



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

I. Meeting Called to Order

The meeting was called to order at 6:30 p.m. by Mayor Barley in the Council Chambers of Freeport City Hall.

Council members present: Mayor Russ Barley, Councilwoman Amanda Green, Councilwoman Elizabeth Brannon, Councilman Eddie Farris, Councilman William “Boots” McCormick, Councilwoman Elizabeth Haffner.

Staff present: City Attorney Clay Adkinson, City Engineer Alex Rouchaleau, Lead Plant Operator Bridget Hilgenburg, Finance Officer Sara Bowers, Finance Assistant Joyce Sunday, Billing Manager Debbie Roberts, Parks Director Charlie Simmons, Planning Director Latilda Neel, Water Supervisor Larry Tuggle, Clerk Assistant Lori Cox.

II. Invocation and Pledge of Allegiance

The Invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

III. Recognition of Guests

Mayor Barley introduced Mr. Stan Sunday, Assistant Administrator for Walton County and Mr. Chance Powell, Road Engineer for Walton County. Mayor Barley thanked them both for their attendance.

Mayor Barley introduced Mr. Buzz Eddy with the Florida League of Cities.

1. Mr. Eddy approached the podium and thanked Council for passing the June 11, 2019 Ordinance to create the City Manager position. Mr. Eddy then discussed the City Manager job description, residency, advertising and candidate approval process.

Council Action: Councilwoman Haffner motioned to approve commencement of advertising the City Manager position within 10 days of the current meeting and post the position for a forty-five-day period. Councilwoman Brannon seconded the motion. All ayes; motion carried.

IV. Request for Placement on the City Council Agenda – none.

V. Public Comment on Consent Agenda – none.

VI. Approval of Consent Agenda

1. Bills Paid
2. Regular Council Meeting Minutes September 10, 2019 – corrected

Council Action: Councilman Farris motioned to approve the consent agenda as presented. Councilwoman Haffner seconded the motion. All ayes; motion carried.



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

VII. Consideration of Additions/Deletions to Agenda

Councilman McCormick: Addition of County Interlocal Agreement - Bear Creek project under Old Business

Planning Director Latilda Neel: Addition of Planning Board appointment

Parks Director Charlie Simmons: Addition of Updates

Lead Plant Operator Bridget Hilgenburg: Addition of Request to Purchase Goods

Billing Manger Debbie Roberts:

1. Addition of Service Rates for Turn On/Cut Offs
2. Addition of December Disconnects

VIII. Approval of Agenda with Additions/Deletions

Council Action: Councilman McCormick motioned to approve the additions to the Agenda as presented. Councilwoman Brannon seconded the motion. All ayes; motion carried.

IX. Staff Reports

A. Clerk's Office

1. November & December Evening Meetings
 - Clerk Assistant Cox confirmed the November/December Evening Meetings were cancelled due to the holiday.

Council Action: none.

2. Escribe Agenda Software Agreement

- Clerk Assistant Cox presented the agreement for the agenda software that was approved in the 2019-2020 budget.

Council Action: Councilwoman Brannon motioned to approve the agenda software agreement. Councilwoman Haffner seconded the motion. All ayes; motion carried.

B. Finance – none.



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

C. Billing

1. Service Rates for Turn On/Cut Offs

- Billing Manager Roberts requested direction on a \$5.00 turn on/cut off charge that is on the rate sheet and in the Ordinance that the Billing Department has not been charging for. Council requested that Legal look into the matter.

Council Action: none.

2. Extension Policy

- Roberts discussed the Extension Policy and hardship issues. Council discussion ensued and requested Roberts to research surrounding utility area policies and bring the matter back for discussion.

Council Action: none.

3. December Disconnects

- Roberts requested abstaining from disconnects in December due to conflicts with the holiday schedule.

Council Action: Councilman Farris motioned to abstain from disconnects in December. Councilwoman Brannon seconded the motion. All ayes; motion carried.

