Town of Callahan

'A Florida Municipality'

Town Council Minutes

October 6, 2014
7:00 P.M.

Present at Meeting: Mr. Rau, Mr. Fontes, Mr. Bass, Mayor Graham, Mrs. Smith, Mrs. Shaw, Mr. Mellecker, Mr. Branham, Mrs. Knagge, Mr. Williams, six (6) Members of Callahan Middle School Beta Club, one (1) representative of Callahan Middle School Band, one (1) representative from Episcopal Children's Services, and two (2) members of the Media.

Absent: None

Meeting Called to Order – Mr. Rau at 7:00 PM.

Pledge of Allegiance to Flag/Invocation – Pledge and Invocation by Mr. Rau

Visitors Welcomed and Reminded Minutes are Being Recorded -- Mr. Rau

Persons Wishing to Address Council on Items Not on the Agenda -- None

Minutes

- September 15, 2014 -- Regular Meeting
  - Motion to Approve the Regular Meeting Minutes by Mr. Fontes and 2nd by Mr. Mellecker. Motion Carried.
- September 29, 2014 – Special Budget Meeting
  - Motion to Approve the Special Budget Meeting Minutes by Mr. Mellecker and 2nd by Mrs. Shaw. Motion Carried.

Treasurers Report

- Motion to Approve the Treasurer's Report for August by Mrs. Shaw and 2nd by Mr. Mellecker. Motion Carried.

Old Business

- 2nd Public Hearing -- Land Development Regulations – Tabled until October 21, 2014 -- Tabled

- Resolution 2014-R10 – Nassau County Girl Scouts - $500
  - Read by Title by Mr. Branham.
  - Motion to adopt Resolution 2014-R10 by Mr. Fontes and 2nd by Mrs. Shaw. Motion Carried.

New Business

- Resolution 2014-R15 – Episcopal Children's Services -- School Readiness Program
  - Read by Title by Mr. Branham.
  - Ms. Brittany Spangler addressed the Council on Episcopal Children's Services does and that all funds donated will be matched by the State times three.
  - Motion to adopt Resolution 2014-R15 in the amount of $500 by Mr. Fontes and 2nd by Mr. Mellecker. Motion Carried.
- Resolution 2014-R16 – Callahan Middle School Band
  - Read by Title by Mr. Branham.
  - Ms. Kathleen Schiebe addressed the Council asking them to sponsor the Band's Funnel Cake booth at the Northeast Florida Fair that will in turn allow the students to compete this summer in Williamsburg, VA.
  - Motion to adopt Resolution 2014-R16 in the amount of $500 by Mrs. Shaw and 2nd by Mr. Fontes. Motion Carried.
- Resolution 2014-R17 – CMS National Junior Beta Club
  - Read by Title by Mr. Branham.
  - Mrs. Henderson & Mrs. Ginder, Sponsors of the Beta Club, along with Samantha Singley and Calee Edwards, President & Vice President of the Beta Club, addressed the Council and asked them to consider sponsoring the Callahan Middle School Jr. Beta Club. The funds from the Town would help to offset some of the cost for the Beta students to represent the Town of Callahan and Nassau County at the National Beta Club Competition in Orlando this December.
  - Motion to adopt Resolution 2014-R17 in the amount of $500 by Mr. Mellecker and 2nd by Mr. Fontes. Motion Carried.
- Resolution 2014-R18 – Nassau County Economic Development Board
  - Read by Title by Mr. Branham.
  - Motion to adopt Resolution 2014-R18 by Mrs. Shaw and 2nd by ----------.
  - Resolution 2014-R18 failed due to lack of a 2nd.
- Resolution 2014-R19 – Wounded Warriors
  - Read by Title by Mr. Branham.
  - Motion to adopt Resolution 2014-R19 in the amount of $500 by Mr. Fontes and 2nd by Mr. Bass. Motion Carried.
  - Mr. Fontes stated that this is a great organization and the only out of County organization we support.
- Resolution 2014-R20 – Swish Dental Hygiene at Callahan Elementary School
  - Read by Title by Mr. Branham.
  - Motion to adopt Resolution 2014-R20 in the amount of $500 by Mr. Mellecker and 2nd by Mr. Fontes. Motion Carried.
- Resolution 2014-R21 – Friends of the Callahan Library
  - Read by Title by Mr. Branham.
  - Mr. Fontes stated that last year we gave $1000 for 2013 & 2014. However, this is a very important organization to the entire town, and he recommended that we keep it at $1000 for 2015. Mayor and the rest of the Council agreed.

