



## **City of Freeport**

### **REGULAR COUNCIL MEETING MINUTES**

December 14, 2021, 9:00 AM  
Council Chambers, Freeport City Hall

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

Staff Members Present: City Manager Charlie Simmons, City Attorney Clay Adkinson, Planning Director Latilda Neel, Finance Officer Sara Bowers, City Clerk Kathie Gatewood, Parks Director Travis Digges, Sewer Supervisor Robert Fawcett, City Engineer Alex Rouchaleau, Water Supervisor Larry Tuggle

#### **1. Meeting Called to Order**

The meeting was called to order at 9:00 AM 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**

a. Mayor Barley recognized Ernie Godwin, retiring City of Freeport employee, for his 13 years of service. Mayor Barley, Councilmembers and City Manager Simmons thanked him for dedication, hard work, and wished him well in his retirement.

b. Mayor Barley welcomed the Walton Area Chamber of Commerce 2021/2022 Leadership Walton Class to the meeting and thanked them for their willingness to learn about government.

#### **4. Request for Placement on the City Council Agenda**

City Attorney Adkinson told the Council the requesting party, Debbie Roberts, former employee, requested to be removed from the agenda.

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**5. Consent Agenda**

- a. Bills
- b. Regular Council Meeting Minutes - November 9, 2021
- c. Special Council Meeting Minutes - November 19, 2021
- d. Revenue and Expenditure Report for year ended September 30, 2021
- e. Revenue and Expenditure Report for month ending October 31, 2021

**6. Public Comment on Consent Agenda**

Mayor Barley called for public comment and there was none.

**7. Approval of Consent Agenda**

Moved by: Councilwoman Haffner

Seconded by: Councilman Farris

*To approve the Consent Agenda as presented.*

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

**8. Consideration of Additions/Deletions to Agenda**

Planning Director Hughes-Neel – Safe Routes to Schools (SRTS) Grant

**9. Approval of Agenda with Additions/Deletions**

Moved by: Councilwoman Brannon

Seconded by: Councilman Martin

*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 Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

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**10. Staff Reports**

- a. Water
- b. Sewer
- c. Parks
- d. City Manager

1. City Manager Simmons told the Council the School Superintendent reached out to him requesting a letter of support from the City Council for the Freeport High School Aquaculture Center. Councilman Hope explained the program noting it provides a new discipline of science that leads to many job opportunities for students and allows them to earn certifications to help with employment placement.

Moved by: Councilman Martin

Seconded by: Councilwoman Brannon

*To approve a City Council Letter of Support for the Freeport High School Aquaculture Center.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

*A copy of the Letter of Support can be viewed in the City Clerk's office.*

2. City Manager Simmons requested a much-needed additional person for the Utility Billing Department. He stated the department is currently budgeted for four people and requested approval for a fifth person to be hired. He said if approved, Finance Officer Bowers will present the Council with a Budget Amendment at a January 2022 meeting. Councilman Hope commented with the growth of the city an additional person is needed to and will help the department with efficiency.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

*To approve the hiring of a fifth person for the Utility Billing Department.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

3. City Manager Simmons asked the Council for permission to offer approximately 11-acres of land to American Metal Bearing (AMB) in California as an incentive to persuade the company to relocate to Freeport. He reminded the Council he would bring any agreement back to them for final approval. City Attorney Adkinson said an offering of the 11-acres would be contingent upon AMB committing to a certain number and level of jobs and payrates to the City of Freeport.

Moved by: Councilwoman Haffner

Seconded by: Councilman Hope

*To approve City Manager Simmons to offer approximately 11-acres of land to American Metal Bearing as part of negotiations contingent upon AMB committing to a certain number and level of jobs and payrates. City Council will give final approval of negotiations.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

City Manager Simmons requested permission to travel to the American Metal Bearing plant in California to see how their business system operates and report findings back to the Council. He noted the trip would likely be the first week of January.

Moved by: Councilwoman Haffner

Seconded by: Councilwoman Brannon

*To approve City Manager Simmons and one elected official to travel to the American Metal Bearing Company plant in California.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

4. City Manager Simmons updated the Council regarding the 6.312-million-dollar McDaniels Fishcamp grant telling them he has researched and found property that could house a vacuum station. He said the parcel owners are willing to work with the city and he would be bringing a proposal to the Council soon. He thanked the Council for understanding the growth of Freeport and what they have done to approve projects. He said in 2021-2022 Freeport will have installed over 40-million-dollars of water/sewer infrastructure, which is amazing for a city this size.

