential dwelling within the city limits at a flat amount per month for up to a volume of 3.5 cubic yards or 1,000 pounds in weight. Removal of trash exceeding the maximum allowed quantity is subject to an additional fee.

Apartment complexes and mobile home parks where utility services are provided by a master meter are charged for solid waste collection and disposal on a per-residential-unit or per-lot basis.

Solid Waste services are not provided for construction accounts or for any account outside of the city limits.  
(See fee schedule for amounts.)

~~See the Fee Schedule for current rates.~~

## Stormwater

A stormwater ~~utility~~ fee is imposed on all "residential households" in the City at a flat amount per month. This fee applies to all dwelling units within the City that are billed a single-family or multi-family monthly base charge for water or wastewater. A stormwater fee is imposed on "non-residential /commercial" in the City at a flat amount per month. It does NOT apply to ~~non-residential property or~~ undeveloped properties.

The stormwater ~~utility~~ fee is due for each month or portion of each month in which the account holder is billed for water and/or wastewater services. (It is not subject to proration.)

(See fee schedule for amounts.)

~~See the Fee Schedule for current rates.~~

## Voluntary Park Fees

~~A \$1.00 voluntary park fee is added to each monthly utility bill. Payment of this fee is "voluntary" and may be deducted, without penalty, by the customer when they make their payment. The collected fees may be expended only for capital improvement and land acquisitions, which improve the parks and recreational facilities of the City.~~

## SENIOR CITIZEN DISCOUNT

A utility service account holder 65 years of age or older, living within the city limits, who qualifies for the additional homestead exemption authorized by the City of Callaway in Ordinances No. 711 and 830 may apply for a 25% discount on residential utility service fees for the qualifying homestead.

Residential utility service fees include those for water, sewer, and solid waste but not for any separate irrigation metered service or any excess solid waste removal fee.

### Qualifying Senior Homeowners

An application form is required to apply for the discount, along with a copy of the account holder's current property tax notice which shows that they have met the qualifications for the additional senior citizen homestead exemption.

~~Once approved,~~ The discount will cease immediately if the account holder no longer owns the homestead. However, the account holder may reapply for the discount as a ~~Non-H~~ homeowner if they still reside in the home. (See next section for details.)

## Qualifying Senior Non-Homeowners

The Senior Citizen Discount is also available to residential account holders 65 years of age or older, living within the city limits, who permanently reside in a household with a household income that does not exceed the maximum amount provided for by Florida Statute 196.075.

An application form is required to apply for the discount, along with documentation for the most recent calendar year available for each member of the household that would be sufficient under Florida Statute 196.075 to establish that the household would qualify for the additional senior citizen homestead exemption, if the account holder were the owner of the housing unit and were applying for it. In addition, the account holder may present his/her latest social security statement as proof of income.

## Confirmation and Effective Dates

Upon inspection of the application form and required documentation, City staff will notify applicant of qualification or disqualification of the discount and state the reason for any disqualification.

Once a senior ~~discount homeowner's application~~ has been approved, the discount shall apply up to and including December of the year following the year of the tax bill. ~~However, if the application has not been approved by the 15th day or later of a month, the discount shall not apply to that month.~~

~~Once a senior non-homeowner's application has been approved, the discount shall apply to the following thirteen utility bills for the household or until the applicant no longer permanently resides at the residence. However, if the application has not been approved by the 15th day or later of a month, the discount shall not apply to that month.~~

Because qualification for the Senior Citizen Discount is based on income for a particular year, the account holder must apply each year. Annual re-application for the discount must be submitted by January 15<sup>th</sup> of each year. A notice will be mailed to each senior citizen currently receiving the discount a month prior to deadline.

## MAILING BILLS

To allow for an adequate number of days between the times utility bills are sent to customers and the time payment is due, bills must be calculated by the end of each month. The calculated bills shall be sent for printing and mailing by the last day of each month.

## DUE DATES & PENALTIES

Utility bills are due and payable on the 15th day of each month by 5:00 P.M. The due date is clearly stated on each billing statement, ~~and no past due notices are mailed.~~ Automated calls are made to all past due accounts prior to the disconnect date.

Failure to make timely payment on the 15th day of each month will result in a penalty of ten (10) percent of the utility bill which will be added to the amount then due and payable. In the event that the 15th day of the month falls on a day that City Hall is closed, the utility bill is due and payable on the next business day. Payments RECEIVED thereafter will be subject to the ten (10) percent penalty. The City is not responsible for mail delivery; postmark date is not considered.

Penalties may be waived for customers who have not been delinquent in the past twelve (12) months. Customers are eligible for this waiver only once within a twelve (12) month period.

Failure to make timely payment in full on or before the 25th day of the month by 5:00 P.M. shall result in a service fee and disconnection of utility services. In the event that the 25th day of the month falls on a day in which City Hall is closed, payment must be made on the next business day to avoid disconnection.

### TAMPERING FEES

Tampering Fees will be applied to an account in the event a meter is required to be pulled due to tampering, illegal reconnection after disconnection, or for any reason. The tampering fee is in addition to the established reconnection fee. (See fee schedule for amounts)

### PAYMENT PLAN

The City offers a "payment plan" to utility customers with excessive utility bills due to leaks or other unknown reasons. Payment plans will be available once in a twelve month period for a same customer at the same location.

In order to qualify for the payment plan option, the following conditions must be met:

1. The occupied location must have been connected to water and/or sewer services for a minimum of twelve months in the account of the same customer. A resident must be living at the location or a commercial use must be active at the location and have the proper licensing.
2. The excessive utility bill must be more than two (2) times the customer's average consumption for the last twelve months of use.
3. The account shall be reviewed to obtain the average monthly bill for the last twelve months of service, exclusive of the highest month (11 months average). The amount of the utility bill which exceeds this 11 month average shall be divided into three equal payments which shall be due by the 15th of each month.
4. The payment plan will be cancelled if payment is not received by the due date and the total amount remaining on the account becomes immediately due, in full. Services are then subject to the regular disconnection deadline.
5. No interest will be added to the monthly payments.
6. All payment plan options must be requested by the customer in writing and approved in writing by the Utility Billing Supervisor.
7. In extreme cases where the bill is excessively more than two times the customer's average consumption or in other cases of extreme hardship, the payment plan may be extended for a period not to exceed 12 months. Such extended option must be approved in writing by the both the Utility Billing Supervisor and the Department Head.

- 7.8. The Department Head may review and approve a payment plan in situations where the previous conditions cannot be met and result in extreme hardship.

### SEWER BILL ADJUSTMENTS

Customers are eligible for an adjustment to the sewer portion of their bill provided that documented proof is provided to show that a water use or loss did not escape into the sewer systems. Proper documentation may include: statement of pool filling showing before and after meter readings; City employee verification of leak and/or work done to repair leak; or an invoice from a licensed professional indicating that repairs were made and describing the specific location of the leak.

