



City of Freeport

REGULAR COUNCIL MEETING MINUTES

March 8, 2022, 9:00 AM
Council Chambers, Freeport City Hall

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

Staff Members Present: City Manager Charlie Simmons, City Attorney Clay Adkinson, Planning Director Latilda Neel, Planning Technician Samantha Graves, Finance Officer Sara Bowers, City Clerk Kathie Gatewood, Billing Supervisor Lourdes Johnson, Sewer Supervisor Robert Fawcett, Wastewater Treatment Supervisor Paul Johnson, Parks & Recreation Director Travis Digges and City Engineer Alex Rouchaleau.

1. Meeting Called to Order

The meeting was called to order at 9:02 a.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 Barley welcomed Walton County Commissioner Danny Glidewell, Walton County Technology Support Specialist Jason Cook, and Freeport Sewer Technician Chad Early.

Mayor Barley explained the city has developed an employee recognition program and after sending out nomination forms to the employees an Employee of the Quarter recipient was chosen. Mayor Barley announced the Employee of the Quarter for the first quarter of 2022 is Chad Early. Some of the nomination comments included Chad's

willingness to train employees, work extra hours as a team member, he never complains, keeps busy, a hard worker who is studying for his advanced licensing in the department. The Council thanked him for his dedication to the city and the Mayor presented him with a certificate and gift card.

4. Consent Agenda

a. Bills

b. Regular Council Meeting Minutes – February 24, 2022

5. Public Comment on Consent Agenda

Mayor Barley called for public comment and there was none.

6. Approval of Consent Agenda

Moved by: Councilwoman Brannon

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

Carried.

7. Consideration of Additions/Deletions to Agenda

1. Parks and Recreation Director - Updates

8. Approval of Agenda with Additions/Deletions

Moved by: Councilwoman Haffner

Seconded by: Councilman Hope

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

Carried.

9. Staff Reports

- a. Water
- b. Sewer
- c. Parks

1. Updates:

Barrier-Free Park – Parks Director Digges informed the Council that once the gas lines have been moved, the park construction will increase at a steady pace.

Marse Landing Park – He explained that there is a lot of decking that needs to be replaced and park staff will be working on this a little at a time for the next few months.

Little League – He announced Little League Opening Day is Saturday, March 12, 2022. The ceremony will begin at 9:30am and the games will start at 11:00am.

Westonwood Ranch Rodeo – He reminded the Council the rodeo will be held on Friday, March 25 and Saturday, March 26 beginning at 6:00pm at the Regional Sports Complex.

- d. City Manager

1. Updates

Joint Meeting with Walton County, Defuniak Springs and Paxton – City Manager Simmons thanked the Council for their role in the meeting regarding transportation needs. He expressed his gratitude for their involvement, constructive feedback, and how well they represent the City of Freeport noting he has heard nothing but good things about them.

2. Freeport Water Towers – WildStar Networks – Broadband Equipment Lease

City Manager Simmons said the city has been working with Walton County and WildStar Networks for the last few months on the proposed lease. He noted that Walton County Commissioner Glidewell and IT worker Jason Cook are in attendance as well as Henry Martin from WildStar Networks.

City Attorney Adkinson reminded the Council at the June 8, 2021 Regular Council Meeting that the City Manager and City Attorney were directed to amend the current agreement and present it back to the Council. He said since that time they have had discussions back and forth and are now bringing this back to the Council. He acknowledged Councilwoman Haffner was not present at the June 2021 meeting and answered her concerns about this agreement in relation with the current ordinances in place dealing with cell antennas on non-conforming

structures. He explained this question was brought up in July 2018 when the Council voted to uphold the City Planner and his recommendations that would preclude the placement of cell antennas on any non-conforming structure and as a result no new ordinance was passed. He said this was in response to a bill that was presently going to be passed by the governor based on an FCC directive and a bill never was signed by the governor; therefore, there's no need for them to come back and readdress that because the ability to permit new towers or new antennas of cellular variety going on antennas is something city code already allowed us to do.

Councilwoman Brannon asked if the last meeting on this subject included WildStar Networks building their own tower, to which City Attorney Adkinson replied no. He said at the time Water Supervisor Tuggle inspected the proposed sites and he found North Bay Portland and Windswept to be sufficient. He reminded the Council that City Manager Simmons indicated the antennas would be placed on top of the five well towers, which would give WildStar Networks access to which he opposed. City Attorney Adkinson remembered he was not comfortable with that based on what the City of Paxton had previously experienced. He also noted that the City of Defuniak Springs objected to this as well.