*City Clerk Note: Order of items above differ from the agenda.*

e. City Clerk

1. City Clerk Gatewood informed the Council the 2022 City Council meeting dates have been added to the city website.

f. Finance

1. Finance Officer Bowers requested approval to move Lourdes Johnson from Utility Lead Billing Clerk at \$16.00 per hour to Utility Billing Manager at the same rate as the previous manager, which starts at \$43,000 a year. She also requested approval to move Yvonne Holleran from Utility Billing Clerk at \$13.00 an hour to Utility Lead Billing Clerk at \$15.00 per hour. City Manager Simmons commended Lourdes Johnson, Yvonne Holleran and Sara Bowers for stepping up in a time of need and ensuring the department is well run. Councilman Hope commented he loved the idea of promoting within to reward employees for loyalty.

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

*To approve to move Lourdes Johnson from Lead Billing Clerk at \$16.00 per hour to Utility Billing Manager at the same rate as the previous manager, which starts at \$43,000 a year and move Yvonne Holleran from Utility Billing Clerk at \$13.00 an hour to Utility Lead Billing Clerk at \$15.00 per hour.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

2. Finance Officer Bowers asked the Council for approval for Employee Uniform Allowance and presented a list of employees who were eligible.

Moved by: Councilwoman Haffner

Seconded by: Councilman Hope

*To approve to Employee Uniform Allowance for eligible employees.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

*A copy of the eligible employees for the Employee Uniform Allowance is available to view in the City Clerk's office.*

g. Billing

h. Planning

1. Owls Head Farms Re-Zoning - Planning Director Hughes-Neel advised the Council on the proposed rezoning for a portion of the Owl's Head Project, located just south of the Farmer's Market. She said the land is 23-plus acres and currently zoned C-1 Commercial, which allows all general commercial uses and four stories of 50 feet and the landowners prefer to use it for multi-family use in that location, which would be a maximum of 14 units per acre and a height limitation of three stories or 45 feet. She explained that with C-1 zoning if you have multi-family you are required to put commercial on the bottom floor and the landowners do not wish to put commercial on the bottom floor. She stated they received comments from Eglin Air Force Base. She explained in 2014 the city adopted the required statutory language regarding military installations which allows Eglin to sit as a non-voting ex officio member of Freeport's Planning Board. She further commented this also allows them to review land use changes and development projects as

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they appear before the Planning Board. She said Eglin submitted a large packet about the current joint land use project in their military overlay zones. She informed the Council representatives Jack Kiger and Scott Davidson both of Eglin Air Force Base were present to speak; as well as representatives from the rezoning applicant Owl's Head: Jim Martelli, Shelton Stone and Doug Duncan.

Jim Martelli of Owl's Head gave a presentation with renderings to the Council regarding the property and their intended use for rezoning and offered to answer any questions they may have. Councilman Hope asked if the multi-family units would be to rent, own or both, to which Mr. Martelli replied to rent. Councilman Martin asked if they would install good windows, to which Mr. Martelli replied they would. Councilman Farris asked what the timeframe would be for completion from the start to which Mr. Martelli replied approximately one and a half years. City Manager Simmons commented this has been a long time coming for Mr. Duncan and the City has been watching him in this process for a while and we are glad he is finally getting there.

Jack Kiger, Eglin Air Force Base representative reminded the Council that Eglin submitted a robust set of comments for consideration and offered to answer any questions. He told the Council Eglin's main concern is the land is in a military training route and these routes are specifically set aside by the FAA for hazardous military activities and is a risk when introducing higher density underneath this corridor. He noted the Air Force would find it helpful to have the opportunity to work with developers with rezoning requests to make recommendations including technical ones and perhaps a cap on density that would not hinder the development but would provide a greater degree of compatibility.

Planning Director Hughes-Neel told the Council staff is recommending to approve the project as presented and to approve first reading of the proposed zoning ordinance to allow staff to advertise for the second reading.

Moved by: Councilwoman Haffner

Seconded by: Councilman Martin

*To approve the Owl's Head project as presented and to hold first reading of the proposed zoning ordinance.*

Mayor Barley called for public comment. Scott Davidson, Eglin Air Force Base representative asked provide comment in mid-roll call. He told the Council approving this rezoning would have a mission impact for the Air Force. Councilwoman Haffner asked City Attorney Adkinson what the procedure was, to which he replied unless the Councilmembers who made the first and second motion rescind their motion, they can proceed. Councilwoman Haffner asked if it could be opened back up for discussion, to which City Attorney Adkinson replied only among Councilmembers. Councilman Martin told Mr. Davidson to relay to Eglin Air Force Base the need for them to become more developer friendly because Freeport is developing, and it is unfair to ask the city not to

