

**CITY OF FREEPORT
REGULAR COUNCIL MEETING MINUTES**

July 27, 2023, 6:30 PM
Council Chambers, Freeport City Hall

Council Members Present: Mayor Russ Barley, Councilwoman Elizabeth Brannon, Councilman Bud Day, Councilwoman Elizabeth Haffner, Councilman Tracey Dickey, and Councilman Eddie Farris

Staff Members Present: City Attorney Clay Adkinson, City Manager Mark Martin, City Clerk Kathie Gatewood, Finance Officer Sara Bowers, Planning Director Latilda Hughes-Neel, Senior Planner Graves, Planning Intern Kelsea Roberts, Parks Directors Charles Bartlett, Wastewater Supervisor Paul Johnson, Water Supervisor Larry Tuggle, City Engineer Cliff Knauer, Billing Supervisor Rebecca King, and HR Generalist Chris Quinley

1. Meeting called to order

The meeting was called to order at 6:42 p.m. by Mayor Barley in the Council Chambers of Freeport City Hall.

2. Invocation and Pledge of Allegiance

Councilman Farris gave the invocation and the Pledge of Allegiance to the American Flag was recited.

3. Recognition of Guests

4. Consent Agenda

a. Bills

b. Expenditures & Revenue Report through June 30, 2023

5. Public Comment on Consent Agenda

Mayor Barley called for public comment and there was none.

6. Approval of Consent Agenda

Moved by: Councilwoman Haffner

Seconded by: Councilwoman Brannon

Mayor Barley called for public comment and there was none.

To approve the consent agenda as presented.

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

Councilwoman Haffner aye

Councilman Day: aye

Councilman Farris: aye

Councilwoman Brannon aye

Councilman Dickey: aye

Carried.

7. Consideration of Additions and Deletions to Agenda

- 1. City Manager – Addition – Work Truck
- 2. Sewer – Addition – Sewer Update

8. Approval of Agenda with Additions

Moved by: Councilman Farris

Seconded by: Councilman Dickey

Mayor Barley called for public comment and there was none.

To approve the agenda additions as proposed.

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

9. Staff Reports

- a. Water
- b. Sewer

Sewer Supervisor Johnson provided a sewer update to the Council. He stated there was misinformation being spread in the city regarding a spill at the Four Mile Creek lift station and he wanted to give the public accurate information. He advised the spill was approximately 390 gallons. He noted there was also a spill at LaFayette Creek at a manhole as a result of a line disruption from someone, which was stopped by staff. This spill resulted in a spill of 1,000 gallons. He stated both areas were tested for E. coli and both test results were within acceptable ranges.

City Engineer Knauer provided the Council with an update on the sewer construction project with Sawcross letting them know it is approximately seventy percent complete. The project is estimated to be completed in March 2024 based on current schedules.

- c. Parks

- 1. WCSO Back to School Splash Bash Backpack Giveaway Event

Parks Director Bartlett and Deputy Ryan Hooks of the Walton County Sheriff's Department provided the Council with details of the upcoming Splash Bash Backpack Giveaway event in the Regional Sports Complex. The event has

outgrown its previous location in Defuniak Springs and has relocated in Freeport. Councilwoman Haffner expressed happiness the event would take place.

Moved by: Councilwoman Haffner
Seconded by: Councilwoman Brannon

Mayor Barley called for public comment and there was none.

To approve the 2023 Walton County Sheriff's Office Back to School Splash Bash Backpack Giveaway event to be held in the Freeport Regional Sports Complex on July 29, 2023 from 11am – 2pm.

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

d. City Manager

1. Work Truck Purchase

City Manager Martin presented an invoice for a replacement truck. A former employee, while still working for the city, had an accident with the original vehicle. Some money will be return to the city via vehicle insurance.

Moved by: Councilman Farris
Seconded by: Councilwoman Haffner

Mayor Barley called for public comment and there was none.

To approve the emergency expenditure of \$44,255.50 for a replacement work truck.

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

2. City Employment Application

City Manager Martin directed the Council to the revised city employment application by Human Resources Generalist Quinley and asked for a motion to approve as presented.

Moved by: Councilwoman Haffner

Seconded by: Councilman Day

Mayor Barley called for public comment and there was none.

To approve the proposed city employment application as presented.

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

3. Marquis West Connector Road – Professional Engineering RFQ

City Manager Martin requested a motion to approve going out for bid for the Marquis West Connector Road project for engineering.

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

Mayor Barley called for public comment and there was none.

To approve Marquis West Connector Road – Professional Engineering RFQ

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

e. City Clerk

f. Finance

1. Set tentative millage rate along with the date and time of the first public hearing on the budget.

Finance Officer Bowers asked the Council for a motion to set the tentative millage rate at 4.7302. The motion would be to set and maintain the same millage rate with no change from last year.

Moved by: Councilwoman Haffner

Seconded by: Councilman Farris

Mayor Barley called for public comment and there was none.

To approve setting a tentative millage rate of 4.7302

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

2. Set date and time for First Public Hearing

After discussing dates and times, Finance Officer Bowers requested a motion to set the First Public Hearing date for Wednesday, September 13, 2023 at 5:01 p.m.

Moved by: Councilwoman Haffner

Seconded by: Councilman Dickey

Mayor Barley called for public comment and there was none.

To set the First Public Hearing date for September 13, 2023 at 5:01 p.m.

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

3. Set Budget Workshop Date and Time

Finance Officer Bowers requested a motion to set the next Budget Workshop for August 8, 2023 at 5:00 p.m.

Moved by: Councilwoman Haffner

Seconded by: Councilman Farris

Mayor Barley called for public comment and there was none.

To set a Budget Workshop for August 8, 2023 at 5:00 p.m.