City Manager Simmons told the Council staff looked at the Defuniak Springs tower and viewed photographs he received to ensure due diligence has been met before presenting this back to the Council. He said this agreement would be adding the reuse tower at Hammock Bay and the Sewer Plant.

Mr. Martin addressed City Attorney Adkinson's frequency concern stating they use 3.65 gigahertz which is not 5G technology. He further stated the technology they use is not cellular and they will be providing wireless Internet broadband which is a completely different technology. He informed the Council the technology they use better penetrates the thick tree canopies of Walton County and after performing tests, this is the best frequency for this area. He told them the height of the water towers is best because the more they can shoot past tree lines the more homes they can serve with quality Internet. He next addressed Councilwoman Brannon's question if they can build their own towers, to which he said yes but using existing structures speeds up service introduction and it isn't always possible to find land in the right location. He presented the Council with an updated map showing the locations mentioned. *(Clerk's Note: a copy of the updated map is available in the City Clerk's Office)* He said for areas that have fiber technology, they will perform a "backhaul" which is shooting a signal from one fiber point to another so fiber doesn't have to be at every single location. He said this helps keep costs down so miles and miles of fiber do not have to be installed.

Mr. Martin expressed the struggle in receiving equipment due to COVID-19 and a lack of people applying to work for their company. City Attorney Simmons asked about pricing, which Mr. Martin said there are two plans. Plan one \$60.00 (sixty

dollars) and the other is \$45.00 (forty-five dollars) a month, also mentioning these are the plans the county asked them to offer. City Attorney Simmons asked how price increases were regulated, to which Mr. Martin said it was a percentage increase but did not have details at this meeting. City Manager Simmons asked how things would be handled if the water towers needed to be restored requiring everything to be removed, to which Mr. Martin said he was unsure but would find out. Mr. Martin said if the equipment needed to be removed for restoration it would cause downtime for customers. Councilwoman Haffner asked if there were other places this where this equipment could be placed because she wasn't a fan of it being on the towers, to which Mr. Martin stated no because the water towers were strategically located and the best option. Councilwoman Brannon wondered if the Council could look into changing the ordinance allowing them on billboards, to which City Attorney Adkinson replied that they are dealing with a newer form of technology and the city does not write ordinances to be technology specific and if they tried it may become a discriminatory issue.

Councilwoman Brannon asked if there were any known health issues with radio frequencies of this magnitude that could bother or change water molecular structure that could cause any health issues for residents, to which Mr. Martin replied there are no medical issues with this frequency. He explained radio puts out what is called electric and magnetic fields (EMF) which most everything electronic puts out and 5G (cellular) is more intense than other frequencies. City Attorney Adkinson reminded the Council the frequency levels were discussed at a previous meeting, and they determined it would have no effect. Councilwoman Brannon requested literature from the company to give out to constituents.

Councilman Hope mentioned he was not a Council Member when the original meeting took place but said he was in favor of this technology due to learning during COVID-19 how many students did not have access to Internet for remote learning. He said Mr. Martin worked for the school district prior to WildStar Networks and they both saw firsthand the issue of lack of Internet access affecting students.

Councilwoman Haffner commented that she wanted to be a good partner with Walton County and agrees to the need for affordable Internet for everyone but wants to be sure they do their due diligence. She agreed with Councilwoman Brannon's health concerns noting the residents know the Council banned 5G technology and wants to be sure residents are made aware of the difference between that and the technology proposed today.

Councilman Farris told those involved he appreciates their efforts, and he does not have an issue with approving this proposal for the water towers because he understands it needs to be high enough. He said he also agreed with Councilman Hope regarding students not having access to Internet and something needs to be done for them as well as the community who cannot afford Internet services. He also showed appreciation for Commissioner Glidewell.

City Manager Simmons invited city IT services contractor Sylvester Echols of SLE98 Technology to speak to the Council. Mr. Echols told the Council he reads military studies regarding this technology and said the proposed technology has the same effect as what is already in your televisions, cell phones, microwaves, and the like. He advised it is better to do this now rather than later when it may cost more and have less incentives to implement. He said the reason you want the height of the water tower is because it will take longer to build a structure and zoning and permitting may cause delays. He said this will bring competition to Cox Communications and CenturyLink to lower costs as well. He agreed with Councilman Hope regarding student education and the need for Internet access and mentioned a lack of affordable and reliable Internet Access will hinder businesses from moving to the area. Councilwoman Brannon thanked Mr. Echols for his time in answering her questions.