The sewer adjustment for a leak which did not allow water to escape into the sewer system will be equal to the amount charged for the volume of water gallons which exceed the average of the customer's monthly consumption for six months prior to the evidenced leak.

### ADJUSTMENTS FOR METER ERRORS OR BILLING ERRORS

If a customer receives a bill which they deem to be excessive and there is no leak found in their system, they may request a test of the water meter. A replacement meter is installed when a meter is removed for testing. The removed meter will be tested in accordance with guidelines established by the American Water Works Association (AWWA). If the meter meets AWWA accuracy standards, the customer must pay the testing cost in addition to their monthly service bill along with related penalties. For this reason, meter tests must be requested in writing.

If the tested meter does not meet the accuracy standards, the customer will receive an adjustment on their most recent monthly bill which is equal to the excess amount above their average consumption for the last twelve months of service, exclusive of the highest month (11 month average). Late payment penalties will be waived for the month to which the adjustment applies.

No adjustment will be made on bills not contested within ~~fourty-fivethirty~~ (4530) days from the billing date.

If a billing error is discovered which resulted from an incorrect meter reading, incorrect application of the fee schedule, or similar reason for which the customer exhibited no intentional non-compliance and it caused an overcharge or undercharge, a billing error adjustment for the current month will be immediately posted to the customer's account, with no retro-active adjustment being applied. If, however, the error resulted in an undercharge based upon a customer's intentional non-compliance, the undercharge amount billed to the customer shall be calculated for a period not exceeding 48 months or the length of time the customer's account has been active, whichever is less. For purposes of this section, intentional non-compliance shall include, among other examples, the instances in which a customer knowingly received services and was not billed for those services.

## EXCESSIVE USE ADJUSTMENT

The City offers a "once in twenty years" adjustment to utility customers with excessive utility bills due to leaks or other unknown reasons.

If this once in twenty-year adjustment is obtained or attempted to be obtained under false or fraudulent pretenses, the person obtaining or attempting to obtain the adjustment shall be prosecuted to the full extent allowable under the law.

The following criteria must be met for a once in a twenty year period utility bill adjustment for excessive use:

1. The occupied location must have been connected to water and/or sewer services for a minimum of twelve months in the name of the same customer. A resident must be living at the location or a commercial use must be active at the location and have the proper licensing.
2. The excessive utility bill must be more than three (3) times the customer's average consumption for the last twelve months of use.
3. If the utility bill is more than three times the customer's average for the last twelve months of use, the bill will be adjusted down to equal the average monthly bill for the last twelve months of service, exclusive of the highest month (11 months average).
4. The utility bill, which is adjusted by virtue of this policy, must be paid in full with no extended payment arrangements. If not paid by the following billing cycle, the amount due will be reinstated back to the actual amount before adjustment and such amount will be subject to regular collection procedures and legal remedies.
5. This adjustment will be available once in a twenty year period for a same customer at the same location.
6. If there are utility bills with excessive usage for more than one (1) month, the customer may only request relief for one such month.
7. All adjustments granted by this policy must be requested by the customer in writing and approved in writing by **both** the Utility Billing Supervisor and Department Head.

## DISHONORED CHECK, DRAFT OR OTHER ORDER FOR PAYMENT

Dishonored checks, drafts, or other orders for payment must be paid by the utility customer in cash, money order, or other certified funds.

A service fee shall be imposed for the collection of each dishonored check, draft, or other order for payment. This fee is for expenses incurred in processing and collection of such dishonored instruments of payment. (See fee schedule.) However, if a utility customer comes in and pays his account in cash, money order, or other certified funds prior to the City receiving the dishonored check, the City will waive the related fees provided the utility customer has not had a returned check within the past 12 months.

Upon receipt of ~~at the first~~ dishonored check on an account, a notice will be placed on the customer's door to notify them that failure to pay the amount of the returned check and all fees associated in cash or certified funds within two business days will result in disconnection of utility services and a reconnection fee. ~~Services will be disconnected immediately upon the receipt of any additional dishonored checks on the account.~~

After receipt of a second returned check, the account is noted as a "Cash Only" account and thereafter payments may only be accepted if made by cash or certified funds. The customer may regain regular check payment privileges once they have twelve consecutive months of timely payments made without penalties.

### DEBIT POLICY

Generally Accepted Accounting Principles (GAAP) requires Accounts Receivable (AR) amounts to be reported net of refunds and uncollectible accounts in the City financial statements. The City's bad debt write-off policy for delinquent utility accounts receivable is established to ensure that Utility customer receivables are accurately reported. Pursuant to this policy, a portion of AR that is deemed to be not collectible is written off. This is an accounting entry made to ensure that bad debts are written off within a reasonable period to more accurately reflect the City's current assets. It does not prevent the City from eventually collecting the receivable. After being written off, payment will continue to be pursued through internal efforts and a collection agency.

Accounts receivable are recorded in a manner that allows for aging analysis. At the end of each fiscal year, an allowance for doubtful accounts is established for all AR more than 90 days old. The allowance for doubtful accounts represents an estimate of the total amount of AR deemed to be uncollectible. As required by GAAP, AR is shown net of the allowance for doubtful accounts on the City's balance sheet to ensure that receivable balances are not overstated. The City anticipates bad debt and includes an operating budget line item to recognize this "cost" of doing business. Fiscal year-end adjustments to the allowance for doubtful accounts are expensed to bad debt expense. The year-end entry is an estimate of the collective amount of bad debt estimated and does not write-off individual customer account balances.

On a monthly basis, the Finance Department submits customer accounts that are delinquent for over 30 days to our collection agency. Prior to sending a customer account to collections:

- (1) Deposits held must have been applied to the account balance.
- (2) A final billing must have been sent and the account must be closed.
- (3) The account balance exceeds \$10.

The City's financial software system generates an accounting entry when processing delinquent accounts to be sent for collection. This entry reduces (credits) AR and (debits) Allowance for Doubtful Account balances. The amount sent to collections is documented on individual customer accounts in the City's software system. A cumulative record of outstanding submissions is maintained by our collections provider. Delinquent accounts with balances of less than \$10 will be written off every 6 months upon approval by the City Manager.

To record the receipt of AR previously sent to collections, an entry is made to debit cash and credit Allowance for Doubtful Accounts. This entry updates individual customer accounts to document that the amount sent to collections has been paid. Collections retained by or sent to our collection agent to pay for their services are expensed to contractual services.

A list of customer receivables showing account numbers and balances will be reported to the Commission, quarterly. Nothing contained herein shall preclude the City from seeking or accepting payment on any bad debt that has been written off. For bookkeeping purposes and the annual audit, we must write-off these accounts however this action does not forgive the debt. The City requires all delinquent account balances to be paid in full before new service is established.

## TEMPORARY SUSPENSION OF SERVICE

Should a residence become temporarily uninhabitable due to a catastrophic event for which the account holder had no control, the account may, upon written request, be placed in a suspended status for a period of time not to exceed twelve (12) months or until such time that the residence is once again inhabitable.

