CITY COUNCIL:
Amanda Green/Seat 1
Elizabeth Brannon/Seat 2
Eddie Farris/Seat 3
Mark Martin/Seat 4
Elizabeth Haffner/At Large

MAYOR:
Russ Barley
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City of Freeport
REGULAR CITY COUNCIL MEETING
City Hall Council Chambers
Freeport, FL
August 27, 2020 6:30pm

1. **Meeting Called to Order**
   -The August 27, 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 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, Travis Diggs, Alex Rouchaleau, Joyce Sunday, and Marg Gay.

2. **Invocation and Pledge of Allegiance**
   The invocation was given by Councilman Farris followed by the pledge of allegiance.
3. **Recognition of Guests**
4. **Laura Sparks**
   a. **Drug Awareness Day Proclamation (Tab 1)**
      Mrs.Sparks gave insight to the Drug Awareness initiative and the positive effect it would have on the local community. She noted that her activism was sparked by the loss of her son and how

signing this proclamation would be a progressive act for the city. Mrs.Sparks sought approval for the Mayor to sign the present proclamation.

Public Comment- Signing this proclamation is akin to the city giving visibility to those affected by drug addiction and is greatly appreciated.

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

5. **Stephen Smith**
   a. **Sewer Bill Credit Request**

-Mr.Smith sought the Council's approval for a third adjustment to his account and expounded to the Council how the water leak accumulated over two months without his knowledge, resulting in a $498.89 utility bill. Once the leak had been found Mr.Smith immediately repaired the damage and noted that the leak did not go into the sewer, which was the bulk of his high utility bill. Councilwoman Haffner queried Utility Manager Roberts for additional information on Mr.Smith's account, which began the Council's discussion on making an exception to the policy. Mr.Smith noted that his typical bill ranges between $70-$90 a month and how the severity of his last two bills have impacted him. City Attorney Clay reminded the Council of the Billing Adjustment Policy and advised them to find other grounds for granting an exception to the account other than it did not leak into the sewer, to set the standard for the policy moving forward. After much deliberation, the Council decided to not deviate from the policy and to set Mr.Smith up for a long-term payment plan with the Billing Department. Moving forward Mr.Smith advocated for the Council to implement a system that would flag accounts and notify customers of unusually high activity. Utility

Billing Manger Roberts noted that the new antennas being installed by December 2020 would allow early intervention. Councilman Martin remarked to the Council how issuing policies with iron clad rules leaves no room for flexibility for exceptions. Councilwoman Green disagreed and noted how structure protects the system from being abused.

6. **Chris Moore**
   a. **Freeport Sports Complex Youth Sports Lights Usage**
      -Mr.Moore was unable to attend and requested to be on next month's agenda.
7. **Consent Agenda**
   a. **Bills (Tab 2)**
   b. **Revenue and Expenditure Report (Tab 3)**
   c. **Minutes August 6, 2020 Budget Workshop (Tab 4)**
   d. **Minutes August 11, 2020 Regular Council Meeting (Tab 5)**
   e. **Minutes August 20, 2020 Budget Workshop (Tab 6)**
8. **Public Comment on Consent Agenda-** none.
9. **Approval of Consent Agenda**

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

10. **Consideration of Additions/Deletions to the Agenda**
    - Old Business, Ratification of Employment Agreement of City Manager Charlie Simmons.
    -Planning, Parking Issues/Large Home Construction, Education Reimbursement Program.
    -Parks/Projects- Updates.
    -City Manager- Updates.
    Mayor Russ Barley- City Events, and Hurricane Relief Collection.
11. **Approval of Agenda with Additions/Deletions**

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

12. **Staff Reports**
    a. **Water**
    b. **Sewer**
    c. **Parks/Projects-**
       -Travis Diggs gave updates on the golf course renovations, resulting in the rearrangement of two holes. The department has also uprooted and old Oak Tree and poured a new walkway. There has also been renovations on the playground area to allot more wheelchair accessibility. Overall, Mr.Diggs noted that there has been positive feedback from the public.
    d. **City Manager**
       i. **Parks Director Appointment**
          -City Manager Simmons began by confirming to the Council that there was an internal job posting, resulting in one applicant applying and receiving the position. City Manager Simmons acknowledged Mr. Travis Diggs's impeccable work ethic and expressed his belief in his ability to meet the expectations of fulfilling the Parks Director position. City Manager Simmons asked for a motion to appoint Travis Diggs as the new Parks Director.

