City of Freeport

REGULAR COUNCIL MEETING MINUTES

July 13, 2021, 9:00 AM
Freeport City Hall
112 Hwy 20 West
Freeport, Florida 32439

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 Manager Charlie Simmons, 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, City Engineer Alex Rouchaleau

1. Meeting Called to Order

The meeting was called to order at 9AM 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

None.

4. Consent Agenda

a. Bills

b. City Council Meeting Minutes- June 24, 2021

5. Public Comment on Consent Agenda

None.

6. Approval of Consent Agenda

Moved by: Councilman Farris
Seconded by: Councilwoman Green

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 Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

7. Consideration of Additions/Deletions to Agenda

- Councilman Farris- Little League Administrator Comments on Softball Tournament
- Mayor- Florida League of City Conference, Floral Art Exhibit on City Grounds,
- City Manager Simmons- July 19 Meeting Re-schedule
- Councilwoman Haffner- Highway 331 Traffic on Saturday
- Councilwoman Green- Farewell

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 Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

9. Staff Reports

a. Water

b. Sewer

c. Parks

d. City Manager

1. Contract for New Wastewater Treatment Plant

City Manager Simmons opened the discussion by first clearing the air on any confusion from the previous Council Meeting, regarding property searches for the new wastewater treatment plant on Highway 331. City Manager Simmons referred to an email he received from Mr.Douglas Duncan, who offered to sell or exchange his property to the City of Freeport for water and sewer capacity fees. City Manager Simmons petitioned to the Council to enter a contract with Mr.Duncan to initiate the process of the City doing its due diligence by working with the property appraiser and geotechnical surveyors to verify that the property is feasible for the wastewater treatment plant project. City Manager Simmons stressed the importance of beginning research, negotiating and starting the process for the wastewater treatment plant construct. City Manager Simmons requested permission to work with City Attorney Adkinson to draft a real estate contract with an offer for the property. City Manager Simmons noted that Engineer Knauer could attest to that the property in question was ideal based on location. City Manager Simmons provided the Council with a rough estimate of the cost of geotechnical surveying of the property ($53,600) as well as the appraisal ($15,000), noting that regardless the City would have to spend these funds on any property they chose to pursue. Councilwoman Haffner queried on whether a motion was needed on the floor to approve a 2nd wastewater treatment plant prior to beginning research, noting she had no knowledge of a second treatment plant ever being approved. Planning Director Hughes-Neel informed the Council that prior to their terms she had been authorized to begin research for a second wastewater treatment plant. City Attorney Adkinson gave legal counsel noting that the motion would need to specify that the purpose of this property would be for a wastewater treatment plant and proceeded to guide Council on the appropriate motions needed. City Attorney Adkinson informed the Council that if they chose to exchange the property for water and sewer capacity fees that the City would be providing a current

day credit ledger towards the capacity fees that the developer will draw against. The credit amount will remain the same despite an influx in capacity fee prices.

Councilwoman queried on a previous property that had been discussed as a potential location and if the new property would address the southern area of the franchise. Engineer Knauer informed the Council that there was a preliminary geotechnical survey conducted on the 25-acre property which revealed severely restricted areas which would inhibit the City from expanding the way it planned. Engineer Knauer noted the new property afforded the following benefits was centrally located, had already been zoned industrial, and provided sufficient land space for the City to upgrade from a 3million GDP to 5million GDP. Engineer Knauer continued by adding that the only reason a geotechnical survey was being requested was to assure City Manager Simmons that the site would be able to sustain the intended growth of the plant size. City Manager Simmons remarked that the property for the new plant would be easily expandable, without having to break down parts to move. City Manager Simmons also informed the Council that he has met with five other property owners regarding sites for the new wastewater treatment plant, which produced dead end conversations. City Manager Simmons noted that the current wastewater plant was less than 30 acres, and that the new area was in a discreet location with 84 acres of land. City Attorney Adkinson advised the Council that due to concerns of the State that the proximity of wastewater treatment plants to residential areas and wetlands that buying more property to create a buffer would be beneficial. Engineer Knauer noted that environmental studies had already been conducted by the owner, Planning Director Hughes-Neel affirmed that the studies were in her office.