Mr. Martin agreed with Mr. Echols' assessment and added the need for more Internet Access due to an increase in Telemedicine use.

City Attorney Adkinson told the Council a motion was needed to enter into the lease agreement with WildStar Networks.

Mayor Barley asked if there was any further Council discussion, to which Councilwoman Haffner asked Councilwoman Brannon if she felt better regarding her health concerns. Councilwoman Brannon stated although she was not crazy about putting this on the water towers, she understands the need for it. Councilman Hope exclaimed how amazing it was that some people in Walton County cannot access Internet service and it is not just in rural areas.

Mayor Barley asked for public comment and there was none.

Moved by: Councilman Farris
Seconded by: Councilman Martin

To approve entering the WildStar Networks Broadband Lease Agreement with specifications.

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

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

Carried.

- e. City Clerk
- f. Finance
- g. Billing
- h. Planning

1. Carr LSA – 2nd Reading

Planning Director Hughes-Neel detailed the proposed Large-Scale Amendment. She said staff recommended the Council approve holding second reading of the proposed ordinance.

Moved by: Councilman Farris
Seconded by: Councilwoman Haffner

Mayor Barley called for public comment or further Council discussion and there was none.

To approve second reading of Ordinance No. 2022-05 – Carr LSA

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

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

Carried.

2. Planning Director Hughes-Neel held second reading:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF FREEPORT, SPECIFICALLY THE FUTURE LAND USE MAP, SPECIFICALLY A PORTION OF THE PARCELS IDENTIFIED WITH PARCEL REFERENCE NUMBERS 12-1S-19-23000-003-0000, 13-1S-19-23000-003-0000, 24-1S-19-23000-001-0010, 24-1S-19-23000-001-0001, 25-1S-19-23000-001-0000, 25-1S-19-23000-001-0001, 25-1S-19-23000-004-0000, 25-1S-19-23000-001-0010 AND 36-1S-19-23000-001-0012 CONTAINING 2,007 ACRES MORE OR LESS, FROM COUNTY FUTURE LAND USE DESIGNATION OF LARGE SCALE AGRICULTURE, ESTATE RESIDENTIAL AND RURAL RESIDENTIAL TO THE CITY'S URBAN DEVELOPMENT AND MIXED USE FUTURE LAND USE DESIGNATIONS.

i. Legal

1. Land Purchase – American Metal Bearing

City Attorney Adkinson updated the Council letting them know the land purchase with Doug Duncan closed successfully. He made the Council aware that the 10-acres for American Metal Bearing may become a Land Lease option if Space Force is involved, and he will keep them up to date as things progress.

2. NatureView Agreement – County Highway 3280

Mayor Barley called for public comment and Jay Odom, the project developer thanked the Council and presented the bank check. There was no other public comment.

Moved by: Councilman Farris

Seconded by: Councilman Martin

To approve the Nature View Agreement.

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

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

Carried.

j. Engineering

1. S. Jackson Street Resurfacing – approval to advertise and bid

City Engineer Rouchaleau asked the Council for a motion to approve the South Jackson Street resurfacing and widening improvement project advertising to put it out for bid.

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

Mayor Barley called for public comment or further Council discussion and there was none.

For approval to advertise and put out for bid, the S. Jackson Street resurfacing and widening project.

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

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

Carried.

10. Old Business

11. New Business

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

12. Public Comment

Mayor Barley called for public comment.

Defuniak Herald reporter Adrienne Walline Campbell suggested the Mayor and Mr. Odom take a photograph together with the check, to which everyone agreed.

13. Adjournment

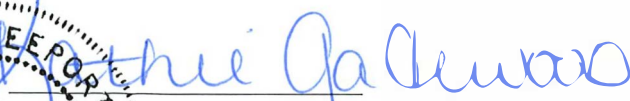
Mayor Barley motioned to adjourn. The meeting adjourned at 9:54 a.m.

Minutes were prepared by City Clerk Gatewood and approved by the City Council on March 24, 2022.



Russ Barley, Mayor

ATTEST:


Kathie Gatewood, City Clerk