City of Freeport

REGULAR COUNCIL MEETING MINUTES

June 24, 2021, 6:30 PM
Council Chambers, Freeport City Hall

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

Staff Members Present: City Clerk Malani Robinson, City Attorney Clay Adkinson, Planning Director Latilda Hughes-Neel, Finance Officer Sara Bowers, Billing Manager Debbie Roberts, Parks Director Travis Digges, Water Supervisor Larry Tuggle, Sewer Supervisor Robert Fawcett, City Engineer Alex Rouchaleau

1. Meeting Called to Order

Mayor Barley opened by delivering the 2021 State of the City Address for the City of Freeport, highlighting major milestones and achievements for the City in the past year. The meeting was called to order at 6:31PM by Mayor Barley in the Council Chambers of Freeport City Hall.

2. Invocation and Pledge of Allegiance

The invocation was given by Councilwoman Haffner, followed by the Pledge of Allegiance to the American Flag.

3. Recognition of Guests

None.

4. Consent Agenda

a. Revenue & Expenditure Report through May 2021

b. Bills

c. Regular Council Meeting Minutes- June 8, 2021

5. Public Comment on Consent Agenda

None.

6. Approval of Consent Agenda

Moved by: Councilman Farris
Seconded by: Councilwoman Haffner

To approve the consent Agenda as presented.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

7. Consideration of Additions/Deletions to Agenda

- Legal- Consideration of City Manager Ordinance and Special Event Policy Updates
- City Clerk- Council Workshop
- Councilwoman Green- Special Event Flyer and Hammock Bay Parade Report

8. Approval of Agenda with Additions/Deletions

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Haffner

To approve the agenda with the specified additions as presented.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

9. Staff Reports

a. Water

b. Sewer

c. Parks

1. Freeport Farmers Market at Freeport Regional Sports Complex

Parks Director Digges informed the Council that he received a special event application and fee from Gary Parks regarding hosting a Farmer's Market Event at the Sports Complex. Parks Director Digges noted that the event will be partnering with the Lunch Buddy Foundation which is a non-profit organization. Parks Director Digges disclosed that the event anticipated an estimated 40 vendors, affirming that there would be safety measures in place provided by EMS and the local Fire Department. Parks Director Digges requested approval of the special event permit. Councilwoman Green pointed out to the Council that since the event was a part of a 501c non-profit she recommended wavering the fees.

Moved by: Councilman Farris
Seconded by: Councilwoman Brannon

To approve the special event permit and waive the fees.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

d. City Manager

e. City Clerk

1. New I.T Proposal

City Clerk Robinson informed the Council that City Staff had interviewed three companies to potential replace CRC and have chosen to go with SLE98 LLC. City Clerk Robinson noted that the company had sent over a draft contract which was under review by City Attorney Adkinson. City Attorney Adkinson noted that he had a few amendments he would like to make in the contract and opened the floor for Council discussion. Council members discussed the price and services that would be provided. City Attorney Adkinson noted that the contract was a standard consumer contracting, noting it needed different language for a government entity. City Attorney Adkinson pointed out that the contract had a disclaimer against ransomware which is an area the City needs to improve upon, especially during an I.T transition. City Attorney Adkinson noted that the City insurer may have concerns about the disclaimer and recommended continuing the item until the next meeting. Councilwoman Green noted her concerns on the selection process of the vendor. Finance Officer Bowers informed the Council that the process was initiated by reaching out to several companies, discussing the needs of the City, and reviewing quotes. City Attorney Adkinson noted that City Staff complied by the purchasing policy although it was a different method than the one Council was used to. Councilman Martin requested that the City Manager compose a list of what the City was currently paying for in I.T and compare it with the potential new vendor for Council review.