Active duty military personnel are eligible, upon written request, for a temporary suspension of their utility services while they are deployed away from the City.

While an account is in the temporary suspended status, services will be disconnected without refund of deposit and monthly base charges will be waived. ~~If the deposit on this account has already been refunded due to their timely 2-year payment history, no additional deposit will be required to resume service.~~

An account must be paid in full in order for a request for temporary suspended status to be approved. The customer must notify the City when they are ready for service to be reactivated and/or to apply for an extension of suspended status. The reconnect fee shall apply.

## SEASONAL UTILITY ACCOUNT STATUS

~~Any customer who requests that service be interrupted on a temporary basis exceeding four (4) full months but for no longer than eight (8) full months will be charged a seasonal rate. The Seasonal Rate charged will be equal to the base rate charge as amended by Resolution from time to time. Customers electing to transfer service to a seasonal rate will temporarily suspend solid waste collection and will not incur solid waste collection charges. Customers electing to transfer service to a seasonal rate will incur a service call charge per trip to have water service interrupted and/or reconnected. (See fee schedule for amount)~~

## SERVICE DISCONNECTIONS

To terminate an account, the account holder must notify Utility Billing no earlier than 30 days prior to the requested date of service disconnection. -The account holder's identity will be verified via photo ID or other information on the account. -Service disconnection may be requested in person, via phone, fax, or email provided proper identification can be verified. -A forwarding address must be provided for mailing the final bill and/or deposit refund.

A disconnection request from a commercial account must be submitted in writing and signed by the designated contact person on the account.

Once a requested disconnection has been accomplished, the customer must pay a reconnection fee if they wish to change the date of final termination of service.

Customer requested disconnections are only performed during the City's regular business hours.

Failure to ~~pay make timely payment~~ in full ~~by 5:00 p.m~~ on ~~or before~~ the 25th day of the month shall result in disconnection of utility services. In the event that the 25th day of the month falls on a day in which City Hall is closed, payment must be made on the next business day to avoid disconnection. A certified letter will be mailed to customers who have wastewater (sewer) services but NOT water services. The certified letter will notify the

customer that their sewer services will be blocked or shut off if full payment is not made within ten days following the date of the letter.- A notice will also be placed on the customer's door. No other notices will be provided.

~~Disconnections for non-payment must be performed by City personnel in consecutive order based upon the service address of the accounts. If it becomes necessary to block a customer's sewer line, a valve will be installed to facilitate any future instances of sewer service interruptions. Once accomplished, City Hall must be notified and reconnection fees are then added to the account balance which must be paid in full prior to reconnection of any service. A service fee shall be imposed on any account that has failed to pay by the disconnect date and time, regardless if a physical disconnect has or has not been accomplished.~~

~~In the event the customer pays their delinquent account balance prior to actual disconnection, no reconnection charge will be imposed.~~

Interruption of service due to non-payment will not close out an account until the 15th of the month following the disconnection. Base rates and consumption charges are applicable until the account is closed. Any remaining deposit will be applied to the unpaid amount and a final bill will be mailed to the last known address for the account holder.

### SERVICE RECONNECTIONS

~~In the event service to an existing account is disconnected for failure to timely pay for services, reconnection of service will be subject to next day turn on. the customer will be charged a reconnection fee which must be paid along with all other amounts due prior to service reconnection.~~

~~If paid after normal business hours, an after hours reconnection fee along with all other amounts due must be paid at the Fire Department by money order or cashier's check. After hours reconnections are available on Monday through Thursday from 6:00 PM until 8:00 PM and on Fridays from 8:00 AM until 6:00 PM. No reconnections are available on weekends.~~

~~No additional deposit will be required for any account whose services are disconnected provided they have not been disconnected in the past 24 months for non-payment.~~

Accounts with balances of \$5.00 or less (exclusive of penalties) will not be subject to disconnection.

In the event water service cannot be left on due to water running in or on the premises at the time of the attempted reconnection, an additional reconnection fee will be required prior to a second call to that address. A notice will be placed upon the customer's door to notify them of the reason that reconnection could not be accomplished.

Sewer only customers must also pay a sewer reconnection fee to have their service reconnected. -Sewer reconnections are performed only during regular business hours for the Public Works Department.

(See fee schedule for amounts.)

~~See fee schedule for reconnection fee amounts.~~

## SOLID WASTE COLLECTION & DISPOSAL

Solid Waste collection and disposal services are provided to each residential ~~account~~dwelling within the City limits. Rates for solid waste collection and disposal are imposed for each residential ~~account~~dwelling at a flat amount per month for up to a volume of 3.5 cubic yards or 1,000 pounds in weight. Tree limbs exceeding four (4) inches in diameter must be shorter than four (4) feet in length to be collected.

Removal of trash exceeding the maximum allowed quantity is subject to an additional fee.

Apartment complexes and mobile home parks where utility services by a master meter are provided are charged for solid waste collection & disposal on a per-residential-unit or per-lot basis.

Solid Waste services are not provided for construction accounts or for any address outside of the city limits.

~~See the Fee Schedule for current rates. (See fee schedule for amounts.)~~

## STORMWATER RELATED ESSENTIAL SERVICES

The City operates and maintains a stormwater management system. All ~~residential utility accounts~~developed ~~properties~~ within the City limits are charged a flat monthly fee for this service. ~~Non-residential developed properties and undeveloped properties are currently exempt from this monthly charge.~~

See "How Rates are Calculated" earlier in this manual for more information.

~~(See fee schedule for amounts.) See the Fee Schedule for current rates.~~

UTILITY BILLING RATES & FEES SCHEDULE

The following rates and fees are in effect for the fiscal year ending September 30, ~~2012~~ 2016

