



City of Freeport

REGULAR COUNCIL MEETING MINUTES

February 27, 2020, 6:30 PM
Council Chambers, 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 Members Present: City Attorney Clay Adkinson, Parks Director Charlie Simmons, Planning Director Latilda Neel, Water Supervisor Larry Tuggle, Sewer Supervisor Robert Fawcett, Finance Officer Sara Bowers, Finance Assistant Joyce Sunday, Billing Manager Debbie Roberts, Interim City Clerk Lori Cox

Others Present Planning Assistant Marge Gay

1. Meeting Called to Order

The meeting was called to order at 6:31 p.m. by Mayor Barley in the Council Chambers of Freeport City Hall.

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

Mayor Russ Barley recognized Fire Chief Russell Batey and thanked him for his attendance.

4. Request for Placement on the City Council Agenda

a. Debbie Bell - Leak Adjustment Request

Ms. Bell and Billing Manager Debbie Roberts approached the podium. Roberts explained that Ms. Bell had a leak on the property which has since been repaired. Ms. Bell was requesting to have her second bill adjusted.

Moved by: Councilwoman Haffner
Seconded by: Councilwoman Brannon

Motion: To reduce Ms. Bell's second water bill by fifty percent.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

5. Public Comment on Consent Agenda - none.

6. Approval of Consent Agenda

Moved by: Councilwoman Haffner
Seconded by: Councilman Farris

Motion: To approve the Consent Agenda as presented.

Ayes (4): Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Nays (1): Councilwoman Green

Carried (4 to 1)

- a. Bills Paid
- b. Revenue / Expenditure Report FY 2019-2020
- c. Regular Council Meeting Minutes - January 14, 2020 - (page 7 corrected)

7. Consideration of Additions/Deletions to Agenda

ADDITION: Project Manager

- American Legion Property next to City Hall
- Update under Engineering

DELETE: Councilwoman Green - Trees

ADDITION: Councilwoman Green - Meeting Minutes

DELETE: Engineering - SRF Phase I Wastewater Improvements - Proposed Change Order

8. Approval of Agenda with Additions/Deletions

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Haffner

Motion: To approve the Agenda with the specified additions and deletions as presented.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

9. Staff Reports

- a. Water - none.
- b. Sewer - none.
- c. Parks

1. ADDITION: American Legion Property Next to City Hall

Project Manager Charlie Simmons updated Council on the American Legion property the City is attempting to acquire. The American Legion has consented to sell the property for \$55,000. The property would become a part of the Master Complex Plan.

City Attorney Adkinson added that the contract was contingent on Council approval and the property appraising for the purchase price, but Council could exempt property from appraisal.

Councilwoman Brannon suggested exempting the appraisal because of the cost and the length of time it takes to complete. She also mentioned that appraisers are backed up and with her knowledge of the market; the property is worth more than \$55,000

Moved by: Councilwoman Brannon

Seconded by: Councilman Farris

Motion: To accept the American Legion contract price for \$55,000 and exempt the appraisal.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

- d. City Clerk - none.
- e. Finance

1. Resolution for State Revolving Fund (SRF) Loan Agreement

Finance Officer Sara Bowers informed the Council that the Resolution relating to the SRF Project DW660330, which was passed in May of last year, excluded a current bond issue in how water revenues were to be pledged. The presented Resolution would be a remedy so that the City can be reimbursed for the project's expenses.

Moved by: Councilwoman Brannon

Seconded by: Councilman McCormick

Motion: To approve Resolution 2020-02.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

f. Billing - none.

g. Planning

1. LDC Ordinance 1st Reading/Approval for advertising for 2nd Reading

2. Speed Limit Ordinance 1st Reading/Approval for advertising 2nd Reading

Neel presented a Speed Limit Ordinance per Council direction; this would establish a process for changing a speed limit on a road. Neel requested approval for first reading and advertise for second reading.

Moved by: Councilwoman Green

Seconded by: Councilman Farris

Motion: To approve first reading of the Ordinance and advertise for seconding reading.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

3. Request to Attend Florida Rural Economic Development Summit 4/29-5/1

Neel requested to attend the 2020 Florida Rural Economic Development Summit.