Moved by: Councilwoman Haffner
Seconded by: Councilman Martin

To continue the item to the next meeting.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

2. Council Workshop

City Clerk Robinson informed the Council that City Manager Simmons requested that the Council set aside a date to hold a workshop to create a priority list on the behalf of the City of Freeport for the mobility plan. Mayor Barley concurred that at a recent meeting with the Board of County Commissioners they requested that the City draft its priority list as soon as possible. Planning Director Hughes-Neel noted that the Board of County Commissioners wants the City to meet with its engineers, staff, and Public Works to discuss all roads in the City regarding traffic and road improvements which can be used towards grant proposals, the Capital Improvement Program, and to provide a more detailed list for the Mobility Plan. Councilman Martin noted that he has been having discussion with Engineer Knauer and City Attorney Adkinson regarding a connector road from Shipyard to Marquee, noting that Engineer Knauer sees it as very feasible project. Councilman Martin urged the Council to start looking for ways the City could initiate progress on traffic alleviation rather than wait years for funds from FDOT. Planning Director Hughes-Neel noted that the list needed to be a City Council endorsed list. Councilmembers discussed the possibility of staff drafting a list to present to them for approval, as well as a prior list composed by Councilwoman Brannon in the past on various roads in need of attention. Engineer Rouchaleau gave feedback on to the Council regarding the priority list noting that he had a good idea of the top five priorities for the City, noting that the he felt confident in preparing a list to present before Council. Engineer Rouchaleau noted that the current Capital Improvement Project list needed updating. Councilwoman Brannon suggested holding a Special Meeting instead of a workshop to discuss the items for the priority list. Mayor Barley informed the Council that the deadline was for October 1, however they needed the City's list by the end of July. Councilwoman Haffner requested that the priority list drafted by staff be submitted to the Council a few days in advance for review to ensure an efficient meeting. Councilmembers agreed to hosting the Special Meeting on July 19 at 5PM.

Public Comment: Kat Pallegrio noted that the intersection of Hwy 20 posed a safety hazard for hurricane evacuations and had been the topic of discussion at a recent meeting with DEP. Councilmembers noted that Highway 20 was a state road that the City had no control over, Mrs.Pallegrio insisted that the City petition for that road to be included as a top priority in the Mobility Plan noting her willingness to present more information following their next meeting.

Update: City Clerk Robinson informed the Council that there would be no 2021 Election due to each candidate going unopposed.

Moved by: Councilwoman Haffner
Seconded by: Councilwoman Green

To host a Special Meeting on July 19 at 5PM.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

f. Finance

1. Council Memo- Budget Workshops

Finance Officer Bowers informed the Council that it was budget time for the City noting that she outlined a timeline for the Council to finalize items in accordance to the deadline. Finance Officer Bowers suggested July 15 at 5:30PM and July 29 at 5:30PM for Budget Workshops. Finance Officer Bowers noted that on the July 22 Regular Council Meeting she will be presenting the proposed millage rate for the year along with the date of the first public hearing.

Update: Finance Officer Bowers informed the Council that staff hosted the pre-construction meeting with the contractor for the USDA Sewer Plant Expansion and will have a recommendation for interim financing which will close later in July.

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Haffner

To set Budget Workshops for July 15 at 5:30PM and July 29 at 5:30PM.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

g. Billing

h. Planning

1. Brannon Re-Zoning/ 2nd Reading Adoption

Planning Director Hughes-Neel presented the following ordinance for approval:

Ordinance 2021-03.

Moved by: Councilman Farris
Seconded by: Councilman Martin

To approve and adopt the ordinance.
A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

2. Regency Acquisitions Small Scale Amendment/ 2nd Reading-Adoption

Planning Director Hughes-Neel presented the following ordinance for approval:

Ordinance 2021-04.

Moved by: Councilman Farris
Seconded by: Councilwoman Haffner

To approve and adopt the ordinance.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

3. Regency Acquisitions Re-Zoning/2nd Reading-Adoption

Planning Director Hughes-Neel presented the following ordinance for approval to hold a second reading:

Ordinance 2021-05.

