City of Freeport
REGULAR CITY COUNCIL MEETING AGENDA

Board of County Commissioners
842 State Hwy 20 East
Freeport, FL
August 11, 2020 9:00am

1. **Meeting Called to Order**
   -The August 11, 2020 City of Freeport City Regular City Council Meeting was called to Order at 9:00AM by Mayor Russ Barley. The meeting was held at the Board of County Commissioners in Freeport, Florida.

   Council Members Present: Mayor Russ Barley, Councilwoman Elizabeth Brannon, Councilwoman Amanda Green, Councilwoman Elizabeth Heffner, Councilman Eddie Farris, and Councilman Mark Martin.

   Staff Present: City Attorney Clay Adkinson, City Planning Director Latilda Hughes-Neel, Finance Officer Sara Bowers, Utility Billing Manager Debbie Roberts, Parks and Recreation Director Charlie Simmons, Water Supervisor Larry Taggle, City Clerk Malani Robinson, Sewer Supervisor Robert Fawcett, Alex Rouchaleau.

2. **Invocation and Pledge of Allegiance**
   -The invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

3. **Recognition of Guests**- none.
4. **Use of City Logo by School District in Freeport -** Donna Simmons (Freeport High School Principal), John Olson (Freeport Middle School Principal), Kristin Lewis (Freeport Elementary School Principal)

   -Principal Simmons acted as spokesperson for the schools within the district and gave insight as to how the idea for use of the city logo came into fruition. Being that each school had spent well over $1,000 on t-shirts with the intention on fundraising, they sought permission from the

Council to allow them to disperse the t-shirts amongst their staff. Councilman Martin asked for a motion to allow the schools to use the t-shirts for staff apparel. City Attorney Adkinson expressed the need to have a signed agreement between the principals and the Mayor for future protection for license agreement and trademark purposes of the city's logo.

BOARD ACTION: Motioned by: Councilman Martin. Seconded by: Councilwoman Green. All ayes: motion carried.

5. **Mickey Marse**
    a. **Freeport Laundromat Water Bill**
    -Mickey Marse opened by stating that he understood the economic decision to progress with the water bill increase, however the drastic increase in a month's time was excessive. Councilman Farris agreed that the extreme nature of the rate increase deemed necessary for the Council to reevaluate. Councilwoman Brannon apologized and concurred with Councilman Farris and stated the importance of keeping small businesses afloat. The Council begin to discuss possible solutions to rectify the severity of the rate increase, such as teared rates, forbearance, and payment plans. City Attorney Adkinson suggested that to ensure fairness to all customer, that an impact study be conducted to grasp the severity of the rate increase, place the commercial accounts in forbearance or abate the accounts until October 1,2020. The Council ensured Mr.Marse that the rate increase was an unintended hardship to the residents. A motion was made to abate the accounts and temporarily revert to the old rates until October 1,2020.

BOARD ACTION: Motioned by: Councilman Farris. Seconded by: Councilwoman Haffner. All ayes: motion carried.

    b. **Fish Fry Benefit**

-Mr.Marse informed the Council of chastisement he received from a city employee regarding him hosting a fundraising event for a local resident on his private property . Mr.Marse then gave the Council a history of the use of fundraising benefits hosted by the city of Freeport in giving relief and aid to its citizens. Councilman Farris noted the need for governmental restraint on interfering with civilian life.

6. **Melinda Gates on Restore Act Funds**
   -Mrs.Gates formally introduced herself as the Environmental Coordinator for Walton County and went on to clarify the use of the Restore Act Funds. Mrs.Gates noted that to move forward with the projects and initiate the release of the funds she would need to work in conjunction with the city staff and engineers. Councilwoman Brannon requested a summary of the grant and the projects it would cover. Mrs.Gates agreed to send over the Multiyear Implementation Plan which would include the summary and details of the Restore Act Funds. Councilman Farris made the motion to move forward with the projects.

   BOARD ACTION: Motioned by: Councilman Farris. Seconded by: Councilwoman Brannon. All ayes: motion carried.