<b>Water Services – inside city limits</b>	
Monthly base charge, independent of water volume consumed	<del>\$10.82</del> <u>\$11.37</u>
Consumption charge per 1,000 gallons or any portion thereof	<del>\$3.63</del> <u>\$3.87</u>
<b>Water Services – outside city limits</b>	
Monthly base charge, independent of water volume consumed	<del>\$13.53</del> <u>\$14.21</u>
Consumption charge per 1,000 gallons or any portion thereof	<del>\$4.54</del> <u>\$4.76</u>
<b>Sewer Services – inside city limits</b>	
Monthly base charge, independent of water volume consumed	<del>\$31.11</del> <u>\$32.69</u>
Treatment charge per 1,000 gallons or any portion thereof	<del>\$3.78</del> <u>\$3.97</u>
<b>Sewer Services – outside city limits</b>	
Monthly base charge, independent of water volume consumed	<del>\$38.89</del> <u>\$40.86</u>
Treatment charge per 1,000 gallons or any portion thereof	<del>\$4.73</del> <u>\$4.96</u>
<u>Sewer Only Accounts</u>	
<u>Monthly Base Charge, independent of water volume consumed</u>	<u>\$53.37</u>
<u>Consumption Charge per 5,000 gallons or any portion thereof</u>	<u>\$53.53</u>
<b>Solid Waste Services – inside city limits</b>	
Monthly flat rate – per residential unit or lot	\$7.92
Excess Trash Removal Fee (in addition to tipping fees when applicable)	
¼ load: 3.5- 6 cubic yards	\$45.00
½ load: 6-12 cubic yards	\$86.00
¾ load: 12-18 cubic yards	\$120.00
Full load: 18-24 cubic yards	\$150.00
<b>Stormwater Fee – inside city limits</b>	
Monthly flat rate per residential household (not subject to proration)	\$1.00
<u>Monthly flat rate per business (not subject to proration)</u>	<u>\$5.00</u>
<del>Temporary Account Fee for cleanup between occupancies</del>	
<del>(Non-refundable and in addition to usage fees and base rate)</del>	<del>— \$12.00</del>
<u>Temporary Service Fee</u>	
<u>7 day service includes: 1,000 gallons of water and sewer usage</u>	
<u>and one solid waste pick-up (solid waste pick-up applies to residential</u>	
<u> dwellings within the city limits only)</u>	<u>\$50.00</u>
<del>Reconnection Fee: Mon Thurs 8am 6pm</del>	<del>— \$10.00</del>
<del>Reconnection Fee: Mon Thurs 6pm 8pm, Fridays 8am 6pm</del>	<del>— \$55.00</del>

<del>Reconnection Fee for Sewer Only customer: Mon Thurs 7am 4:30pm</del>	<del>\$200.00</del>
<u>Seasonal Utility Account Status</u>	
<u>Month Base Charge</u>	<u>\$44.06</u>
<u>Service Call Charge per trip</u>	<u>\$15.00</u>
<u>Reconnections:Monday-Friday</u>	
<u>Service fee for non-payment (accounts not paid by 5:00pm on the 25<sup>th</sup> or next business day of each month)</u>	<u>\$25.00</u>
<u>Reconnections Sewer Only: Monday – Friday until 3:00pm</u>	<u>\$200.00</u>
Account Fee: non-refundable	\$10.00
New Account: refundable deposit	
Residential Water/Sewer Customer	<del>\$135.00</del> <u>\$250.00</u>
Irrigation System (separate meter)	<u>\$25.00</u>
<u>Residential</u>	<u>\$40.00</u>
<u>Commercial (3/4" meter)</u>	<u>\$100.00</u>
Commercial Industrial or Bulk Water customers	
3/4" meter	<del>\$175.00</del> <u>\$300.00</u>
1" meter	<del>\$250.00</del> <u>\$375.00</u>
1 1/2" meter	<del>\$400.00</del> <u>\$500.00</u>
2" meter	<del>\$650.00</del> <u>\$750.00</u>
Larger than a 2" meter	<del>\$1,000.00</del> <u>\$1,150.00</u>
Restaurant	<del>\$750.00</del> <u>\$850.00</u>
Hotel, Motel, Apartment Complex, Retirement Home, Duplex, Triplex, Quadriplex, Mobile Home Park: PER UNIT/SPACE	<del>\$65.00</del> <u>\$100.00</u>
Laundry	<del>\$1,200.00</del> <u>\$1250.00</u>
Car Wash	<del>\$1,200.00</del> <u>\$1250.00</u>
Shopping Center	<del>\$1,200.00</del> <u>\$1250.00</u>
Day Care Center	<del>\$250.00</del> <u>\$1250.00</u>
<u>New Sewer Only Account: refundable deposit</u>	<u>\$110.00</u>
<u>Residential, Commercial, Industrial and Multi-Family Master Meter</u>	<u>\$135.00</u>
Sewer: PER UNIT/SPACE	
Meter Set Fees and Connections	
3/4" Meter: Connection	\$140.00
<u>Meter set (including transmitter)</u>	<u>\$245.00</u> <u>\$300.00</u>
<u>Irrigation meter (including transmitter)</u>	<u>\$170.00</u> <u>\$330.00</u>
1" Meter: Connection	<u>\$155.00</u> <u>\$160.00</u>
<u>Meter set (including transmitter)</u>	<u>\$300.00</u> <u>\$350.00</u>
<u>Irrigation meter (including transmitter)</u>	<u>\$190.00</u> <u>\$380.00</u>
2" Meter: Connection	\$330.00

Meter set (includes meter, transmitter and materials)

\$615-\$865.00

Larger meters require individual quote. Price for meter installations requiring more than 12' of service line will be increased for material and man hours accordingly.

Tampering Penalties: (in addition to all other charges)

First offense	<u>\$50.00</u> <u>\$100.00</u>
Second offense	<u>\$100.00</u> <u>\$200.00</u>
Third offense	<u>\$150.00</u> <u>\$300.00</u>

Dishonored Check Service Fee

Dishonored amount less than \$50.00	\$25.00
Dishonored amount \$50.00 or more	\$35.00

Service Work Order Charges

One service call per year	Free
Other service calls	\$10.00

DRAFT

CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY

DATE: APRIL 26, 2016

ITEM: FY2017 BUDGET PLANNING SCHEDULE

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)

Please see attached tentative schedule. Please note that the first and final budget hearing dates listed in the attached calendar are subject to change in accordance with Florida Department of Revenue notification and adoption requirements.

ATTACHMENTS:

- FY2017 Budget Tentative Calendar

5. REQUESTED MOTION/ACTION:

For discussion only. No action is required.

**Tentative Budget Calendar  
for the Planning & Development  
of the FY2017 Budget**

April 28 <sup>th</sup> – May 4 <sup>th</sup>	City Manager and Department Heads meet to discuss operational needs and expenditures for FY17.
May 5 <sup>th</sup> – May 12 <sup>th</sup>	City Manager and Department Heads meet to discuss capital projects and expenditures for FY17.
May 13 <sup>th</sup> – May 18 <sup>th</sup>	City Manager and Department Heads meet to discuss personnel needs and costs.
May 18 <sup>th</sup> – May 20 <sup>th</sup>	Meet with Clemons Company (City's Broker) to go over health/dental insurance projections.
<u>May 31<sup>st</sup></u>	<u>Presentation (or workshop) before regular meeting giving overview of needs for FY17 and goals/priorities from Commission.</u>
June 1 <sup>st</sup> – June 8 <sup>th</sup>	City Manager and Department Heads meet to incorporate feedback and priorities from Commission into draft FY17.
<u>June 21<sup>st</sup></u>	<u>Budget Workshop is held regarding BF17 Preliminary Budget. Commission provides feedback.</u>
July 1 <sup>st</sup> – July 7 <sup>th</sup>	City Manager and Department Heads meet to discuss revenue projections – property tax and sales tax data due from county/state.
<u>July 19<sup>th</sup></u>	<u>Budget Workshop is held regarding revised FY17 Preliminary Budget. Commission provides further feedback.</u>
July 20 <sup>th</sup> – August 2 <sup>nd</sup>	City Manager and Department Heads meet to incorporate feedback and priorities from Commission into draft FY17.
<u>August 9<sup>th</sup></u>	<u>Budget Workshop is held regarding revised FY17 Preliminary Budget. Commission provides further feedback.</u>
<u>September 15<sup>th</sup></u>	<u>Tentative Budget &amp; Property Tax Levy</u>
<u>September 27<sup>th</sup></u>	<u>Final/Adopt Budget &amp; Property Tax</u>

\*Additional meetings and workshops may be scheduled as needed.