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Green

To approve for a second reading.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

4. City of Freeport Large Scale Amendment/ 1st Reading- Notice to DEO-Advertise for 2nd Reading

Planning Director Hughes-Neel presented the amendment noting that it correlated with the comprehensive plan amendments that are needed to the current code. The following changes were made:

- Conservation Elements- added coastal management objectives, codes, and policies. This is to protect the City's 2.45 miles of waterfront and shoreline properties. The environmental elements coincide with the City's initiative to clean up the Choctawhatchee Bay.
- Repeal the current Public Schools element- changes in Florida Statues made the City unable to enforce its code therefore the repeal is to the section the City cannot enforce. Planning Director Hughes-Neel noted that she has been

working on drafting language for school comprehensive plans which would include the design for schools under land use policies, define how schools and the City would coordinate with the Planning Department (interlocal agreement).

Planning Director Hughes-Neel requested approval to hold 1st reading of the ordinance, to authorize staff to transmit the drafted ordinance to DEO, and to then allow them to advertise for 2nd reading after coordinating with DEO. Councilwoman Green questioned the legality of the amendment that states that if a connection to sewer is available then the citizen MUST hook up. Councilwoman Brannon sought clarity on it being applied to every resident in Freeport. Planning Director Hughes-Neel informed the Council that the requirement is a state requirement and is also being enforced by the Health Department.

Moved by: Councilman Farris
Seconded by: Councilman Martin

To approve holding 1st reading of the ordinance, to authorize staff to transmit the drafted ordinance to DEO, and to then allow staff to advertise for 2nd reading after coordinating with DEO.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

5. Request Approval for staff to attend Florida APA Conference

Planning Director Hughes-Neel requested approval to attend the Florida APA Conference along with City Planner Williams to maintain their AICP certifications. Planning Director Hughes-Neel outlined the cost of the conference noting that the cost would be covered by the Planning Department's budget. Councilwoman Green queried on the price of attending the conference as well as information on the special rates for lodging.

Moved by: Councilman Farris
Seconded by: Councilman Martin

To approve Planning Director Hughes-Neel and City Planner Williams attendance to the Florida APA Conference.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

6. Live Oak Harbor Final Plat

Planning Director Hughes-Neel presented the Live Oak Harbor Final Plat for approval.

Moved by: Councilman Martin
Seconded by: Councilwoman Haffner

To approve staff signature of the Final Plat.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

i. Legal

1. Handicap Accessible Parking Inside City Limits

Mayor Barley informed the Council that a concerned resident had submitted photos to the City regarding ADA compliance violations throughout the City requesting City intervention. City Attorney Adkinson informed the Council that handicap enforcement was not a City regulatory issue, noting that a few of the items if found in fault would have to be enforced by the Sheriff's department, the County Building permit office, or through the ADA for federal compliance issues if it were a private business. City Attorney Adkinson concluded that the issues reported were outside the authority of the City and an alternative form of authority must be notified by the reporter.

2. City Manager Ordinance

City Attorney Adkinson informed the Council that he had amended the ordinance following the guidance of the City Council noting that the qualifications were now broaden to give the City flexibility in selecting a candidate. The residential standards of the City Manager had now been broadened to anywhere in Walton County, noting that the qualifications of the City Manager were now to be determined by the City Council with preference elements. City Attorney Adkinson noted that due to the lack of consensus on the number of votes needed for firing and hiring an employee he did not amend it. Councilmembers discussed their favor of a 4:1 hiring and firing ratio. City Attorney Adkinson noted his reasons for not using the language of a super majority. City Attorney Adkinson requested a motion to hold 1st reading with the added clause of the firing and hiring ratio, which would be presented at the second meeting in July.

Moved by: Councilman Farris
Seconded by: Councilman Martin

To hold first reading of the amended ordinance with the added clause.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

3. Special Event Policy Update

City Attorney Adkinson noted his favor of:

- Adopting the new policy by resolution or to include it in the code of ordinance, however the option to include the policy by amending the land development code was an option.
- Having the Planning Board to review and repeal the permits.