- Motion to adopt Resolution 2014-R21 by Mr. Fontes and 2nd by Mrs. Shaw. Motion Carried.

- Resolution 2014-R22 – Barnabas
  - Read by Title by Mr. Branham.
  - Motion to adopt Resolution 2014-R22 in the amount of $500 by Mr. Mellecker and 2nd by Mr. Fontes. Motion Carried.

- Tree Survey for Andy Burns Parcel
  - Motion to authorize the site clearing according to Mr. Larsen's recommendation by Mr. Fontes and 2nd by Mr. Bass.

  Discussion:
  - Mr. Williams read a letter from Mr. Larsen recommending that Mr. Burns be allowed to remove everything except trees that are 6 inches or larger on Page Street property. He also stated that the developer will be responsible for the roads when land is cleared.
  - Mr. Fontes asked if there was a tree survey completed. Mr. Williams stated that there had been and that Mr. Larsen had based his decision on Section 166 of the Town Code.
  - Mr. Fontes asked if this project would be going all the way through to US 1. Mr. Williams stated that not at this time, but could in the future.
  - Mr. Rau asked if Mr. Burns wants approval for the Permit. Mr. Williams said he would get the permit upon Council approval.
  - Mr. Branham stated that Council approval is not needed for a permit.
  - Mr. Branham stated this item needed to go to the Planning & Zoning Board and then back to the Council upon Planning & Zoning recommendation. Mr. Williams disagreed according to Section 166. This is not a site plan it is a tree removal request.
  - Mr. Fontes asked if they have already been working without permission. Mr. Williams stated that the Code Enforcement had already ordered a stop work order. Mr. Fontes said, "Than the answer is yes."
  - Mr. Branham stated that they can't cut down any trees without approval.
  - Mr. Branham stated item needed to go to Planning & Zoning and then back to Council; both will be an Advertised Public Hearing.
  - Mr. Fontes withdraws his Motion.
  - Council Consensus for item to be taken back to the Planning & Zoning Board.

- Mutual Aid Agreement between Nassau County Fire Rescue & Town of Callahan Volunteer Firefighters
  - Mr. Bass discussed the Mutual Aid Agreement that the County has sent back to us for approval has not been approved by the Commissioners and it is just repeating the same thing we sent them except for item #11, which is NOT agreeable.
  - Mr. Branham stated that this is a circle we have been in with the County for two years now. We fix it and send it to them and they just fix it back and resend it to us. Mr. Selby just takes what we add and removes it.
  - Mr. Bass stated that he has a problem with volunteers having to follow the same rules as the paid firefighters. He also stated that this is just another chance for them to change the game. He recommended that we not allow them to add this SOG.
  - Mr. Fontes asked if Fernandina's agreement has this clause. Mr. Bass stated that they do not. Mr. Fontes stated that Fernandina took it out for a reason and we need to as well.
  - Mayor stated that her understanding is that the Counties SOG is not the same as the States and the Volunteers must keep to the State's requirements for their certification.
  - Mr. Branham stated that we can amend it to say, "The Town agrees to operate under the County as long as it is practical for the Town and it doesn't override the State's SOG.

- Mr. Jose Rivera of 45077 Mickler Street asked the Council to consider throwing the County out and go back to just Volunteers with a siren on top of the Water Tower.
- Mayor Graham stated that this is a new day and time and we can't function the way we did in the old days.
- Mr. Rau stated that is just not a practical solution.
- Mr. Rivera stated that the County has their own personal agenda that doesn't include the Volunteers and they need to vacate Town property.
- Mr. Fontes stated that if the Volunteers switch to Reserves than we will lose our equipment.
- Mr. Bass stated that the Volunteer Requirements are higher than the Reserves.
- Mr. Rau stated that we are trying and are going to do what is best for our Town and that means we are not getting rid of our Volunteers. He asked if they are being Toned Out yet.
- Mayor & Mr. Bass both responded that they aren't.
- Mr. Fontes stated that the State said they aren't getting in the middle of this, so we have to figure out a way to resolve this issue.
- Mr. Rau said hopefully we can get an Agreement done soon.
- Mr. Fontes asked if we should re-do the Agreement again and bring it back to the next meeting.
- Mr. Branham stated that this is a County Tax disparity issue. We need to come to an agreement that the MSTU is not as much as the benefits the residents of the unincorporated areas receive from the town. He also stated in his legal opinion that there is no issue with the MSTU and if we send it back with the changes it will never leave Selby's desk.
- Mr. Bass recommended making the changes and sending them our final best Agreement.
- Mr. Mellecker asked should we go ahead and sign it first.
- Mr. Fontes said that we should sign it and when we send it back it should go to each individual Commissioner not just to Selby. Council Consensus was to do as Mr. Fontes suggested.