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: COMMISSION NON-CITY COMMITTEE/BOARD LIAISONS

**1. PLACED ON AGENDA BY:**

Mayor Pelletier

**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)

Commission serves on numerous boards of entities outside the City. Attached is a list of those boards/committees, along with current board members as appointed by Commission.

The City Clerk's office will coordinate updates to appointments.

**Attachment(s):**

- List of Boards/Committees

**5. REQUESTED MOTION/ACTION:**

Designation of Commission members to serve as City of Callaway liaisons on the various board/committees outside the city.

## Commission Appointments Non-City Boards

<p><b>AWT</b> (Interlocal with Bay County for the Water Treatment Plant)</p>	<p>Meets as necessary</p> <p style="text-align: right;"><b>Current Liasons: Melba Covey City Manager City Attorney</b></p>
<p><b>Bay County TPO Advisory Committee</b> P.O. Box 11399 Pensacola, FL 32524-1399 Ph.: (850) 332-7976 Fax: (850) 637-1923 Contact: Brittany Ellers E-mail: <a href="mailto:Brittany.ellers@wfrpc.org">Brittany.ellers@wfrpc.org</a></p>	<p>Meets bi-monthly on the 4<sup>th</sup> Wednesday (April) 3:30 p.m. Bay Co. GC – Commission Chambers 840 W. 11<sup>th</sup> Street Panama City, FL 32405</p> <p style="text-align: right;"><b>Current Members: Pamn Henderson Melba Covey</b></p>
<p><b>Bay County League of Cities</b></p>	<p>Meets Monthly</p> <p style="text-align: right;"><b>Current Member: Bob Pelletier</b></p>
<p><b>Florida Insurance Assistance Interlocal Agency (FIAIA)</b> (Interlocal with the City of Panama City Beach Res. No. 12-22) Coordinated through the City Attorney's Office Contact: Amy at Harrison Sale McCloy Ph.: 769-3434</p>	<p>Meets annually in January, teleconference mid-summer, then as-needed unless there is a hurricane in Bay County or surrounding areas.</p> <p style="text-align: right;"><b>Current Members: Mayor &amp; City Manager Alternate: Finance Director</b></p>
<p><b>Military Affairs Committee (MAC)</b> Bay County Chamber of Commerce 235 West 5<sup>th</sup> Street Panama City, FL 32401 Ph.: (850) 785-5206 Fax: (850) 763-6229 Contact: Brandy Deruiter 215-3759</p>	<p>MAC doesn't have scheduled meetings. Events are scheduled around military events with a couple weeks advanced notice, i.e. changes of commands, etc., and there are about 6 per year.</p> <p style="text-align: right;"><b>Current Member: Ralph Hollister</b></p>
<p><b>Northwest Florida Water Management District</b> 470 Harrison Avenue Panama City, FL 32401 Ph.: (850) 872-4375 Fax: (850) 872-7790</p>	<p style="text-align: right;"><b>Current Members: Mayor</b></p>
<p><b>Northwest Florida League of Cities</b> 3200 Commonwealth Blvd., Suite 7 Tallahassee, FL 32303 Ph.: (850) 487-4184 Fax: (850) 487-0041 Contact: Christy Shell E-mail: <a href="mailto:cshell@iog.fsu.edu">cshell@iog.fsu.edu</a></p>	<p>See attached schedule</p> <p style="text-align: right;"><b>Current Member: Bob Pelletier</b></p>
<p><b>West Florida Regional Planning Council</b> 4081 East Olive Rd., Suite A Pensacola, FL 32514 Ph.: (850) 332-7976 Fax: (850) 637-1923 Contact: Gina Watson E-mail: <a href="mailto:gina.watson@wfrpc.org">gina.watson@wfrpc.org</a></p>	<p>3<sup>rd</sup> Monday 3:00 p.m. Crestview City Hall 198 Wilson Street North Crestview, FL 32536</p> <p style="text-align: right;"><b>Current Member – Thomas Abbott</b></p>

Northwest Florida League of Cities  
2016 Meeting Dates & City Hosts

<b>January 21</b>	<b>Committee Meetings, Board of Directors Meeting &amp; General Membership Dinner</b> Location: Pensacola
<b>February 2-3</b>	<b>FLC Advocate Day</b> Location: Tallahassee
<b>February 18</b>	<b>FLC University - CRA Board Training</b> Location: Crestview
<b>February 19</b>	<b>FLC University - Municipal Revenue</b> Location: Crestview
<b>March 24</b>	<u><b>Committee Meetings, Board of Directors Meeting &amp; General Membership Dinner</b></u> <u>Location: Fort Walton Beach</u>
<b>May 20</b>	<b>11th Annual Tommy McDonald Golf Tournament</b> <b>39th Annual Summer Dinner</b> Location: Sandestin Golf and Beach Resort
<b>May 21</b>	<b>2nd Annual 5K Run/Walk</b>
<b>May 24</b>	<b>NWFLC Board Retreat</b> Location: DeFuniack Springs
<b>August 18-20</b>	<b>NWFLC &amp; SRLC Joint Breakfast</b> <b>FLC Conference</b> Location: Hollywood
<b>September 15</b>	<b>Committee Meetings, Board of Directors Meeting &amp; General Membership Dinner</b> Location: Chattahoochee
<b>October 20</b>	<b>Committee Meetings, Board of Directors Meeting &amp; General Membership Dinner</b> Location: Freeport
<b>November 17-18</b>	<b>FLC Legislative Conference</b> Location: Orlando
<b>December</b>	<b>Committee Meetings, Board of Directors Meeting &amp; General Membership Dinner</b> Location: DeFuniak Springs

If your city would like to host a 2016 NWFLC meeting, please contact Christy Shell at (850) 487-4184 or by email at [cshell@iog.fsu.edu](mailto:cshell@iog.fsu.edu).

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: SURPLUS VEHICLES & EQUIPMENT – METHOD OF SALE/DISPOSAL

**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

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

At the last regular meeting, the City Commission approved the surplus of various equipment and vehicles (see table below) and typically sells the surplus items via Govdeals.com. After discussing this with a commissioner, it may be beneficial to discuss alternative methods of selling surplus items.