Moved by: Councilman Farris
Seconded by: Councilman Martin

To approve the drafting of a real estate contract by City Manager Simmons and City Attorney for the 84.07 acres of land in the Freeport Industrial Park in an amount not to exceed $100,000 per acre with the contingencies: that the appraised value of the property meet that price or exceed that price; that the geotechnical data includes that this piece of property would be an appropriate site for the City's needed use (wastewater treatment plant), and that the language of the contract includes that the purchase price be based on the City paying by a credit in the amount of the purchase price based on the current rates in the existing water and sewer rates.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

Moved by: Councilwoman Haffner
Seconded by: Councilman Farris

To authorize the City Manager to order geotechnical data studies not to exceed $53,600 and to acquire two independent appraisals not to exceed $5,000.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

2. 331 South Sewer Project

City Manager Simmons noted that when County Commissioner McCormick took office, he asked how the City of Freeport could assist him in being successful, which led to the discussion to clean up the presence of sceptics along the McDaniels Fishcamp/Black Creek area. City Manager Simmons indicated that the Choctawhatchee Bay is one of the greatest natural assets to the Walton County area and needs to be taken care of. City Manager Simmons noted that Engineer Knauer prepared a presentation with a master plan to clean up the Choctawhatchee Bay, and upon the Councils approval will present before the County later that evening.

Engineer Knauer delivered a PowerPoint presentation that highlighted the following:

- Cleaning up the Choctawhatchee Bay requires City and County cooperation.
- DEP studies on the Choctawhatchee Bay indicate high contamination levels of nitrate and fecal matter.
- DEP studies indicate that there are 15,000 septic tanks currently dumping into the Bay.

- Vacuum System would be an easier and cheaper method to get residents onto a sewer system, there is a grant that can finance this (McDaniel's Fishcamp area).
- Estimated cost of $6.3 million.
- The five major areas of Freeport (illustrated in map) with the amounts of septic tanks currently dumping into the bay.

Engineer Knauer proposed to the Council that the City should secure an SRF grant which will fund the vacuum systems for residents dumping along the Bay, and to petition to the County to put a force main on Highway 331 which will not only assist in getting residents on septic but speed up development. City Manager Simmons noted that it would be advantageous for the City to accomplish both goals simultaneously to save time. Councilwoman Green expressed her excitement for the project, noting that a quick call to the County Commissioners before their meeting would be a great help. Engineer Knauer noted that this project was going in the direction that satisfied everyone's needs and was a great opportunity to get multiple items addressed.

Moved by: Councilwoman Green
Seconded by: Councilman Farris

To grant the permission of Engineer Knauer and City Manager Simmons to present the PowerPoint presentation before the County.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

3. DEP Grant Opportunity

City Manager Simmons informed the Council that Liberty Partners with the assistance of Engineer Rouchaleau put together the paperwork for a 100% grant. After various conversations with the Northwest Florida Water Management District,

Engineer Rouchaleau and Liberty Partners believed this to be a perfect project for the City.

Updates: City Manager Simmons wanted to thank City staff for assisting with the 4th of July Celebration along with the donors. City Manager Simmons noted that he received great feedback and planned to make it an annual event for the City.

Moved by: Councilman Martin
Seconded by: Councilwoman Brannon

Motion to submit the paperwork for the DEP Grant and to authorize the signage of documents by Mayor Barley and City Manager Simmons.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

~~4. July 19 Meeting Reschedule~~

e. City Clerk

f. Finance

1. Interim Financing

Finance Officer Bowers recommended to the Council to award Trustmark Bank with the interim financing being that they were the least expensive. Finance Office Bowers noted that on July 27 the city will be closing on its interim financing , Mr.Jonathan Ox a representative from Trustmark thanked the City for the opportunity.

City Attorney Adkinson gave legal counsel on the appropriate motions needed, noting that the resolution for this item will be presented at the following City Council meeting.

Moved by: Councilman Farris
Seconded by: Councilwoman Haffner

To award the interim financing to Trustmark Bank.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

Moved by: Councilman Farris
Seconded by: Councilwoman Brannon

To authorize the Mayor's signage of the documents needed to execute the interim financing.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

2. Water & Wastewater Capacity Fees

Finance Officer Bowers requested Council's approval of her taking the collected water capacity fees and wastewater capacity fees from their primary operating

account, and to place them into their respective capacity fee accounts. This will ensure that the funds are available once the developer's request water and wastewater services for their projects, noting that the funds will then be transferred back into their respective primary operating accounts.

Moved by: Councilwoman Green
Seconded by: Councilwoman Haffner

To approve the transfer of the wastewater and water capacity fees from their primary operating accounts into their respective capacity fee accounts; and to then return them to their respective primary operating accounts upon the developer's request for services.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

g. Billing

1. Annual Write Off List

Billing Manager Roberts requested the approval of moving 72 delinquent accounts totaling $10,479.28 to bad debt to write off the books for the July 1, 2019- June 30, 2020, year. Councilwoman Haffner requested the list. Billing Manager Roberts informed the Council that two accounts accounted for $4,000 of the debt, noting they were sewer loans from previous years. Councilwoman Brannon inquired as to if liens were ever placed on those properties for failure to pay the lien, noting that the City should have pursued the issue. Councilwoman Brannon sought legal counsel on pursuing the original owners for compensation, City Attorney Adkinson noted that the process would be challenging, and that the City had never foreclosed on a property that it placed a lien on. Councilwoman Brannon inquired on the language of the loan agreement at the time, City Attorney Adkinson noted that he would look back at the agreement for review. City Manager Simmons noted that he would work with Debbie and approach City Attorney Adkinson for a thorough investigation. City

Attorney Adkinson noted that agreements given at that time were poorly constructed and not legally binding. City Attorney Adkinson advised Council to table the item to the next meeting.