City Attorney Adkinson noted that the definition of a special event had been defined, noting that based on previous Council discussions a clause for private property events needed to be added. City Attorney Adkinson opened the floor for Council discussion and feedback. Councilman Farris noted his favor of a private property clause and the ability to adopt it via resolution or code of ordinance. City Attorney Adkinson noted that the private property clause would include language that called for reporting the event to the Sheriff's Department if the event may potentially disrupt regular traffic flow, commenting that it leaves room for crowd control. Councilwoman Green queried on the process of obtaining and submitting a special event permit, noting that she believed the City Clerk should have more clerical involvement in the application process. City Attorney Adkinson noted that the City Manager and his designee would be responsible for issuing out the applications, noting that the City Manager would also have the ability to waive special event permit fees. City Attorney Adkinson and Councilmembers discussed the importance of issuing special event permits closer to the deadline, adding that the City Council should also be notified of the permit submission.

Public Comment: William Blykin informed the Council that it would be greatly appreciated by residents if the rules were spelled out clearly to guide them in obtaining paperwork for special event permits.

Moved by: Councilman Farris
Seconded by: Councilwoman Haffner

To amend the special events permit policy with the discussed changes.

A roll call vote was ordered, and the vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

j. Engineering

1. RIB Site Assessment Proposal

Engineer Rouchaleau presented the RIB Site Assessment Proposal before Council noting that it was for the site of the new 331 Wastewater Treatment Plant site. Councilwoman Green expressed her concerns over getting proposals before the Council approved looking at a site or assessing funds to see if the City could afford to purchase land at this time. City Attorney Adkinson noted that Engineer Rouchaleau and City Manager Simmons would need the authority of the Council, in writing, before looking at properties on the behalf of the City. Councilwoman Green announced that no authority to purchase property had been given by the Council. Councilman Martin asked for clarity on the purpose of City Manager Simmons's trip to Atlanta to discuss purchasing property. Engineer Rouchaleau informed Council that he believed there had been some preliminary conversations about identifying possible sites for the Wastewater Treatment Plants, noting he would do his due diligence and re-present at a following meeting. Councilmembers discussed the importance of not skipping steps when going after projects, noting that the City could choose to change priorities given circumstances. City Attorney Adkinson informed Council that they broadly gave approval to identify possible sites, noting that City Manager Simmons would need to present a list of properties explored and update Council on the potential sites with cost estimates. City Attorney Adkinson gave legal counsel to Engineer Rouchaleau on processes needed moving forward.

Updates:

- The pre- construction for the 1.5 MDG Upgrade meeting that took place this morning went well, expected to break ground in 2 weeks.
- The prior engineers who designed the old treatment plants will be assisting with the new project.
- Closing on interim financing by July 30.

10. Old Business

11. New Business

a. Mayor Russ Barley

b. Councilwoman Brannon

c. Councilman Farris

d. Councilwoman Green

1. Special Event Flyer

Councilwoman Green presented a flyer she received that had been used by the city of Mexico Beach to secure funds for special events. Councilwoman Green informed City Staff to explore this model of securing funds, noting it was deemed appropriate by City Attorney Adkinson. City Attorney Adkinson affirmed that the model presented was legal and had been used by neighboring Cities often.

2. Hammock Bay Parade Report

Councilwoman Green requested an update on the Hammock Bay 4th of July Parade event. Planning Director Hughes-Neel informed the Council that she had no idea on the final decision of their committee. Noting that she relayed the message of them using the multi-service pads which would make it a Hammock Bay issue. Councilwoman Green expressed her concern over potential shutting down the roads in Hammock Bay. City Attorney Adkinson informed the Council that without a permit they only had access to use the multi-paths noting if they cross any streets, they will need a permit from the City.

e. Councilwoman Haffner

f. Councilman Martin

12. Public Comment

13. Adjournment

Mayor Barley motioned to adjourn. The meeting adjourned at 8:13PM.

Mayor

ATTEST:

City Clerk