Department	Year	Make	Model	Est. Value	Vehicles/Equipment # & Noted Value Source
Plan/Code	1999	Ford	Ranger XL	\$ 800	#052 KBB. Nada Pub-sur.
PW-Street	1997	Ford	Taurus	\$ 2,000	#021 KBB. Nada Gov deals
Fire	2001	Dodge	1500 Ext Cab 4D	\$ 1,750	#401 KBB. Nada Gov-deals
PW-Streets	1994	Ford	F150	\$ 600	#011 KBB. Nada Gov-deals
PW-Streets	2000	Spaulding	Asphalt Trailer	\$ 4,800	#033 Gov-deals
PW-Streets	2001	Tymco	Sweeper	\$18,000	#022 Tymco Gov-deals
PW-Sewer		Tymco	Pony Motor		#022A
PW-Solid Waste	2001	Sterling	Trash Truck	\$15,000	# 07 Trash Truck
PW-Water	2002	Dodge	Ram 3500	\$ 3,800	#059 KBB. Nada Gov-deals
PW-Sewer	1999	Ford	Ranger XL	\$ 800	#049 KBB. Nada Pub-surp.
PW-Sewer	1998	Ford	Vac-Con	\$35,000	#029 Vac-con Tr, Paper Gov-deals
PW-Sewer		Vac-Von	Pony Motor		#029A
Fire Department	2000	Dodge	Durango		#400 Move to Streets Dept.

There is no prescribed method for the city to dispose of surplus property and state law leaves it to the home rule powers of the city. The Florida Attorney General has previously offered the following opinion in AGO 98-04: "...the method of disposing of such property is left to the discretion of the municipality's governing body, which is required only to act in good faith and in the best interest of the municipality." Other methods may include advertising the surplus items for sale in the newspaper or requesting the Bay County Sheriff include city surplus in local auctions.

**5. REQUESTED MOTION/ACTION:**

Discussion of alternative methods of selling surplus items.

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: STORMWATER DRAINAGE ISSUES

1. PLACED ON AGENDA BY:  
MELBA COVEY, COMMISSIONER WARD I

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)

I would like to discuss stormwater drainage issues, i.e., ditches, streets, city ponds, etc. We need to identify the issues and come up with a plan to proceed.

ATTACHMENT:

5. REQUESTED MOTION/ACTION:

Discussion and/or direction to staff.

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: APRIL 26, 2016

ITEM: ORDINANCE NO. 508 – CODE ENFORCEMENT

1. **PLACED ON AGENDA BY:**  
BOB PELLETIER, MAYOR

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)

Discussion of Code Enforcement Ordinance No. 508, which has no reference to excess leaves. Waiting for grass to be 1 foot in height seems to be excessive. By the time notices are given and the Code Enforcement Board hears the case, many yards are in excess of 3 feet.

I would like Commission to consider adding to Section 1 - Nuisance (g-2) Excess Leaves, and change (g-4) to read 6 inches.

**ATTACHMENT:**

- ORDINANCE NO. 508

5. **REQUESTED MOTION/ACTION:**

Discussion and/or direction to staff.

ORDINANCE NO. 508

AN ORDINANCE OF THE CITY OF CALLAWAY REGARDING NUISANCES: PROVIDING DEFINITIONS; PROHIBITING MAINTAINING OF NUISANCE; PROVIDING FOR AN INSPECTOR, ESTABLISHING PROCEDURES FOR ENFORCEMENT; AMENDING THE CITY OF CALLAWAY CITATION ORDINANCE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCE 379 AND ANY OTHER ORDINANCE OR PROVISIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. DEFINITIONS.

As used in this ordinance the following terms shall have the meanings respectively ascribed to them in this section:

(a) Construction debris means any refuse generated by a contractor, subcontractor or other person or supplier during the course of repair, addition to, or construction of any building or structure whether such activity requires a building permit or not.

(b) Demolition debris means any refuse generated through the cutting or trimming of trees, bushes or shrubbery for hire, or the destruction or demolition, in whole or in part, of any structure or building, or the clearing of land by any person, whether for hire or by the owner.

(c) Enforcement Officer shall mean any Code Enforcement Officer or law enforcement officer of the City of Callaway.

(d) Garbage shall mean any putrescible animal and vegetable wastes resulting from the handling, storage, preparation, cooking, sale or consumption of food.

(e) Litter means any garbage; rubbish; trash; refuse; cans; bottles; boxes; containers; paper; tobacco products; tires, appliances; mechanical equipment or part; building or construction material; tool; machinery; wood; motor vehicle or motor vehicle part; vessel; aircraft; farm machinery or equipment; sludge from a waste treatment facility; water supply treatment plan, or air pollution control facility; or substance in any form resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

(f) Inspector: That officer or employee of the City designated by the City Commission.

(g) Nuisance: The term "nuisance" shall mean any of the following:

- (1) Any accumulation of litter, refuse, construction or demolition debris, trash, junk and other abandoned materials, metals, lumber or other things.
- (2) Any excessive accumulation of untended growth of weeds, EXCESS LEAVES underbrush or other dead or living plant life upon an improved lot, tract or parcel of land, in the manner that such lot, tract or parcel of land shall or may become infested or inhabited with rodents, vermin or snakes, or may become a breeding place for mosquitos, or threaten or endanger the public health and welfare, or may reasonably cause disease, or adversely affect and impair the economic welfare of the adjacent property.
- (3) Any unfit or unsafe dwelling or structure.
- (4) Any weeds which exceed <sup>SIX INCHES</sup> ~~one foot~~ in height.
- (5) All unnecessary or unauthorized noises and annoying vibrations, including animal noises.
- (6) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes that give rise to the emission or generation of such odors and

stenches.

- (7) The carcasses of animals or fowl not disposed of within a reasonable time after death.
- (8) The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery, industrial wastes or other substances.
- (9) Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.
- (10) Any accumulation of stagnant water permitted or maintained or allowed to accumulate on any lot, piece of ground, or premises, including that water confined in a swimming pool, spa or hot tub.
- (11) Dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities.
- (12) Unsheltered storage for a period of thirty (30) days or more within the corporate limits of this city (except in licensed junkyards) of old and unused stripped junk and other automobiles not in good and safe operating condition, and of any other vehicles, machinery, implements, or equipment or personal property of any kind which is no longer safely usable for the purposes for which it was manufactured, is hereby declared to be a nuisance and a danger to public health, safety and welfare.
- (13) For the purpose of this ordinance, the term nuisance shall also include any condition or use of premises or of building exteriors which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which the premises are located. This includes, but is not limited to, the keeping or depositing on or the scattering over the premises of any of the following:
  - a. litter, junk, trash, or construction or demolition debris; and

b. abandoned, discarded, unused objects or equipment such as, but not limited to, automobiles, furniture, stoves, refrigerators, freezers, cans or containers.

(14) Any unauthorized obstructions to or interferences with the free public use of streets, rights-of-way and public thoroughfares including, but not limited to: an annoyance to the public as to render the use of the street hazardous; a hinderance or prevention of free and unobstructed use for travel; which renders passage through the street more difficult; or which increases the danger of injury to persons or property.

(15) Such other acts or conditions which are declared by other ordinances to be or constitute nuisances.