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Green

To table the item to the next Council meeting.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

h. Planning

i. Legal

j. Engineering

10. Old Business

11. New Business

a. Mayor Russ Barley

1. National City of the Year Award

Mayor Barley informed the Council that the City of Freeport had been selected as the National City of the Year award for their work with the Veteran's Memorial. Mayor Barley stated that he would be going to Missouri to accept the award, all-expense paid by the veteran's group that nominated the City.

2. Florida League of Cities Conference

Mayor Barley informed the Council that the FLC Conference would be taking place 8/12-8/14 in Orlando, FL and had already been budgeted for those who were interested in attending. Councilwoman Brannon noted that she would be interested in attending, noting that it was a great opportunity to network and advocate on the

behalf of the City. Mayor Barley noted that City Clerk Robinson would make the reservations.

3. Floral Art Exhibit on City Grounds

Mayor Barley requested permission to execute a floral art exhibit on a tree situated on the outer area of Casey Park. Mayor Barley noted that the project was a part of a scholarship with the American Institute of Floral Design and would be at no cost to the City. Mayor Barley noted that the design was entitled Phoenix Rising and would something for the City to enjoy.

Mayor Barley noted that this would be Councilwoman Green's last meeting as a Councilmember and acknowledge his appreciation for her 4 years of service to the City of Freeport. Mayor Barley presented Councilwoman Green with an appreciation plaque.

Moved by: Councilman Farris
Seconded by: Councilwoman Haffner

To permit Mayor Barley to display a floral art exhibit on city grounds.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

b. Councilwoman Brannon

c. Councilman Farris

Councilman Farris informed the Council that Mr.Ron Coby the Little League District Administrator spoke highly of the City's Sports Complex while attending the girls' softball tournament this past weekend. Mr.Coby stated that the City of Freeport would be a top priority for all tournaments, acclaiming it to be home to the best program with exceptional hospitality.

d. Councilwoman Green

Councilwoman Green gave her farewell speech to the City of Freeport, noting her honor to have served as a Councilmember for the past 4 years. Councilwoman Green attested to her commitment to see the City succeed although she would no longer be serving as a Councilmember. Councilwoman Green acknowledged how proud she was of the growth of the City and its accomplishments noting she would be available to assist the new Councilmember, Mr.Hope transition into his position.

e. Councilwoman Haffner

Councilwoman Haffner spoke on her concern of the traffic through residential areas because of GPS routes. Councilwoman Haffner infomed the Council that she received complaints from residents who had issues getting out of their homes along 331 North Business. City Manager Simmons noted that he would speak to Officer Pendleton for guidance on the matter. Councilwoman Green disclosed that the City had been advised that it was a light issue and that she was under the impression that the matter was being addressed; referring to a letter from DOT that stated that the County was in control of the light. Councilwoman Brannon suggested that City Manager Simmons would discover the person of contact regarding the light. City Attorney Adkinson gave legal counsel to City Manager Simmons. Councilmember Martin stated that the County had been approved of purchasing a system that allowed the lights to communicate with one another. Engineer Knauer informed the Council that the County was in possession of a control center for the lights, however it was pending setup. Engineer Knauer furthered the discussion by informing the Council that the company Genesis and ITS company was under contract with the City and advised them to pursuit them in including 331 into its survey. Engineer Knauer Cliff suggested use of flashing yellow arrow to sway traffic into an alternative route. Councilwoman Brannon attested that prior use of that method resulted in several wrecks however the City may have no choice but to reinstitute it.

Public Comment: Kat Pallegrino attested that the City needed to speak with Governor DeSantis and State Representatives for assistance with traffic alleviation.

City Attorney Adkinson informed the Council that based on Florida Sunshine Laws that the new Councilmember will officially begin his term at 7:01PM therefore they were to abide by Sunshine Laws with him.

Moved by: Councilwoman Haffner
Seconded by: Councilwoman Brannon

To direct City Manager Simmons and Mayor Barley to approach the County in including highway 331 into the ITS.

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

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Councilwoman Haffner: aye

Carried

1. Highway 331 Traffic on Saturday

f. Councilman Martin

12. Public Comment

13. Adjournment

Mayor Barley motioned to adjourn. The meeting adjourned at 10:24 AM.

Mayor

ATTEST:

City Clerk