D. Planning & Zoning Department

1. Request Approval to Apply for SRTS Grant: 331 Business Multi-modal Path Phase II through Walton County.

- Planning Director Neel requested approval to commence with the Safe Routes to School grant process for the 331 Business Multi-Modal Path Phase II.

Council Action: Councilman Farris motioned to approve commencement with the Safe Routes to School grant process for the 331 Business Multi-Modal Path Phase II. Councilwoman Brannon seconded the motion. All ayes; motion carried.

2. Young Re-Zoning Ordinance – Request to hold 1st Reading/Advertise for 2nd Reading-Adoption

- Planning Director Neel explained that the Re-Zoning Ordinance is for a 26.64-acre parcel located on the North side of East Highway 20. The property owner Young & Son wanted to create a storage yard for his trucks and materials in order to do so, the owner needed to amend the zoning of the property to “light industrial”. The project was reviewed and approved by the Planning Board on October 2nd, 2019.



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

Council Action: Councilwoman Haffner motioned to approve first reading of the Ordinance and allow staff to advertise for 2nd reading and adoption for December 10th, 2019. Councilman McCormick seconded the motion. Three ayes; Councilwoman Haffner, Councilman McCormick, Councilwoman Brannon. One nay; Councilwoman Green. One recusal; Councilman Farris stated that he had a conflict of interest because his daughter-in-law is related to the property owner (Form 8B attached). Motion carried.

3. Verandas Phase II Development Approval

- Planning Director Neel presented Verandas Phase II Development project. The property is located on the West side of 331 Business on Palm Shadow Way. Neel stated the overall project is 43.76 acres, the development is for 4 townhomes and 144 apartment units with a 2,500-sf clubhouse/leasing office. Neel stated that the Planning Board reviewed the project at a Special Meeting on October 22nd, 2019. The project was approved with a condition for Council to consider allowing the developer to create a second entrance to spread out traffic. The developer would have to come before Council for a variance to create a second entrance to meet Access Management Standards.
- Discussion ensued about the impact of additional traffic and location of a potential new access road versus utilizing the existing entrance only.
- Jody Allen, one of the owner's and developers of the Verandas approached the podium. Mr. Allen stated that no property abutting the Verandas property is obtainable for a second entrance. The only option is to utilize property the Verandas already owns. The front portion is already occupied by existing townhomes and would not be an option to add another entrance at this location. Mr. Allen discussed apartment versus townhome density issues with Council.
- City Engineer Rouchaleau approached the podium and stated that the Verandas satisfied the traffic study by adding turning lanes from 331 Business into the entrance. The traffic study does not account for improvements needed within the subdivision to accommodate traffic.
- Curtis Smith, engineer on the project approached the podium and briefed Council on his peak hour study.

Public Comment:

- Bob and Jennifer Mims, Melissa Bergeron-Neeb, Terry Gastauer, Jeff Walz, wife Lori, and Tom Feaski approached the podium and spoke in opposition to the development project.
- Council discussion ensued about the traffic concerns.

Council Action: Councilwoman Haffner motioned to deny the development project as presented. Councilwoman Green seconded the motion. Four ayes, Councilwoman Haffner, Councilwoman Green, Councilwoman Brannon, Councilman Farris. One nay; Councilman McCormick; motion carried.



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

4. Planning Board Appointment

Neel yielded to Councilwoman Green so she could announce Kevin Louthain as her new appointment to the Planning Board.

Council Action: Councilman McCormick motioned to approve appointment of Kevin Louthain to the Planning Board. Councilwoman Haffner seconded the motion. All ayes; motion carried.