Moved by: Councilwoman Brannon

Seconded by: Councilman McCormick

Motion: Approval for Neel to attend the Florida Rural Development Summit April 29th - May 1st, 2020.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

4. Final Plat - Verandas Phase 1-C-2

Neel presented the Final Plat for Veranda's Phase 1-C-2; part of phase one.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Motion: To approve the Veranda's Final Plat and Council signature.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

5. New Library Funding Update/Chase Barfield - FFPL

Neel invited Chase Barfield who is with of the Friends of Freeport Public Library to give an update on library funding efforts.

Mr. Barfield approached the podium and explained to Council that the library cannot expand at the current location. He said that the new library needs to be 10,000 sq. feet to meet the current population. They have been trying to raise money privately and are looking to foundations and state grants for funding but need a location.

Councilwoman Green requested having architectural guidelines for the entire of City Center.

Moved by: Councilwoman Green

Seconded by: Councilwoman Haffner

Motion: To instruct staff to prepare guidelines that any building in the City Center property would have to be architecturally similar and stylistically compatible with the existing City Hall.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

6. Resolution - RAO Designation Continuation

Neel presented a Resolution expressing support for the continuation of the Rural Area of Opportunity designation which has to be renewed every five years.

Moved by: Councilwoman Brannon

Seconded by: Councilwoman Green

Motion: To approve the Rural Area of Opportunity Resolution 2020-03.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

7. Special Event Permit / FFPL Sidewalk Book Sale at City Hall

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

Motion: To approve the Friends of Freeport Public Library Special Event on March 7, 2020 and waive permit fees.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

8. City Park Usage Ordinance 1st Reading/Approval to advertise for 2nd Reading

Neel presented a parks usage Ordinance and requested to hold first reading and advertise for second reading.

Councilwoman Green questioned if Section 3 a.a. should also include dumping in general.

City Attorney Adkinson advised leaving the section in the Ordinance in a broader form and to amend if needed.

Councilwoman Haffner had concerns the verbiage in Section 3; d., e. and f. regarding animals and felt it should have more clarity.

Consensus was for Neel to add to "or any other pet or livestock" to item e.

Moved by: Councilwoman Haffner

Seconded by: Councilman McCormick

Motion: To approve first reading of the Parks Usage Ordinance with the corrections as stated and to advertise for second reading.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

h. Legal

1. Request for Attorney-Client Session in JAB Holdings, LLC v. City of Freeport

City Attorney Adkinson informed Council that a closed-door executive session was requested by JAB Holdings, LLC. He suggested having the meeting at the end of the March 10th Regular Council Meeting.

Moved by: Councilwoman Brannon

Seconded by: Councilwoman Green

Motion: To hold the executive secession, closed door meeting with JAB Holdings, LLC following the March 10th Regular Council Meeting.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

2. Update

Adkinson provided an update to Council on the Reclaim Use discussions. He felt that a memorandum of understanding with Freeport 860 would be the best way to keep moving forward with FDEP permitting at the wastewater treatment plant. Pending revisions, he hopes to have the MOU back for Council review at the next meeting.

Council Action: none.

i. Engineering

1. Tank #2 Re-Painting Bid Award

City Engineer Rouchaleau presented the bid tabulation for the repainting of tank #2. He requested approval to award the project to the lowest bidder, US Tank, Inc.

Moved by: Councilwoman Haffner

Seconded by: Councilwoman Brannon

Motion: To award the repaint project to the lowest bidder US Tank, LLC

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

2. Storage Tank Inspection Proposal

Rouchaleau presented a proposal for Elevated Water Storage Tank Inspection and Maintenance.

Water Supervisor Larry Tuggle suggested to move ahead with the project since he has been trying to get the tank maintenance in place for years. He noted that since the re-paint project came in under budget the money is available to do the inspection and maintenance.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Motion: To approve the Elevated Storage Tank Inspection and Maintenance Proposal.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

3. Revised Developer's Agreement US 331 Sewer Expansion

Rouchaleau presented a revised Owl's Head Farms Developers Agreement for Council approval.

Moved by: Councilman Farris
Seconded by: Councilman McCormick

Motion: To authorize the Mayor to execute the Owl's Head Farms Developers Agreement upon receipt of the executed Developer's Agreement from the Developer.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

4. DELETION: SRF Phase I Wastewater Improvements - Proposed Change Order
5. Forcemain Improvements on 83A East

Rouchaleau explained that there is currently a 6" forcemain down East Bay Loop and with the addition of the Parkview subdivision in Hammock Bay there will be some capacity issues in the near future. Since there is no money in the budget to expand the forcemain and replace it, he proposed including 1000 feet of forcemain upgrade to the West Bay Loop project to tie into Hammock Trail East and go south of where Parkview ties in to the existing forcemain. Construction costs would be an additional \$25,000-\$30,000. He would like to include it into the design with no additional costs to design or engineering to include as part of the project.

