



City of Freeport
REGULAR COUNCIL MEETING
9:00 AM/Council Chambers/Freeport City Hall
December 10, 2019 Minutes

I. Meeting Called to Order

The meeting was called to order by Mayor Russ Barley at 9:00 a.m. in the Council Chambers of Freeport City Hall.

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

Staff members present: City Attorney Clay Adkinson, Sewer Supervisor Robert Fawcett, Billing Manager Debbie Roberts, Finance Officer Sara Bowers, Finance Assistant Joyce Sunday, Parks Director Charlie Simmons, Planning Director Latilda Neel, Planning Technician Brooke Jackson, Water Supervisor Larry Tuggle, City Engineer Alex Rouchaleau, 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

Leadership Walton - Class of 2019/2020

- Mayor Barley thanked the Leadership Walton class of 2019/2020 for attending the meeting.

IV. Request for Placement on the City Council Agenda

1. Kelly Thompson – Westonwood Ranch

- Kelly Thompson, Executive Director for Westonwood Ranch approached the podium and thanked Council for their past support and talked about the third annual rodeo event coming up March 27th and 28th in 2020. Ms. Thompson requested permission to use the Sports Complex to host the event.

Council Action: Councilman Farris motioned to grant permission to Westonwood Ranch to host the third annual rodeo March 27-28th, 2020. Councilwoman Brannon seconded the motion. All ayes; motion carried.

2. Jennifer Couitt & Chris Mitchem – Water Bill

- Ms. Couitt and Mr. Mitchem approached the podium to discuss their water bill for August and September of this year. Mr. Mitchem stated that a leak check was performed by the City and it was determined there was no leak on the property and asked for relief with the bill.
- Councilwoman Green asked Water Supervisor Tuggle if the meter was tested.
- Tuggle explained that the water meter was tested in-house and results showed usage was from an open source flowing up to 100 gallons per hour, perhaps a water hose, open for a prolonged period.



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- Mr. Mitchem stated that they searched for a leak and did not find one and nothing in their routine was changed.
- Councilman McCormick asked if irrigation was connected.
- Tuggle replied that no irrigation was involved was confident that the water did not go through the sewer.
- Councilwoman Green noted that the policy allows for adjustments if there was a leak and a plumber's note was obtained that the leak was fixed.
- Ms. Couitt stated that the two bills combined were approximately a years' worth of consumption based on their consumption history and that two-thirds of the highest bill was for sewer. An adjustment for the sewer portion of the bill would help them out.
- Councilwoman Brannon didn't have a problem adjusting the sewer portion of the bill since staff was confident that the water did not go through the sewer.

Council Action: Councilwoman Brannon motioned to credit the sewer portion of the September bill in the amount of \$460.54. Councilman Farris seconded the motion. All ayes; motion carried.

V. Public Comment on Consent Agenda – none.

VI. Approval of Consent Agenda

1. Bills Paid
2. Revenue Expenditure Report as of October 2019
3. Regular Council Meeting Minutes November 12, 2019

Council Action: Councilwoman Haffner motioned to approve the Consent Agenda as presented. Councilwoman Brannon seconded the motion. All ayes; motion carried.

VII. Consideration of Additions/Deletions to Agenda

Legal: Addition of LaGrange Bayou, LLC to Old Business

Councilwoman Green: Addition of:

- Speed Limit Changes
- Welcome Signs
- New Mobile Home on Madison

VIII. Approval of Agenda with Additions/Deletions

Council Action: Councilman Farris motion to approve the Additions to the Agenda. Councilwoman Brannon seconded the motion. All ayes; motion carried.

IX. Staff Reports

- A. Water – none.
- B. Sewer – none.



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C. Parks

1. Updates

- Parks Director Charlie Simmons presented Updates on the following:
 - Parts for the Trails showed up and will be installed.
 - H&T to finish paving
 - Consession stand in progress

Council Action – none.

D. Clerk's Office

1. 2020 Holiday Schedule

- Clerk Assistant Lori Cox presented the 2020 Holiday Schedule for approval.

Council Action: Councilwoman Haffner motioned to approve the 2020 Holiday Schedule. Councilman Farris seconded the motion. All ayes; motion carried.

E. Finance

1. Employee Uniform Allowance

- Finance Officer Sara Bowers presented the Employee Uniform Allowance for approval.

Council Action: Councilman Farris motioned to approve the Employee Uniform Allowance. Councilwoman Brannon seconded the motion. All ayes; motion carried.