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when there are high-rise buildings along the coastline. He expressed he understands the Air Force has a mission but there needs to be a way to coexist. He said we need more housing in Freeport. Roll call once again resumed.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

Planning Director Hughes-Neel held first reading for the ordinance by title into record:

AN ORDINANCE AMENDING THE ZONING MAP SERIES INCLUDED BY REFERENCE IN ARTICLE 3 OF THE LAND DEVELOPMENT CODE OF THE CITY OF FREEPORT, SPECIFICALLY THE PARCEL IDENTIFIED WITH PROPERTY REFERENCE NUMBERS 26-1N-19-17000-001-0000 CONTAINING APPROXIMATELY 23.32 ACRES MORE OR LESS AND DESCRIBED BY THE LEGAL DESCRIPTION CONTAINED IN SECTION 1 BELOW AMENDING THE ZONING ASSIGNMENT AND ASSIGNING ZONING FROM C-1 GENERAL COMMERCIAL TO R-3 HIGH DENSITY RESIDENTIAL.

2. Planning Director Hughes-Neel presented the Council with the Hammock Oaks Estates Phase II Final Plat and asked for approval and that Councilmembers sign it after the meeting adjourns.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

*To approve the final plat for Hammock Oaks Estates Phase II*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

3. Re-Use Verbiage for the Development Process - Planning Director Hughes-Neel explained the city's reuse facilities at the wastewater treatment plant, the technology there is almost up and running and there will be opportunities based on several factors where developers might be able to participate in

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using reuse water for landscaping of their common areas among other things. She said after discussions with City Manager Simmons and engineering they felt as the city gets close to completing reuse technology it would be a good idea for staff to inform the public regarding reuse opportunities during the development process. She told the Council they came up with standardized language to use during the pre-application process and that they could also use during the development process. She asked for Council approval to utilize the language for developer meetings.

Moved by: Councilman Farris

Seconded by: Councilman Martin

*To approve Re-Use Verbiage for the Development Process*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried

4. Safe Routes to Schools (SRTS) Grant - Planning Director Hughes-Neel reminded the Council she applied for the Safe Routes to School grant in 2020 for the remainder of the path on Business 331 from Village Apartments to the high school. She said it took a long time, but they have received feedback on their application. She explained that while the application is fine, the grant program only has seven-million dollars and Freeport's project is one-million dollars. The city was requested to divide the project into two or three projects and phasing the remainder improvements, so they are not awarding one-seventh of the money they have for the entire state to one project. She requested approval to work with Dewberry to divide the remaining phase into several phases and resubmit the project before the extended deadline of January 31, 2022. Councilman Farris expressed the importance of getting the sidewalk constructed to help parents and children off the road while walking to and from school.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

*To approve Planning Director Hughes-Neel to work with Dewberry to divide the remaining phase of the Safe Routes to Schools project into several phases for grant application resubmittal.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried

i. Legal

1. Proposed Water and Sewer Capacity Fees and Rates Ordinance – second reading and Resolution to increase Utility Rates.

City Attorney Adkinson advised the Council for the second reading and public hearing for adoption of the revised capacity fees, that they made the changes discussed by the Council confirming for the Council and having matched the prior minutes, the new inside municipal limit water capacity fee will be set at \$2,500 up to one-inch meter of water service, outside municipal limits will be \$3,125 for up to one-inch meter of water service, wastewater capacity fees will remain where they were with CPI increases respectively seven-thousand-fifteen-dollars and thirteen cents inside the municipal boundaries and outside municipal boundaries at the amount of eight-thousand-seven-hundred-sixty-eight-dollars and ninety-one cents with a cpi increase due to continuing effect at approximately one percent on October 1st each year at the rate established by the Florida Public Service Commission, the other changes were the allocation of monies to the revenue accounts which would allow 50 -percent of water capacity fee revenue to be placed in the primary operating account rather than 100-percent for the remaining 50-percent going into the reserve account so this time. He requested, after public comment, a motion to hold second reading and to adopt.