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Haffner

Motion: To approve the addition of the forcemain to the West Bay Loop project.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

6. Approval of Revised Utility Rates Documented in the Commercial Rate Study

Rouchaleau presented revised utility rates in the commercial rate study with proposed mobile home park and commercial utility rates, residential rates will not change.

Moved by: Councilwoman Brannon
Seconded by: Councilman Farris

Motion: To adopt the Commercial Rate Study.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Haffner

Motion: To bring an Ordinance back that moves rates including the Commercial rates into Resolution format and the bring a Resolution back for Council's adoption.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

7. ADDITION: Update

Project Manager Simmons gave an update on the Wastewater Treatment Facility. He stated that meetings had been occurring on how to speed up completing actions on the DEP Consent Order. The costs to haul sludge has been high, so a screw press will be brought on site to cut the cost in half and speed the process up.

Engineer Chris Lightfoot explained to Council that the screw press will allow the plant to run more efficiently and assist in getting the reuse system online. Once approved by DEP, Lightfoot estimates having the reuse system up and running within 3-6 months.

Simmons said that Lightfoot will oversee the consent order and will do all correspondence with DEP.

Simmons then provided an update on the roads, he said that he spoke with Buddy Wright at the County and he is learning how the Gas Tax operates. He has meetings next week with the Administrator to start to put a plan together.

Council Action: none.

10. **Old Business**

a. Future Council Meetings Due to Voting

Mayor Barley announced that the March 10, 2020 Regular Council Meeting will be held at the County Commissioners Board Room in the Freeport Commons Business Park due to voting taking place in the Council Chambers.

b. City Manager Hiring Process

Adkinson asked for Council guidance on the City Manager interview process occurring on March 5, 2020 and what they would like to see happen.

Councilwoman Green liked the idea to have one on one discussions with candidates and for the Mayor and Simmons to take them on a tour of the city.

Council consensus was to have one on one meetings prior to the Special Meeting, staggering the times for interviews allowing an hour for each interview.

Council to give feedback later on questions to be asked.

Cox asked for Council feedback on paying for one day car rental and meal per diem.

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

Motion: To reimburse City Manager candidates for one day of rental car expense and one day of meal per diem.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

11. New Business

a. Mayor Russ Barley

1. Update

Mayor Barley announced that he and Charlie Simmons will be having a meeting with Senator Gainer in Tallahassee next Wednesday to discuss funding for city projects.

2. Safety Fees

Mayor Barley announced that Russell Batey and the Sheriff came by his office to discuss the cities safety/impact fees. He invited Mr. Batey to the podium to present to the Council.

Mr. Batey approached the podium to inform Council that the Freeport fire station was in need of some updates and remodeling to support the city's growth. He presented a slideshow of current pictures of the fire station and proposed updates.

Mr. Batey requested financial assistance from the city and proposed using funds from impact fees collected when the fire department was owned by the city.

Councilwoman Brannon asked what the agreement was with Walton County since it was her understanding that the County was to take care of maintenance on the building when it was turned over. She stated the building looked to be in terrible shape by the pictures.

Adkinson agreed with Councilwoman Brannon's assessment.

Neel stated that an entire year of impact fees were given to the County during the transfer in the amount of \$156,000.

Councilwoman Brannon asked what was left in the Safety Fee fund, Mayor Barley responded with \$166,353.77

Council and staff discussed that a portion of the money in the Safety Fee fund has already been allocated and used for safety improvements which were previously budgeted for in October of 2019.

Adkinson stated that the Safety Fee fund was strictly to be used towards "safety" and could not be used towards "maintenance".

b. Councilwoman Brannon - none.

c. Councilman Farris

1. MOU- US Marine Corps/City of Freeport

Councilman Farris stated that he had talked with Austin Clancy with the US Marines Special Ops, several City Managers, Police Chief's, and contacts at the Sheriff's department; they all felt comfortable and supported the US Marine Special Ops training. Mr. Clancy told him that there will not be helicopters coming in and armed people as the Council originally had concerns about, and that they would notify the community and local law enforcement 4 weeks prior to training. Councilman Farris felt that the MOU needed to be supported. He then asked for Council direction.