          COUNCIL ACTION: Motioned by: Councilman Farris. Seconded by: Councilwoman Haffner. All ayes: motion carried. *(Travis Diggs was appointed to Parks Director on a 5:0 vote by the Council.)*

          Mr.Diggs expressed his thanks to the Council and his commitment to serving in the appointed position.

       ii. **Updates**

-City Manager Simmons gave an update on the approval of the Franchise Agreement, which was passed on a 5-0 vote.
-The Water and Sewer Department are on the last leg of getting the water tank working. Due to excessive rain the Sewer Department has had to work longer hours to ensure its completion.
-The City Manager and the Mayor have been in communication with Senator Gainey which has resulted in his excitement for the City of Freeport and his belief that the City of Freeport can get bills passed on its behalf.

Mayor Barley noted that Mr."Boots" McCormick was in the audience and congratulated him on becoming a new County Commissioner.

e. **City Clerk**
f. **Finance**
   i. **FlexNet (Tab 7)**
   -Finance Officer Bowers requested approval for the $301, 987.63 FlexNet Remote Reading System.

   COUNCIL ACTION: Motioned by: Councilwoman Haffner. Seconded by: Councilwoman Brannon. All ayes: Motion Carried.

   ii. **Budget Amendment (Tab 8)**
   -Finance Officer Bowers requested approval for the proposed amendment.

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

g. **Billing**

i. **Commercial Rate Information**

- Utility Billing Manager Roberts asked for any concerns regarding the email she sent regarding the increase in Commercial Rates and sought guidance for any changes. City Manager Simmons noted that there had not been an increase in commercial rates since 2005, and that it was overdue. Councilwoman Green inserted that for the city to progress their must be an increase in commercial rates and should await the new rate study before back tracking. Councilwoman Brannon asked for more time to review the information and to investigate tiering the payment increase and for staff recommendations. Councilman Martin requested the original rate study packet for review, as he was not on the Council at the time.

ii. **September Disconnect Guidance**

- Councilwoman Green asked for an update on the disconnects for the past billing cycle. Utility Billing Manager Roberts informed the council that there were 17 accounts paid in full that were 90 days past due, 9 disconnects, and 5 were on a payment plan; there was no excessive shift. There was a motion to resume normal billing operations.

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

h. **Planning**

i. **April Court Abandonment Resolution (Tab 9)**

-City Director Hughes Neel opened the discussion by giving a brief history of the April Court dilemma. Being that there is a structure built on the right of way, which is a code violation, the Miller's which own the property, were advised to abandon the far end of the easement to resolve the issue. The county however has been maintaining a portion of the easement, which is unusual and has sparked confusion. The Miller family has agreed that the abandonment would not interfere with use of the road and would still grant access to each owner's property. When notices were sent out to the property owners concerning the abandonment City Director Hughes- Neel received several rejections. City Director Hughes- Neel relinquished the podium for public comments.

-Attorney Willis who represents the Miller family approached the Council stating his involvement with the case and opened the floor for questions from the Council. There were no questions.

The Council sought out clarification from City Director Hughes Neel concerning the map and the properties involved.

Margaret Bennett a resident of April Court informed the Council of the matters which caused her to have an issue with the abandonment. Due to a disgruntle resident who is

renting a portion of the April Court, Mrs. Bennet has had issues gaining access to her property. Barricades which have been placed restricting Mrs.Bennett and EMS access to her property have prompted police intervention to no avail. Mr.Bennett advised the Council to view the proposed abandonment themselves to fully grasp the issue at hand.

Kathy Petkovic an owner in April Court noted to the Council that the entire road that gives access to the community has been maintained by the city, however it is owned by the Miller family. Due to lack of a survey, property lines were askew which caused Mrs.Petkovic to lose a house that was placed along the road. Mrs.Petkovic argued that the road should belong to the city to ensure that the road remains maintained and each owner has access to his or her property.

Rita Duncan another owner in April Court sought clarification from the Council as to who the abandoned parcel would go to. City Attorney Adkinson informed Mrs.Duncan that according to law the abandonment would go to equal parts to the property owners. Noting that there was a question of ownership of the abandonment, City Attorney Adkinson informed the public that it would be a civil dispute therefor the Council would only be deciding whether to abandon the parcel of land. City Director Hughes-Neel noted that there was correspondence from the Sheriff's Office and Public Works stating that the proposed abandonment was not apart of the portion of the road being maintained by the County and therefor they had no objection. City Attorney Adkinson advised the Mayor to conclude the closing public arguments.

City Attorney Adkinson informed the Council of the four code provisions that must be found to approve an abandonment. The Council deliberated on the findings and sought clarification on the map. Councilwoman Green and Councilwoman Brannon pulled up a satellite view of the April Court road for clarity. Councilman Martin asked for a motion to delay a decision on the April Court Abandonment until the Council made a trip to view the site in person.