Moved by: Councilman Martin

Seconded by: Councilman Farris

*To hold second reading and adopt the proposed Water and Sewer Capacity Fees and Rates Ordinance.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

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City Attorney Adkinson held second reading of Ordinance 2021-08:

AN ORDINANCE AMENDING, IN PART, ORDINANCE NUMBER 2019-03 AND THEREBY AMENDING, IN PART, CHAPTER 20 “WATER AND SEWERS”, ARTICLE III “RATES AND CHARGES”, DIVISION 2 “CAPACITY FEES”, SECTION 20-197 “CAPACITY FEES FOR DEVELOPMENT, METHODOLOGY FOR DETERMINATION” TO PROVIDE FOR NEW FEE AMOUNTS, AND CHAPTER 20 “WATER AND SEWERS”, ARTICLE III “RATES AND CHARGES”, DIVISION 2 “CAPACITY FEES”, SECTION 20-200 “ALLOCATION OF REVENUE GENERATED, RESERVE ACCOUNTS”; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Manager Adkinson discussed the previously discussed resolution to increase Utility Rates and asked the Council for a motion authorizing the Mayor to execute the resolution that memorializes the previously adopted rates. Finance Officer Bowers stated if the resolution has an effective date of October 1, 2021, that she needs it today in order to update the system. City Attorney Adkinson advised the resolution would be retroactive. He stated the resolution number would be 2021-08.

Moved by: Councilwoman Haffner

Seconded by: Councilwoman Brannon

*To approve the proposed Utility Rates increase resolution.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

## 2. Needs assessment for wastewater

City Attorney Adkinson told the Council that in a recent Florida Legislature session, House Bill 53 was adopted, which required certain changes to the needs assessments that local governments must conduct. He explained that Freeport was now required to conduct both a stormwater and a wastewater needs assessment and provide a 20-year needs assessment for both stormwater and wastewater in separate documents with five-year phased increments and to update it every five years thereafter to the Walton County Board of County Commissioners by June 30, 2022. He said in turn, the County will compile everything received from cities into one document plus any wastewater or stormwater needs that they oversee and submit it to the state. He said they will have 30

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days from June 30, 2022 to complete this and the state will then in an undefined period of time put every county's needs list together and tell us what everybody in the state needs in the next 20 years. He said because the city is mandated to provide this noting that City Manager Simmons will work with the county on the details. He asked the Council for a motion to authorize City Manager Simmons to task order that out under the Freeport's continuing contract to our engineer to handle wastewater and to proceed with discussion with the county about how the stormwater could be handled and whether or not the restore dollars could offset the cost of the stormwater assessment if they choose to handle that for us.

Moved by: Councilman Farris

Seconded by: Councilman Hope

*To authorize the City Manager to task order under the city's continuing contract with our engineer to handle wastewater needs assessment and proceed with discussions with Walton County regarding the handling of stormwater assessment and if restore dollars could offset the stormwater assessment costs if the County handles that assessment.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

### 3. Hammock Oaks Estates Phase II Cost Estimate for site improvements to be bonded.

City Attorney Adkinson directed the Council to look at the sample document presented in the meeting package, which is a Power of Attorney and Insured Bond form that would be issued on behalf of the developer, specifically D.R. Horton, providing the obligation our code provides that 110% of the cost of improvements must be bonded when we move forward with this transaction. City Engineer Rouchaleau stated he has not received an actual cost from the developer yet. City Attorney Adkinson asked the Council for a motion to authorize the city to accept a bond as soon as Dewberry receives and agrees to an actual cost of improvement amount.

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

*To authorize acceptance of a bond as soon as provided with an actual cost estimate for improvements of 110% and is agreed to by the City Engineer.*

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Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

j. Engineering

1. Proposal for 331 South Sewer Project

City Engineer Rouchaleau presented the Council with the proposal for engineering services for the 331 South Sewer Project. He asked the Council for a motion to approve the proposal as presented.

Moved by: Councilwoman Brannon

Seconded by: Councilman Hope

*To approve the proposed 331 South Sewer Project for engineering services.*

Mayor Barley called for public comment and there was none.

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

Councilman Farris:	aye
Councilman Hope:	aye
Councilwoman Brannon:	aye
Councilwoman Haffner:	aye
Councilman Martin:	aye

Carried.

**11. Old Business**

**12. New Business**

- a. Mayor Russ Barley
- b. Councilwoman Brannon
- c. Councilman Farris
- d. Councilwoman Haffner
- e. Councilman Hope
- f. Councilman Martin

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**13. Public Comment**

Mayor Barley called for public comment and there was none.

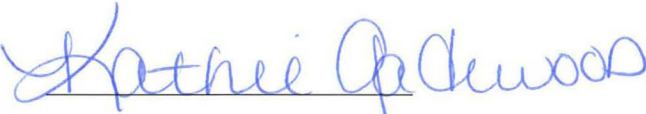
**14. Adjournment**

Mayor Barley motioned to adjourn. The meeting adjourned at 10:04 AM.



Russ Barley, Mayor

ATTEST:



Kathie Gatewood, City Clerk