(h) Refuse: Leavings, dregs, rubbish, trash or waste material.

(i) Trash shall mean all grass clippings, leaves, tree limbs, old furniture, mattresses, bed springs, small debris, non-putrescible solid waste, cloth, paper, cardboard, glass and other similar materials. The term "trash" shall not include anything weighing over one thousand (1,000) pounds, items over ten (10) feet long or any debris or items generated by a contractor, or individual through construction or demolition.

(j) Underbrush: Any undergrowth or brush conducive to the collection of insects and rodents.

(k) Unfit or unsafe dwelling or structure: Any dwellings or structure or portions thereof and accessory buildings which are structurally unsafe, unstable, or unsanitary; inadequately provided with exit facilities; constitute a fire hazard; unsuitable or improper for the use or occupancy to which they are put; constitute a hazard to health or safety because of inadequate maintenance,

dilapidation, obsolescence or abandonment; dangerous to life or property of the occupant thereof or of the surrounding area; unfit for human habitation if so intended or used; or otherwise in violation of the housing, building, electrical, plumbing, mechanical, sanitation and fire codes of the city and/or county.

(1) Weeds. Any plants which are useless to men or injurious to crops, grasses or flowers.

Section 2. PROHIBITED ACTS/PENALTY.

Any person creating or maintaining a nuisance within the City shall be guilty of an offense punishable as provided in Section 1-12 of the Code of Ordinances or the City of Callaway Citation Ordinance.

Section 3. POWERS AND DUTIES OF THE ENFORCEMENT OFFICER; DETERMINATION OF INTERESTED PARTIES.

(a) The Enforcement Officer shall be charged with the duty of administering the applicable standards and securing compliance therewith and in furtherance of this responsibility, the Enforcement Officer shall;

(1) Make such inspections as may be necessary to effectuate the purposes and intent of this ordinance.

(2) Investigate any complaints of alleged violation of this ordinance and maintain a log reflecting the resolution thereof; however, only matters or conditions pertinent to the existence of a nuisance, as defined herein shall be considered or reported by the

Enforcement Officer.

(b) When the Enforcement Officer verifies the existence of a nuisance involving an unfit or unsafe structure, it shall be his duty to promptly prepare and submit to the City Planner the notice and order required by this ordinance. The City Planner, with assistance of the city attorney, shall determine the owner of record of the real estate upon which the nuisance is located, and send a notice and order of condemnation to said party. In addition, notice shall be given to the lessee or occupants, if any, and persons of record interest, including mortgagee, contract purchaser, agent with power of attorney, and any person claiming an interest in the property.

(c) Where the Enforcement Officer verifies the existence of a nuisance not involving an unsafe or unfit structure, the Enforcement Officer shall serve the notice and order upon the record owner of the premises reflected by the latest tax rolls and upon any occupant of the premises, if other than the owner.

(d) Where the Enforcement Officer verifies the existence of a nuisance involving public streets, rights-of-way or public thoroughfares, the Enforcement Officer shall serve a citation on the offender as provided in the City of Callaway Citation Ordinance.

Section 4. ORDER OF ENFORCEMENT OFFICER.

(a) The notice and order of the Enforcement Officer may require the cutting of weeds or underbrush or the removal of rubbish or such other measures as are reasonably necessary to abate

the nuisance.

(b) The notice and order of the Enforcement Officer may require the vacation, demolition or removal of any unfit or unsafe dwelling or structure, or may order the repair, restoration or replacement of any part of same; provided, however, that no building or structure shall be subject to repair, restoration or replacement where the cost of repairing, restoring or replacing any part or parts thereof would exceed fifty percent (50%) of the value of such structure after repair, restoration or replacement.

(c) The notice shall include:

- (1) The description of the location of the buildings and/or land involved either by street address or by legal description.
- (2) A statement providing an accurate description of the nuisance for which the notice is issued.
- (3) Specification of the section or sections of this chapter upon which the notice of violation is based.
- (4) If the nuisance does not involve an unsafe or unfit structure, a statement ordering what shall be done to abate the nuisance.
- (5) If the nuisance does involve an unfit or unsafe structure, a statement of the nature and extent of such repairs or alterations necessary to comply with this ordinance.
- (6) If the nuisance involves an unfit or unsafe structure and is of such a character that repairs or alterations cannot bring the building into compliance, a statement to this effect and an order of demolition of the building indicating fully the reason therefor.
- (7) If abatement of the nuisance or demotion of a structure is necessary for compliance, a specification of time for performing same shall be stated in the notice which shall not

be less than ten (10) days nor more than ninety (90) days.

- (8) The name or names of persons upon whom the notice is served as stated in section 3(a).
- (9) A statement advising that upon the owners failure to comply with the notice, the city may vacate, demolish, or remove or otherwise abate the nuisance in accordance with the order stated in the notice, and at the expense of such performance by the city shall be charged against the real property and the assessment when made shall constitute a lien upon said property by the city.
- (10) A statement advising of the procedures for review of the action of the Enforcement Officer as set out in section 10.

(d) In the case of an unfit or unsafe dwelling or structure this notice and order shall require the owner and other interested parties within thirty (30) days after service to obtain a permit and begin specified repairs or improvements, or begin to demolish and remove the dwelling or structure or portion thereof. This work shall be completed within sixty (60) days from the date of the permit for repair or demolition. Any demolition permit necessary as a result of any condemnation herein shall not require a fee.

(e) Except as otherwise provided in this ordinance for unsafe or unfit dwellings or structures the inspector may order such work to be completed within such time as he determines to be reasonable considering the nature of the nuisance, the danger to the public and the amount of work involved to abate the nuisance.

(f) When the county health officer or licensed pest control operator verifies the existence of a rodent infestation in any dwelling or structure that is to be demolished and removed, in

order to preclude the migration of rodents, the notice and order of the inspector shall require that effective rodent extermination methods be employed by a licensed structural pest control operator prior to demolition. Extermination techniques shall include ectoparasite control measures.

**Section 5. SERVICE OF NOTICE AND ORDER.**

It shall be the duty of the Enforcement Officer to see to it that the required notice and order is delivered to the interested parties by personal delivery of copy thereof to the party to be notified, or by leaving such copy at his usual place of abode with some person of the family above fifteen (15) years of age and informing such person of the contents thereof, or by either registered or certified United States mail with return receipt requested, or, if the name of any such party or his place of residence or his post office address cannot be ascertained after diligent search, or in the event a notice sent by either registered or certified mail shall be returned undelivered and the person to be notified is not residing within the city, by publishing a copy thereof once a week for two (2) consecutive weeks in a newspaper of general circulation within the city. A copy of such notice and order shall be posted in a conspicuous place at City Hall and upon such dwelling or structure. However, if the violation is related to a nuisance in a public street, right of way or public thoroughfare, the Enforcement Officer shall provide service on the offender.