- Code Enforcement
  - Mrs. Knagge stated that we have received five applications for the position and asked the Council how they would like to proceed.
  - Mr. Fontes recommended that the Mayor, Council President, and Clerk conduct the Interviews and bring their recommendation back to the Council for approval.
  - Mr. Williams asked the Council to designate someone to sign Code Enforcement issues until one is hired.
  - Motion to authorize April Waters to sign all Code Enforcement letters until a new Code Enforcer is appointed by Mr. Fontes and 2nd by Mr. Bass. Motion Carried.
- Speed Reduction Devices on Mickler Street
  - Mrs. Shaw stated that the Speed Limit should be reduced to 15 MPH.
  - Mr. Mellecker stated that humps and signage are all good ideas, but coverage is what is needed and only a paid officer can write tickets.
  - Mrs. Knagge stated that humps on a main road like that seem like a bad idea.
  - Mr. Fontes stated that while it is not technically a main road it is considered the third main road for the Town.
  - Lengthy discussion between Mr. Fontes & Mr. Mellecker.
  - Mayor stated that through a police department record search they could not find where it was reported that a child had been hit on Mickler within the past 2 years.
  - Mrs. Smith stated that it was one of her tenant's children.
  - Mr. Rau stated that whether it was reported or not isn't the issue the issue is that we just don't have enough police coverage and that is a problem.
  - Mr. Fontes stated that we have a lot of police coverage, but not enough writing tickets.

- Mayor brought up that we need more education about Bicycle safety, following road rules, and wearing helmets.
- Lengthy discussion concerning having Reserve officers around the different schools.
- Mr. Fontes stated that maybe the Town could even pay to fix an old police car for the Reserve officer just to have that presence available.
- The Mayor will contact the Sheriff's Office about the Reserve Officer.

Recurring Business; Water & Sewer Adjustments

1. Mrs. Forshee of Ingleham Circle
   - Clog in sewer lines backed up into house causing a major flood in house. Where her usage is usually 2,500 gallons this month it was 24,000 gallons.
   - Lengthy discussion.
   - Mr. Branham stated that negligence does not meet the requirements for a refund.
2. Ms. Holly Higginbotham of Green Avenue.
   - Out of town for family funeral when a hose bib broke using 7,000 more gallons than usual.
   - Motion by Mr. Fontes for an adjustment of $30.80 and 2nd by Mr. Mellecker. Motion Carried.

Review & Approval of Town Expenditures

- ***General Fund – $8,520.28***
  - Motion to approve by Mrs. Shaw and 2nd by Mr. Mellecker. Motion Carried.
- ***Water & Sewer Fund – $10,204.08***
  - Motion to approve by Mr. Fontes and 2nd by Mrs. Shaw. Motion Carried.
- ***Water & Sewer Deposit Disbursements -- $788.26***
  - Motion to approve by Mr. Mellecker and 2nd by Mrs. Shaw. Motion Carried.

Around the Council Table

- ***Mayor***
  - Asked about the Reserve Officers – How long? Staggered patrol? Council Consensus was to have them as long as possible and at varying locations.
  - Informed everyone that the County Attorney passed away this morning at 9:45 due to Cardiac Arrest.
- ***Mr. Fontes***
  - Rodney McKnight house on Page Street was to be torn down by October 1st and there has been nothing done.
  - Lengthy Discussion.

- Council Consensus is to send a letter on Town Letterhead reminding Mr. McKnight that he has 30 days to pull the permits and have the house torn down.

- ***Mr. Bass*** - None
- ***Mrs. Smith*** - None
- ***Mrs. Shaw*** - None
- ***Mr. Mellecker*** - None
- ***Mr. Branham*** - None
- ***Mrs. Knagge***
  - Reminded the Council that Government Week is October 19–25. Lengthy Discussion. Council Consensus to ask Mr. Bryan to have his classes do posters about following Town laws with Bicycle, Street, and Pedestrian Safety within the Town Limits. With winning class receiving a pizza party presented by the Town.
  - Gone next week for Clerk's Conference
- ***Mr. Williams*** - None
- ***Mr. Rau*** - None

Adjourn -- Motion to adjourn by Mr. Fontes and 2nd by Mr. Mellecker. Motion Carried. Time: 8:33 PM

Robert Rau, Council President

Stephanie Knagge, Town Clerk

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.