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

ii. **April Court Abandonment Map (Tab 10)**

iii. **Garrett SSA Ordinance/2nd Reading (Tab 11)**

City Director Hughes-Neel asked for a motion to adopt the proposed ordinance.

COUNCIL ACTION: Motioned by Councilman Martin. Seconded by: Councilwoman Brannon. All ayes: motion carried.

iv. **Garrett RZ Ordinance/2nd Reading (Tab 12)**

- City Director Hughes-Neel asked for a motion to adopt the proposed ordinance.

COUNCIL ACTION: Motioned by: Councilwoman Brannon. Seconded by: Councilwoman Haffner. All ayes: motion carried.

v. **Revised Special Event Ordinance (Tab 13)**
-City Director Hughes-Neel presented the ordinance with recommended changes from the previous City Council Meeting, reviewed by City Attorney Adkinson. Councilwoman Green asked for clarification regarding private property events and regulation from the previous meeting. Councilwoman Brannon advised the Council to move forward with rewriting the ordinance and to avoid private property regulations, based off legal advice from City Attorney Adkinson. City Director Hughes-Neel agreed to revise the ordinance with guidance from City Attorney Adkinson and to present it another day. Councilwoman Green asked for further clarity on private property event regulation. City Attorney Adkinson distinguished the difference between notice management for traffic purposes and private property regulation.

vi. **Marina Village Phase IV Final Plat (Tab 14)**
-City Director Hughes Neel requested a motion to approve the Final Plat.

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

vii. **Parking Issues/Large Home Construction**

-City Director Hughes Neel informed the Council that it had been brought to her attention of the lack of sufficient parking in new construction builds, commonly in Hammock Bay . After careful review City Director Hughes Neel noticed that the city's code for parking requirements is very vague and is silent after noting a three-bedroom build. Councilwoman Haffner inquired if the lack of parking and regulations would be an HOA issue. City Director Hughes-Neel presented the alternative argument that the city reviews and approves the building plans therefor the city holds some accountability in resolving the issue. City Director Hughes-Neel suggested presenting the code to the Planning Board for review and allowing them to give recommendations for appropriate language to address the issue. The Council agreed. Mr.Pucket a resident of the Verandas offered insight on the issue, noting that aside from his parking garage he owns no specific parking spots for his townhouse.

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

viii. **Education Reimbursement Program**

- With assistance City Director Hughes-Neel composed draft documents for the Education Reimbursement Program and requested setting a workshop to review the documents. The Council reviewed potential dates to hold the event and agreed on September 21, 2020 at 5:15 PM.

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

i. **Legal**
j. **Engineering**

13. Old Business

- City Attorney Adkinson requested a motion to approve and ratify City Manager Simmons's contract. There were some modifications to the contract which permits City Manager Simmons to maintain operation of his business and fulfill the role as the City Manager.

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

14. New Business

a. **Mayor Russ Barley**

-Mayor Barley informed the Council that the Mayor's Ball had been cancelled due to COVID-19 concerns, and he sought input from the Council regarding the Christmas Parade and Tree Lighting events. Mayor Barley noted that to host the events they would scale back to address health regulations. Councilwoman Haffner noted her concerns with the attendance of the parade and following COVID regulations. Councilman Farris advised to play it by ear, noting that participation in any of the events was an adult decision. Being that there was no set date on the event the Council agreed to wait for more information to be COVID-19 compliant before deciding.

- Mayor Barley informed the Council that he would like to start a hurricane relief collection for the city of DeQuincy, Louisiana. To grasp the needs of the community Mayor Barley would reach out

to the mayor of DeQuincy prior to donations. The Council agreed that it would be a good initiative.

b. **Councilwoman Brannon**
c. **Councilman Farris**
d. **Councilwoman Green**
    i. **COVID-19 Waiver**
    -Councilwoman Green would like to initiate a COVID-19 Waiver for events held at city parks or fields, this would cover the city from liability issues. City Attorney Adkinson recommended having a waiver for group activities, an individual waiver for city events, and a general notice for city sites cautioning use at one's own risk. The Council agreed that City Attorney Adkinson would create the waiver documents.
e. **Councilwoman Haffner**
f. **Councilman Martin**

15. Public Comment-

-Tim informed the Council the Veteran's Day Ceremony would be moving forward and there would be implementation of plans for safety.

16. Adjournment

-Mayor Barley adjourned the meeting at 8:37 PM.

Mayor

ATTEST:

City Clerk