2. Budget Amendment #3 – Marcum Agreement

- Bowers presented Budget Amendment #3 for the Marcum Agreement for approval.

Council Action: Councilwoman Brannon motioned to approve Budget Amendment #3 for the Marcum Agreement. Councilwoman Haffner seconded the motion. All ayes; motion carried.

F. Billing

1. Bill - 389 Wilson Way

- Billing Manger Debbie Roberts informed Council of a red flag alert while processing the November bills. The customer at 389 Wilson Way's bill was \$9,225.00. Roberts explained that the customer was not home during the two-month period that a significant leak was occurring. The leak has since been repaired and receipts turned in to the City. Roberts asked Council if she could reduce the second bill because the customer would still owe approximately \$12,000.00 after the first month adjustment.
- Councilwoman Haffner didn't have an issue with adjusting a second months bill since adjustments were given to previous customers whose leak had spanned over a two-month period also.



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- Councilwoman Green asked if irrigation was involved.
- Roberts said that irrigation was not involved.
- Water Supervisor Tuggle explained that it was a significant leak outdoors and that the customer lives in a secluded area where no one would have noticed the leak.

Council Action: Councilwoman Haffner motioned to cut the second bill in half for the customer at 389 Wilson Way. Councilwoman Brannon seconded the motion. All ayes; motion carried.

G. Planning

1. Young Re-Zoning Ordinance – 2nd Reading
 - Planner Director Latilda Neel presented the Young Re-Zoning Ordinance for Second Reading and Adoption.
 - City Attorney Adkinson announced Public Hearing.
 - Public Comment – none.

Council Action: Councilman McCormick motioned to approve Second Reading and Adoption of Young Re-Zoning; Ordinance 2019-17. Four ayes; Councilman McCormick, Councilwoman Haffner, Councilwoman Brannon, 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.

2. LDC Text Revisions Ordinance – 2nd Reading
 - Neel presented Land Development Code Textual Revisions for Second Reading and Adoption. Amended revisions are Animal Regulations, Transportation Systems, First Floor Elevation, Vending Operation and Permit.
 - Councilwoman Green asked Neel to explain the Vending Permit.
 - Neel explained that the Vending Permit pertains to an individual vendor on private property.
 - Councilwoman Brannon asked if vendors are being charged to move locations and to be at Special Events.
 - Neel stated vendors are charged one permit per location but not charged for Special Events.
 - Councilwoman Haffner asked what the fee is per location.
 - Neel stated the fee is \$250.00 per permit and is renewable every 6 months.
 - Adkinson announced Public Hearing.
 - Public Comment – none.

Council Action: Councilman Farris motioned to approve Second Reading and Adoption of the Land Development Code Text Revisions; Ordinance 2019-18. Councilman McCormick seconded the motion. All ayes; motion carried.



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3. 331 South Corridor Standards Ordinance – 2nd Reading
- Neel presented Appendix I addition to the LDC-331 South Corridor Standards for Second Reading and Adoption. The draft Ordinance contains; Development Procedure, Parking, Landscaping, Outdoor Storage and Display, Utilities, Lighting, Signage, Vending Operations, Yard Sales, Temporary Structures for Promotional Purposes and Other Uses of the Public Right-of-Way.
 - Councilwoman Green asked Neel to explain Shared Parking Plans.
 - Neel explained that Shared Parking Plans reduce parking requirements when two businesses next to each other are not open at the same time. The developer would submit data to demonstrate that business hours would not overlap, and the developer must also sign a legal agreement by the City of Freeport Legal Services Department guaranteeing the joint use of the parking spaces. Neel anticipates the current development the City is having that Shared Parking will be appropriate to have.
 - Councilwoman Green questioned why a business could only have two allowable events per business.
 - Neel stated that for promotional purposes a business could do a specific event twice a year. Neel stated that this falls in line with the standards of Walton and Bay counties. Events would still come to the Council for approval.
 - Councilwoman Green was uncomfortable with the language and preferred that events come to the Council for approval with no limit.
 - Councilwoman Brannon stated that defining a Special Event would be a good idea to address.
 - Councilman McCormick preferred to see a documented definition of a Special Event.
 - Neel to bring back the Special Event Permit definition at a January meeting.

Council Action: Councilwoman Green motioned to continue Second Reading and to Re-Advertise. Councilman Farris seconded the motion. All ayes; motion carried.

4. Vineyards at Hammock Bay – Final Plat Approval
- Neel presented Vintage Cove Final Plat; a four lot sub-division located on Hammock Trail West for approval.