Councilwoman Green stated that the concerns with the MOU was never about not supporting the military, troops or law enforcement and felt the subject had been misconstrued by the public. The issues stemming from the MOU were concerns for citizens, how the contract was written, and clarity needed on portions of the contract. She felt that it was Council's duty to the citizens to ensure the contract was clearly written and that the Council felt comfortable with it. Councilwoman Green did not have a problem with the contract, but she preferred that the contract have a point of contact, and for the city to determine if the training should be completed at the desired time period.

Councilwoman Brannon also agreed and felt the MOU had been misconstrued. She expressed her support for the military and agreed that the contract originally had discrepancies. She stated that Council had wanted to see if the contract could be changed from a five-year agreement to a one-year agreement at the last meeting. She also wanted to see a point of contact named in the contract and wanted to know if training could be deferred if the Council deemed it necessary.

Councilwoman Green clarified that the contract stated that the city has a four-week advance notice clause, as well as an outline of the training that can either be approved or disapproved.

Councilman Farris said that according to his research, the City will be notified way ahead of time and the city has the right to say no to the training if necessary. Councilman Farris felt comfortable with the contract and thought the Mayor should be the point of contact. He also mentioned that the Sheriff's department would be notified about training as well.

Public Comment:

Resident Kristine Bacon approached the podium and stated that her husband is a Combat Special Operations Veteran and would be happy to answer any questions the

Council have. She stated that this training is vital to the military and that contracts are typically five-year contracts in order to project training in advance.

Resident James Bird asked how many Marines would be coming in at one time since he felt that the extra traffic could affect the community on certain roads.

Councilwoman Haffner reiterated that the issues Council had were towards concerns for citizens.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Motion: To approve execution of the Memorandum of Understanding with the US Marine Special Ops for a five-year term and to have the Mayor listed as the point of contact.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

d. Councilwoman Green

1. Safety

Councilwoman Green mentioned safety concerns for the Planning Department. She wanted to make sure a safety plan was in place and has been reviewed.

Neel informed her that someone from the Sheriff's office had made a safety assessment and recommendations for the Planning Department. She was going to send the list to Charlie Simmons to see what the City could afford to do immediately and what items needed to be budgeted for.

2. DELETION: Trees

3. ADDITION: Meeting Minutes

Councilwoman Green pointed out that with the new Agenda software, Council voting has changed and does not record how each Council member voted.

Council and Attorney consensus was to have the software changed to show roll call voting and have the minutes brought back with corrections. She also felt that minutes needed to show opposition and in favor of comments and wanted more detail in the minutes.

Adkinson noted for the record that the remaining Consent Agenda was correct and approved.

Moved by: Councilwoman Brannon

Seconded by: Councilman Farris

Motion: To reconsider approval the Consent Agenda; January meeting minutes to be corrected to reflect roll call voting and to be brought back at the next Council meeting for approval.

Ayes (5): Councilwoman Green, Councilwoman Brannon, Councilman Farris, Councilman McCormick, and Councilwoman Haffner

Carried (5 to 0)

e. Councilwoman Haffner - none.

f. Councilman McCormick - none.

12. Public Comment

Resident Patricia Dowd and her son Chris approached the podium to inform Council that their water was disconnected due to an error on her part, but she is unable to receive the robocalls because they are blocked through their phone provider.

Councilwoman Haffner asked if she was getting her bill by mail and Ms. Dowd replied, yes. Councilwoman Haffner mentioned that she also had the option to receive her bill by email if she chose to do so.

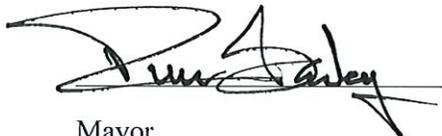
Adkinson had asked Bowers to investigate what type of certification can be given to governmental agencies to be exempt from call blocking.

Resident Kristine Bacon approached the podium and asked the Council to address how they plan to address the traffic issues.

Council and staff addressed the issue and told her that Council can only make requests on traffic problems as citizens, not elected officials. Traffic issues are strictly controlled by Florida Department of Transportation and that there is a current FDOT study and plan in progress to address the traffic problems in Freeport.

13. Adjournment

Mayor Barley motioned to adjourn. The meeting adjourned at 8:41 p.m.



Mayor



Interim City Clerk