7. **Jeff Goldberg/Resolution**
   -Mr. Goldberg spoke on the FEMA requirements for local municipalities and the need for a natural hazard strategy. He noted that working alongside City Director Hughes-Neel he was able to surpass those standards.
   a. **Draft Resolution (Tab 1)**
      -Motion to approve the Resolution.
      -BOARD ACTION: Motioned by: Councilman Farris. Seconded by: Councilwoman Green. All ayes: motion carried.

   b. **LMS Summary (Tab 2)**
   c. **LMS Appendices Combined (See Separate Document)**
8. **Consent Agenda**

a. **Bills (Tab 3)**
b. **Minutes July 16, 2020 Budget Workshop (Tab 4)**
c. **Minutes July 21, 2020 Budget Workshop (Tab 5)**
d. **Minutes July 23, 2020 City Council Meeting (Tab 6)**

9. **Public Comment on Consent Agenda**
-none.

10. **Approval of Consent Agenda**
-Given that corrections are made to the spelling of Councilwoman Haffner's name in the meeting minutes.

BOARD ACTION: Motioned by: Councilwoman Haffner. Seconded by: Councilwoman Green. All ayes: motion carried.

11. **Consideration of Additions/Deletions to the Agenda**
-Finance Officer Bowers would like to set the next Budget Workshop
-Parks and Recreation Director Simmons would like to add park hours into the discussion.

12. **Approval of Agenda with Additions/Deletions**
-BOARD ACTION: Motioned by: Councilwoman Haffner. Seconded by: Councilwoman Green. All ayes: motion carried.

13. **Staff Reports**
a. **Water-**none.
b. **Sewer-**none.
c. **Parks/Projects-** Parks and Recreation Director Simmons addressed the Council and motioned for an extension of the park hours to 10PM to give athletics longer access to the parks and fields. Councilwoman Green disagreed with extending the hours and wanted to ensure the public's safety and health. Councilwoman Haffner concurred given the fact that there had been an increase of confirmed cases of COVID-19. Councilman Farris suggested waiting another month before considering an extension of park hours. Parks and Recreation Director Simmons went on to apologize for his absence in prior meetings and

addressed concerns. Speaking candidly Parks and Recreation Director Simmons elaborated on his rapport of progress while working for the city, and how he has exceeded set expectations. He noted that his presence and commitment to the city was set in genuine intentions, and that he wished success on the city with or without his presence. Councilman Farris acknowledged Parks and Recreation Director Simmons commitment to the city and gave clarification on rumors.

d. **City Clerk-** none.
e. **Finance**
   i. **City Insurance (Tab 7)**
   -Finance Advisor Bowers asked for a renewal of the city's insurance with the Florida League of Cities, she noted that they added a new benefit which would send a company to stage and assist in the city following a hurricane disaster.

   BOARD ACTION: Motioned by: Councilwoman Green. Seconded by: Councilwoman Haffner. All ayes: motion carried.

   ii. **Employee Health, Life & Dental (Tab 8)**
   -Finance Advisor Bowers requested a renewal for the Employee Health, Life & Dental plan.

   BOARD ACTION: Motioned by: Councilman Farris. Seconded by: Councilwoman Haffner. All ayes: motion carried.

   iii. **Sewer Memo (Tab 9)**
   -Finance
   - Finance Advisor Bowers briefed the council on the memo and asserted that the Council should not accept the terms. City Attorney Adkinson noted that it would not be advisable for the City to draft a lien on the behalf of Bank

of America, that would move the city from priority to subordinate.

iv. Finance Advisor Bowers asked for a motion to set the next Budget Workshop to Thursday, August 20, 2020 at 5:30PM.

BOARD ACTION: Motioned by: Councilman Farris. Seconded by: Councilwoman Haffner. All ayes: motion carried.

f. **Billing**

i. **Adjustment Policy (Tab 10)**

- Utility Billing Manager Roberts consulted the Council on direction and clarification on redrafting the Adjustment Policy. City Attorney Adkinson noted that it was inappropriate for Council to insert itself into the appeal process by adjudicating every adjustment claim that came before it, and that it would become extremely problematic as the city experienced growth. City Attorney Adkinson went on to suggesting that the appeal process be left up to the executive branch of the City, the Mayor and City Manager. Councilman Martin asked for clarification on the on the "once in a lifetime" language in the policy, which began the Council's reexamination of the policy. Councilwoman Brannon noted that the "once in a lifetime" was inappropriate for the city due to the longevity of residency in the city. Parks and Recreation Director Simmons cautioned that residents would argue fairness and called for the policy to give parameters behind the nature of events that led to the need for an adjustment. City Attorney Adkinson recommended the policy having an adjustment to half of one high bill, proving that the circumstances were

beyond their control and a once in a lifetime adjustment. To avoid abuse City Attorney Adkinson noted that their needed to be proper documentation by the billing department. Billing Manager Roberts noted that she would work alongside City Attorney Adkinson on the language of the policy.