Council Action: Councilwoman Haffner motioned to approve the Final Plat. Councilman Farris seconded the motion. Councilwoman Green called for discussion and asked Neel if the interior lots had a five-foot set back. Neel stated the set back was correct and consistent with eight other subdivisions in Hammock Bay that are part of a planned development project. Four ayes; Councilwoman Haffner, Councilman Farris, Councilwoman Brannon, Councilman McCormick. One nay; Councilwoman Green. Motion Carried.



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5. Verandas Phase 1-B-2 – Final Plat Approval
- Neel presented Verandas Phase 1-B-2 Final Plat; a townhome plat consisting of units 95-108 for approval.

Council Action: Councilwoman Haffner motioned to approve the Final Plat for Verandas Phase 1-B-2. Councilwoman Brannon seconded the motion. All ayes; motion carried.

H. Legal – none.

I. Engineering

1. WWTF Reclaimed Water Agreement
- City Engineer Alex Rouchaleau stated that it is an updated agreement between Hammock Bay Development and the City for a new capacity rate of 1.5 gallons per day.
 - City Attorney Adkinson advised Council to table the agreement to the January 14, 2020 meeting because the Developer's attorney contacted him and indicated there were some changes they wanted to make to the agreement prior to Council approval.

Council Action: Councilman McCormick motioned to table the Wastewater Treatment Facility Reclaimed Water Agreement to the January 14, 2020 meeting. Councilwoman Haffner seconded the motion. All ayes; motion carried.

2. FDOT SR 20 Widening Conceptual Plans
- Rouchaleau provided the Council with FDOT SR 20 Widening Conceptual Plans. He informed them that the plans did not include turn lanes that the City proposed to do on East Bay Loop and Blue Ridge Parkway. He sent the Cities conceptual plans for the turning lanes to FDOT for review. In addition, FDOT was requesting general information from the City on utility and lift station locations and a cost estimates for utility relocation. Currently, there is no time frame for design and construction on this project.

Council Action: None.

3. US331 North Utility Extension
- Rouchaleau presented the executed Developer's Agreement and easements for Owl's Head Farms. He has been in contact with two of the Preserve's property owner's regarding a proposed 20-foot easement for a lift station but has not been able to communicate with a third property owner. Rouchaleau stated that the project could be completed without the easement agreement, but the project would be more expensive and take longer to complete without.



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- Rouchaleau referenced packet information given to Council that included a schematic of proposed lift station sites, proposed development, proposed section of gravity sewer and sewer force mains that would continue south of SR 20 and tie into the US331 master lift station that is currently under construction. Packet also included funding for project from water and sewer impact fees and an updated cost estimate for design and construction.
- Rouchaleau requested direction from Council and noted that he will continue to work on getting the additional easements.
- Attorney Adkinson referenced the easements and asked what the time frame would be for the City to move forward with Phase I Plat and approval.
- Rouchaleau estimated 6 months for design and 8 months for construction.
- Adkinson stated that the Developer's Agreement includes language that the City shall not withhold approval of their project for reasons related to the water and sewer projects. The lack of easements could potentially be a hold up.
- Rouchaleau stated he needs one easement for a lift station outside of the DOT right-of-way for sure.
- Adkinson stated that an executed easement is needed.
- Rouchaleau will contact the Developer to let them know that the lift station easement is needed by the next Council meeting.
- Councilwoman Green asked how much project cost would increase without getting the easements.
- Rouchaleau did not think the cost would change significantly.
- Councilwoman Green also referenced section 6 (f) of the Developer's Agreement. She felt that the third and final payment verbiage, "...upon substantial completion of construction..." was vague.
- Adkinson was comfortable with the language because it is certified by the City's Engineer, not the Developer's.
- Rouchaleau stated "substantial completion" is clearly defined in the contract with the Developer.
- Councilman McCormick asked if there was any indication that there would be a problem obtaining the remaining easements.
- Rouchaleau stated he didn't foresee an issue with the lift station easement but possibly one with the 20-foot easement for water and sewer south of the Preserves property. He is not concerned if he cannot get it.

Council Action: Councilman Farris motioned to continue the project with the Developer's Agreement at the January 14, 2020 meeting, contingent upon an Engineering update on all easements. Councilwoman Haffner seconded the motion. All ayes; motion carried.



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X. Old Business

1. LaGrange Bayou, LLC

- Attorney Adkinson recommended that Council set a Workshop or a Special Meeting after the first of the year so that the Developer and its representatives, Planning staff and the City can go over what is required for this project. Fees that are owed and what needs to be done to bring the project into compliance should be addressed as well.