**Section 6. EXTENSION OF TIME TO COMPLY.**

(a) In the case of an unfit or unsafe building or structure

if the interested parties shall have obtained a building or demolition permit within the thirty (30) day period and in good faith and in due time begun work to comply with the order, but it appears that they will not be able to complete the work by the date ordered, they may file a written request stating the reasons they have been unable to complete compliance and if reasonable grounds are shown therefor, the city clerk is authorized to issue an amended order authorizing an extension of time, not to exceed sixty (60) days, in which to complete compliance with the original order.

(b) In the case of a nuisance which is not an unfit or unsafe dwelling or structure the Enforcement Officer may grant extensions of up to sixty (60) days to abate the nuisance as are reasonably necessary under the circumstances upon written request from the interested parties stating the reasons they have been unable to complete compliance and showing reasonable grounds for such failure to complete compliance.

(c) Violations of this ordinance which constitute a nuisance in a related to public streets, rights-of-way and public thoroughfares shall be abated immediately.

(d) The City Commission, in exceptional cases, upon written request, may extend the completion date of the Enforcement Officer as merited by special hardship, unusual difficulty, or uniqueness of the situation; however, in no event shall the completion date extend beyond a maximum period of one hundred eighty (180) days.

Section 7. CITY ACTION ON FAILURE TO COMPLY.

(a) If the owner or other parties in interest fail to repair,

restore or replace such parts of the dwelling or structure within the time permitted by the notice and order of the Enforcement Officer, and in the absence of extenuating circumstances as would justify an extension of the time period therefor, the city clerk may order a vacation of the premises until compliance or a demolition of the structure.

(b) In the event that the owner or other parties in interest shall fail to comply with an order made pursuant to the provisions of this ordinance within the time therein fixed, the City, acting through the Director of Public Works, is authorized to vacate, demolish or remove or otherwise abate the nuisance in accordance with such order, either with City forces or by independent contractor submitting the lowest and best bid.

Section 8.       ASSESSMENT OF COST; LIEN.

(a) Upon expiration of the thirty (30) day appeal period with no appeal having been taken, the City Planner, after proceeding under this ordinance, shall as often as may be convenient report the action taken toward abatement of the nuisance by the City and the city commission shall assess the entire cost of such action against the real property, which assessment, when made shall constitute a lien upon said property by the City. The lien of the City shall encompass in addition to the abatement cost for the vacation or removal of the facility, all administrative, legal, postal and publication expenses, as well as rodent extermination when employed, as well as all other direct or indirect costs associated therewith. The lien upon the property shall be superior

to all others except taxes.

(b) The City Planner, shall file such lien in the County's Official Record Book showing the nature of such lien, the amount thereof, and an accurate legal description of the property, including the street address, which lien shall date from the date of filing and recite the names of all persons notified or interested parties. Such municipal lien shall bear interest from said date at the rate of ten per cent (10%) per annum for individuals and fifteen per cent (15%) for corporation owners and shall be enforceable if unsatisfied after the expiration of two (2) years from the date of filing of such notice of lien, as other liens may be enforced by the City. All such recorded liens shall be included in a municipal tax deed sale and no such deed shall be issued by the City Clerk unless full payment of principal and interest is received. Upon notice of an impending county tax deed sale, the City Planner shall request the Clerk of the Circuit Court to collect all monies due the City, including such municipal lien with interest.

Section 9. APPEALS GENERALLY.

(a) Any interested party may appeal the decision of the Enforcement Officer or City Planner to the City Commission upon the filing, within thirty (30) days after service of the Enforcement Officer or City Planner's notice and order, of an application to the building official, setting forth the grounds for the appeal. Upon receipt of the notice of appeal, the City Planner shall forthwith transmit a copy of the notice of appeal, together with

all related documents of his department, to the City Commission. Within ten (10) days after the filing of notice of appeal, the City Commission shall schedule a date for the hearing thereof and give notice of the date for the hearing to the interested parties, in a manner as would afford them not less than ten (10) days' notice. Under no circumstances shall the Commission establish a hearing date beyond sixty (60) days from the filing of the notice of appeal.

(b) All appeals proceedings shall be public and notice thereof published in a newspaper of general circulation within the city at least ten (10) days prior to the date of the hearing. The findings of the commission shall be encompassed in a resolution stating with particularity the grounds for the decision.

(c) All interested parties shall have thirty (30) days within which to comply with the resolution of the Commission.

(d) Nuisances related to public streets, rights-of-way and public thoroughfares shall be abated immediately. However, offenders shall have the right to appeal decision of abatement to the City Commission for determination of whether the conduct constituted a nuisance. If there is a determination that such conduct did not constitute a nuisance, then any fines or penalties assessed against the alleged offender shall be forfeited by the City.

#### Section 10. FINAL APPEAL TO CIRCUIT COURT.

An interested party, having exhausted his administrative remedies before the city commission, may appeal to the circuit

court the decision of the commission in like manner of appeals from county courts.

**Section 11. APPEARANCE BY COUNSEL; WITNESSES SWORN.**

Any interested party appearing before the city commission may appear in person, by counsel, or by an agent possessing power of attorney provided the agency's instrument appears in the county's official record book, but may not appear through any person otherwise a stranger to the record. All witnesses appearing before the city commission in proceedings under this chapter shall be sworn by the mayor or in his absence, by the person acting in his stead, except counsel representing a client.

**Section 12. DUTIES OF OTHER DEPARTMENT.**

(a) Members of the fire department, law enforcement, and public works department shall make written reports to the Enforcement Officer, of all dwellings or structures which appear to be substandard housing within the terms of this ordinance. Such reports shall be submitted to the Enforcement Officer as soon as practicable.

(b) In carrying out his responsibilities hereunder, the Enforcement Officer may request assistance from a health officer, to determine violations of municipal ordinances, or state law, and rules and regulations of a health officer.

**Section 13. ENTRY POWERS.**

The Enforcement Officers and his designees are hereby authorized to enter upon private property in order to enforce the provisions of this ordinance. When necessary to obtain such entry,

the Enforcement Officer and his designees may institute proceedings to obtain a search warrant.

Section 14. AMENDMENT TO THE CITY OF CALLAWAY CITATION ORDINANCE.

Exhibit "A" of the City of Callaway Citation Ordinance is hereby amended to include a penalty of \$25.00 for the violation of Section 1(a)(14) outlined above relating to streets, rights-of-way and public thoroughfares.

Section 15. REPEALER.

Ordinance 379 and all ordinances in conflict or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 16. 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.

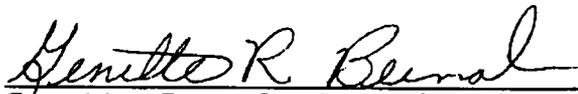
Section 17. EFFECTIVE DATE.

This Ordinance shall take effect upon passage.

PASSED, APPROVED AND ADOPTED this 13<sup>th</sup> day of August, 1996.

  
Ray G. Boevink, Mayor

ATTEST:

  
Genette Bernal, Interim City Clerk