g. **Planning**

i. **Special Event Ordinance/Exemptions – Request to set Public Hearing (Tab 11)-**

-City Director Hughes-Neel approached the Council with the repaired ordinance by request of the Council and reviewed the changes. City Director Hughes-Neel asked for a motion to hold 1st Public Reading on August 27, 2020 with changes specified. Councilwoman Brannon noted that while reviewing the ordinance she disagreed with the language in section b of "one-time" and would like for it to be adjusted. Councilwoman Heffner asked for clarity on the statement which prompted a discussion on redundancy, governmental overreach, tailgating, safety, and public vs private issues found within the ordinance. Councilwoman Brannon also wanted to know the rapport of issues with special events ordinances centering around the word "advertisement". While in discussion the Council began to modify language within ordinance and made suggested changes. City Attorney Adkinson indicated that the ordinance exhibited poor legal grammar, and that the ordinance treaded on dangerous ground by suggestive interference on private property. City Attorney Adkinson also pointed out that the ordinance provided no criminal sanction for violations and was an undertaking that the Council would not want to regulate. City Attorney Adkinson's advised the Council to implement language that would provide general police power to be put on notice for special events to ensure public safety. City Director Hughes-Neel would collaborate with City Attorney

Adkinson on the language and legality of the ordinance. Councilman Farris and Councilwoman Haffner withdrew their original motions and seconds.

h. **Legal**

i. **Freeport Franchise Agreement Amendment and Exercise of Option to Renew (Tab 12)**
-City Attorney Adkinson inserted that he had already exercised his option to renew work on the amendment.

ii. **Exhibit A to Franchise Agreement Renewal and Amendment (Tab 13)-**
-City Attorney Adkinson asked for a motion to approve the amendment.

BOARD ACTION: Motioned by: Councilman Farris. Seconded by Councilman Martin. All ayes: motion carried.

i. **Engineering**
-Engineer Rouchaleau clarified on the rate study increase and offered to bring solutions to the Council. Briefing the Council on the original water usage study, he informed the Council how it converted from a regressive rate structure into a progressive rate structure. The Council asked that Engineer Rouchaleau wait until it had a better grasp on the effected area before having the engineering department draft and examine alternative solutions. Parks and Recreation Director Simmons inserted that it would be a great idea to educate the public on the ordinance. Councilman Martin stated that he believed the City was moving in the right direction but the implementation of such an ordinance needed to be restructured. Motion to open public hearing was inserted.

BOARD ACTION: Motioned by: Councilman Farris. Seconded by: Councilwoman Green. All ayes: motion carried.

14. Old Business

a. **City Manager Ordinance**
-Mayor Barley and City Attorney Clay informed the Council on the updated contract for the new City Manager position. After salary negotiations and defining job responsibilities Charlie Simmons was ready to accept the position until January 2021. A motion was made to accept the filling of the City Manager position.

BOARD ACTION: Motioned by: Councilman Farris. Seconded by: Councilman Martin. Charlie Simmons as the new City Manager was hired on a 5:0 vote.

15. New Business

a. **Mayor Russ Barley**
   i. **Sports Events**
   -Due to COVID-19 concerns and the cancellation of city events, members of the community expressed a concern on the continuation of sporting events. City Manager Simmons informed the Mayor that their activities would not be hindered if they acted within city park hours.
   ii. **Blueberry Drive Traffic**
   -A concerned resident contacted Mayor Barley regarding excessive speeding along Blueberry Drive. Council members discussed possible solutions and insertion of traffic regulators such as speed bumps and/or stop signs. Councilwoman Green suggested inserting a speed checker in the area to confirm if speeding was an existing issue based on perception. Officer Wendall offered to get a temporary radar on the street as soon as possible.

b. **Councilwoman Brannon**-none.
c. **Councilman Farris**-none.
d. **Councilwoman Green**-none.
e. **Councilwoman Haffner**-none.
f. **Councilman Martin**-none

16. Public Comment

-Keith Kelly, a coach of little league sports in the community, wanted to inform the Council that their organization had protocols set in place for their youth's safety.

17. Adjournment

-Mayor Barley made the motion to adjourn the meeting, it was seconded by Councilman Farris. The meeting was adjourned at 11:11 AM.

Mayor

ATTEST:

City Clerk