Council Action: Councilwoman Haffner motioned to set a Special Meeting on January 8th, 2020 at 6:00 p.m. to review the LaGrange Bayou, LLC project. Councilman Farris seconded the motion. All ayes; motion carried.

2. Pending List

- Councilwoman Green requested the status of the City Council Districts from the Pending List.
- Adkinson informed Council that he sent population data and then spoke with the Supervisor of Elections about the project. The Supervisor requested a meeting with the Mayor after the first of the year. The project could possibly be completed before the summer of 2020.
- Councilman McCormick asked if the districting were to occur, could it be done in an Ordinance or does it require an amendment to the Charter.
- Adkinson noted that an Ordinance would be ideal and much simpler but would largely be determined by Council's preferences and how they relate to the current governmental structure.

Council Action: None.

XI. New Business

A. Mayor Russ Barley

B. Councilwoman Brannon

C. Councilman Farris



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D. Councilwoman Green

1. Speed Limit Changes

- Green inquired about the Speed Limit Change from 30 MPH to 15 MPH on Hammock Trail East which is a city street and asked what the process was to make speed limit changes.
- Neel and Rouchaleau presented general information for new developments but no information on maintaining or monitoring existing development speed limit changes. Neel stated that Article 5 of the Land Development Code had a break down of how speed limits are determined.
- Green noted that certain standards or processes must be done when speed limits are changed, stop signs and other signage is added to a city road or higher. The City did not authorize or approve the sign on Hammock Trail East.
- Mr. James Odom with Hammock Bay approached the podium to address the speed limit sign change. Mr. Odom felt the road in question was part of the Town Center and the current 30 MPH sign was too fast and should match the Town Center speed limit of 15 MPH. He stated that if an official process is required to change the speed limit, he would be happy to do it.
- Discussion ensued about the appropriate process.
- Green found the situation problematic because the speed limit was changed after issues were brought up about the safety aspects of the retention pond on that street.
- Odom said that once the project grading is finished and if a safety issue remains, he will be happy to address it. He noted that the change in speed limit was not intended to address the retention pond issue.
- Councilman McCormick spoke on procedures necessary to enforce speed limits, his suggestion was for the City to adopt DOT procedures at the City level. The City needs to have a documented procedure that is followed and is enforceable.
- Neel will get with City Engineer Rouchaleau and bring back language for Council to address at the next meeting in January.

Council Action: None.

2. Welcome Signs

- Green requested an update on the Freeport Welcome Signs.
- Rouchaleau informed Council that the last sign will be installed in January.
- Green requested an update on plans to maintain the landscaping around them.
- Parks Director Simmons informed her that he and Water Supervisor Tuggle are working on the landscaping plan.

Council Action: None.



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3. New Mobile Home on Madison

- Green asked Neel to explain what is happening with the New Mobile Home on Madison St. behind the yellow building.
- Neel informed Council that the corner is being redeveloped and as part of the code violation procedure, the Developer asked to bring in a construction trailer. Neel said the Developer is actively working on the outside appearance of the trailer.
- Councilwoman Brannon asked how long the temporary construction trailer can stay on the premises.
- Neel informed her that it can stay until construction is completed.
- Councilwoman Brannon stated that there was no way that the construction trailer was brought up to code prior to it being set on the property.
- Neel stated that the construction trailer came from out of state and the permit was received when it arrived on site.
- Council discussion ensued about the construction trailer being up to code prior to setup on the property and/or guidelines to be followed.
- Adkinson noted that guidelines can be set if Council prefers.
- Councilwoman Green noted that no one wants to have architectural guidelines. She wants the City to have standards and this is what happens when you don't have standards in development.
- Neel stated the primary goal is to redevelop the area into something that won't be a nuisance or code violation.

E. Councilwoman Haffner

F. Councilman McCormick

XII. Public Comment – None.



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XIII. Adjournment

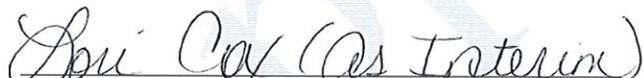
Mayor Barley motioned to adjourn. The meeting adjourned at 10:32 a.m.

CITY OF FREEPORT



Mayor

ATTEST:



City Clerk

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 ~~12/1~~ 12/5, 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 the zoning 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.

Date Filed

12/5/2019

Signature

E E Ferris

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.