5. Land Development Code Revision Ordinance/Planning Board Recommendations – Request to hold 1st Reading/Advertise for 2nd Reading-Adoption

- Neel presented a Land Development Code Revision to the Ordinance based on Planning Board recommendations.
- The revision would amend the language regarding 3.07.18 Animal Regulations requiring a ten-foot buffer for animal enclosures; pens, pastures, fenced areas for animals considered to be livestock.
- Revision to require 1 acre of pasture per horse, consistent with County regulations.
- Clean up of sections 5.01 Transportation Systems; 5.01.02 (C) adding “most current Institute of Transportation Engineers Traffic Engineering Handbook”.
- Appendix B – to add three definitions to the Land Development Code; First Floor Elevation, Vending Operation, Vending Permit.
- Appendix I – 331 South Corridor Standards
- Councilwoman Green requested that Corridor Standards be in a separate Ordinance for historical and research purposes.
- Neel agreed to bring back the revisions with the Corridor Standards separate.

Council Action: none.

E. Legal

1. Edwards/Southmark Annexation

- City Attorney Adkinson presented the second public hearing for adoption on the Edwards/Southmark Annexation.
- Attorney Adkinson declared Public Hearing and asked if anyone wished to speak. No public comment was presented.

Council Action: Councilwoman Haffner motioned to approve the Edwards/Southmark Annexation Ordinance 2019-16. Councilwoman Brannon seconded the motion. All ayes; motion carried.

3. Fire Impact Fee Resolution

- Adkinson presented the Fire Impact Fee Resolution. Adkinson explained the purpose of the Resolution was to address unencumbered fire impact fees allowing for the reimbursement to the City’s general fund. Non allocated funds would go towards the purpose of general public safety.



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

Council Action: Councilwoman Brannon motioned to approve the Fire Impact Fee Resolution 2019-18. Councilman Farris seconded the motion. All ayes; motion carried.

F. Engineering

1. East Bay Loop Watermain – Request to Advertise and Bid Project
 - City Engineer Rouchaleau requested to Advertise and Bid East Bay Loop Watermain Project.

Council Action: Councilwoman Haffner motioned to approve advertisement and bidding of project as presented. Councilwoman Brannon seconded the motion. All ayes; motion carried.

2. US 331 North Utility Easement and Developer's Agreement
 - Rouchaleau presented draft of easements of three properties located at State Road 20 and the West side of 331 Business providing for a twenty-foot easement outside of the FDOT right-of-way.
 - Rouchaleau requested to continue to work with the developer and get the easements executed.

Council Action: Councilman Farris motioned to approve City Engineer Rouchaleau to present easement deeds for review and consideration to each of the three developers. Councilman McCormick seconded the motion. All ayes; motion carried.

Council Action: Councilman Farris motioned to approve City Engineer Rouchaleau to seek comments or revisions from the developer and have them back to the City by November fourth. Councilwoman Brannon seconded the motion. All ayes; motion carried.

3. Updated Pending List
 - Rouchaleau presented an Updated Pending List and a draft of the commercial rate study to discuss at the next Council meeting in November. Rouchaleau will also be bringing back proposals for projects approved in the current budget.

Council Action: none.

4. Legislative Appropriations Projects
 - Rouchaleau presented a copy of the current Capital Improvement Projects and introduced Mr. Tim Carson with Liberty Partners.
 - Mr. Tim Carson, Director of Government Relations, with Liberty Partners in Tallahassee approached the podium and introduced himself and explained the current legislative process.
 - Carson reviewed the City's Capital Improvement Project list and asked for Council direction on priorities. He stated that water projects were difficult to get funded through legislature and suggested that several improvement projects be chosen.



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

- Discussion ensued about priority projects.

Council Action: Councilwoman Haffner motioned to approve the following projects as priority for funding: 1) Water & Sewer, 2) Turning lane at Highway 20 & East 83A, 3) Blue Ridge Parkway, 4) New community center. Councilwoman Brannon seconded the motion. All ayes; motion carried.

G. Water

1. Budgeted Service Truck Purchase

- Water Supervisor Larry Tuggle requested approval to purchase the budgeted service truck from Alan Jay Fleet Sales.

Council Action: Councilwoman Brannon motioned to approve the purchase of the new service truck from Alan Jay Fleet Sales. Councilwoman Haffner seconded the motion. All ayes; motion carried.

H. Sewer

1. Request to Purchase Goods

- Lead Plant Operator Hilgenburg requested a purchase of proprietary goods for the rehabilitation of filters in the amount of \$48,610.00.

Council Action: Councilwoman Haffner motioned to approve the purchase of proprietary goods for the rehabilitation of filters. Councilwoman Brannon seconded the motion. All ayes; motion carried.

I. Parks

1. Updates

- Parks Director Charlie Simmons gave Updates on the following projects:
 - Recreation Trails
 - Concession Stand/Bathroom/Storage
 - Planning Department Relocation

X. Old Business

1. County Interlocal Agreement- Bear Creek project

- Councilman McCormick requested Council direction on the latest County Commission meeting regarding the Bear Creek Bridge project. He believed the City had acted in good faith towards the project and felt the project needed to be carried out. He suggested raising the City's out of pocket cap to \$75,000 from the initial \$50,000 and to state in the draft interlocal that the County would be responsible for any costs over that amount. McCormick stated that he still felt confident in the engineer's projected costs for the bridge.



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

- Council discussion ensued about the City's desire to work with the County in the past and future. Council did not want to lose the \$850,000 grant.
- Stan Sunday, Assistant Administrator for Walton County approached the podium and stated that the County was willing to take the project and did not want to lose the \$850,000 grant as well. Mr. Sunday stated he would be glad to take the new offer back to the County Commissioner's for consideration.
- City Engineer Rouchaleau discussed the submitted project costs and design.

Council Action: Councilman McCormick motioned to approve the City's out of pocket cap for the Bear Creek project at seventy-five thousand. Councilwoman Haffner seconded the motion. After debate and amendment, the following motion was adopted: To approve the City's out of pocket cap for the Bear Creek project at seventy-five thousand and renegotiate if the project goes over one million dollars. Four ayes; Councilman McCormick, Councilwoman Haffner, Councilman Farris, Councilwoman Brannon. One nay; Councilwoman Green. Motion carried.

XI. New Business

A. Mayor Russ Barley

1. Budget Amendment

- Mayor Barley requested a budget amendment to move money for a future Billing Clerk position not needed this year, to hire Admin Assistant Will Alley as an employee.
- Council discussion ensued on the potential for needing an additional Billing Clerk, the status of City Clerk and Clerk Assistant positions and possibly allowing the City Manager to decide.

Council Action: Councilman Farris motioned to approve the budget amendment and to extend a position to Admin Assistant Will Alley. Councilwoman Green seconded the motion. After debate and amendment, the following motion was adopted: To approve the budget amendment and for staff to bring back a job title and description.

B. Councilwoman Brannon

C. Councilman Farris

D. Councilwoman Green

E. Councilwoman Haffner

F. Councilman McCormick



City of Freeport
REGULAR COUNCIL MEETING
6:30 PM/Council Chambers/Freeport City Hall
October 24, 2019 Minutes

XII. Public Comment

- Tim Ard, Chair of the Memorial Committee approached the podium and gave an update on the upcoming November 11th, 2019 Veteran's War Memorial ceremony.

XIII. Adjournment

Mayor Barley motioned to adjourn the meeting. The meeting adjourned at 9:18 p.m.

CITY OF FREEPORT



Mayor

ATTEST:



City Clerk Assistant



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Farris Eddre E</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Freeport City Council</i>
MAILING ADDRESS <i>112 Hwy 20 West P.O. Box 339</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Freeport</i>	COUNTY <i>Walton</i>
DATE ON WHICH VOTE OCCURRED <i>10/24/19</i>	NAME OF POLITICAL SUBDIVISION: <i>City of Freeport</i>
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Eddie E Ferris, hereby disclose that on 10/24, 20 19 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____ , by whom I am retained; or
- inured to the special gain or loss of _____ , which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

My daughter in law (Amanda Ferris) is the daughter of Kirk Young + the grand daughter of Laverne Young + we will be voting on rezoning ordinance. I have talked with our city attorney (Clay Adkinson) who advised me to recuse myself from voting.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

10/22/19
Date Filed

E. E. Ferris
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.