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

Councilwoman Haffner aye

Councilman Day: aye

Councilman Farris: aye

Councilwoman Brannon aye

Councilman Dickey: aye

Carried.

g. Billing

h. Planning

City Clerk's Note: The Freeport Hotel item was moved from #3 to #1 of the Planning Department agenda section.

Meeting materials including an audio file of the meeting are available upon request by contacting the City Clerk's Office.

1. Freeport Hotel Major Development

City Attorney Adkinson informed those in attendance that this portion of the meeting is a public meeting for the Freeport Hotel Major Development. He informed everyone this was Quasi-Judicial in nature. The time to allow public comment is two minutes per person. He informed everyone that anyone who will be speaking about this item must be sworn in. City Attorney Adkinson swore in staff and audience members requesting to speak.

Senior Planner Graves asked that the report for the Freeport Hotel in the meeting package be entered into evidence, to which Mayor Barley accepted. She made a presentation to the Council.

Freeport Hotel Applicant Attorney Garrett Shipman, of Dunlap and Shipman requested to enter into the record his presentation materials, to which Mayor Barley accepted.

Melissa Ward, American Planning Association certified planner provided testimony alongside a slide presentation for the Freeport Hotel applicant.

David Forstrom, licensed engineer, testified about stormwater system/design and the traffic study.

Amelia Beard, Moorhead Law Firm attorney representing LaGrange Landing Homeowners Association spoke to the Council on their behalf.

Mayor Barley noted an objection Mr. Shipman made to Ms. Beard's presentation to the Council.

Public comment:

Steve Vilder, LaGrange Landing resident, opposes the Freeport Hotel and asked when the land in question was zoned commercial. He commented that he listed his home for sale and since the news of the hotel he cannot find a buyer. City Attorney Adkinson advised if someone has a question, they will make note of it and answer them at the end of public comment.

Thomas Goodson, LaGrange Landing resident, opposes the Freeport Hotel and commented the residential area is incompatible with the hotel.

Jack Weller, LaGrange Landing resident, opposes the Freeport Hotel and believes if it is allowed it would destroy 0.20 acres of wetlands. He expressed concerns about traffic.

Kyle Lazarus, LaFayette Creek Landing resident, expressed concern about the type of people and activities he believes a hotel would bring to the area.

Bethany Walker, LaFayette Creek Landing, is concerned about potential guests at the hotel, child safety, and if she would be able to leave her kids alone at home.

Jann Heatherly, resident, is concerned about the height of the hotel with her grandkids being in the bordering property.

Bruce Merrill, resident, is opposed to the hotel and cites traffic and the Marquis Way Connector as being future issues.

Matthew Patton, LaGrange Landing resident, stated he does not have children but if he did have children, he would not have purchased his home.

Melody Patton, LaGrange Landing resident, believes she cannot foster or adopt children if the home she owns is on commercial property. She asked if she pays commercial or residential taxes.

Shana Ferrell, resident, is concerned about traffic.

Winn Ferrell, resident, asked that the application be denied.

Donovan Lindo, resident, worried that commercial development in this area would start a city environment similar to New York.

Wendy Bilger, resident, asked why the city led people to believe the land was residential when it is commercial and suggested it was concealed from the public.

Kevin Louthain, LaGrange Landing resident/Freeport Planning Board member, just learned his property is zoned commercial, and wants the city to attach conditions to the parcel in question to restrict what is built and more compatible with their homes.

End of public comment.

Planning Director Hughes-Neel answered questions from public comment.

1. When was the property zoned commercial? It has always been zoned commercial according to city historical records.
2. Would there is a difference in buffers if the neighborhoods were rezoned to residential? No, buffers are based on actual use not zoning.
3. If the HOA was to change to residential, would it change the buffers? No.
4. Are the taxes paid on our lots being charged as commercial instead of residential? No. Property assessments are based on actual use and has nothing to do with zoning.
5. Was our neighborhood taken into account when the Freeport Plan was made? The Freeport Land Use Plan predates LaGrange Landing project.
6. Why is the property commercial? It was commercial in 2000, over twenty years ago. The residential project came later as an exception to the commercial zoning.

Councilwoman Haffner asked Planning Director Hughes-Neel about the comment about information being hidden from the residents regarding how the land is zoned. Planning Director Hughes-Neel said this is not the case. She also noted someone commented that the city plans are not on the county website, to which she explained that city plans will never be on the county website, and they are with the City of Freeport.

Mr. Shipman, applicant attorney, concluded with responses to comments made by residents and closing remarks to the Council.

City Attorney Adkinson reminded the Council that they are required to take action on the matter.

Councilman Farris expressed empathy for the residents, but it meets all the requirements, and a decision needs to be made.

Councilwoman Haffner listed safety, traffic, and major encroachment as her concerns.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Mayor Barley called for public comment and there was none.

To deny the Freeport Hotel Major Development Project

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

City Clerk's Note:

RECESS began at 8:29 p.m., RECONVENED at 8:40 p.m.

2. Working Waterfront Projects

Planning Director Hughes-Neel summarized the history of Working Waterfront Projects. The program trains areas to find money for places with small ports. Staff and Liberty Partners have come up with three projects that meet requirements for potential funding. She requested several motions to start the process to reestablish the city port authority and move forward with projects.

Moved by: Councilman Farris

Seconded by: Councilman Dickey

Mayor Barley called for public comment and there was none.

To add the three projects presented to the Capital Improvements Plan

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

Moved by: Councilwoman Haffner

Seconded by: Councilman Farris

Mayor Barley called for public comment and there was none.

To approve staff to work with Liberty Partners to pursue funding for projects

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

Moved by: Councilman Dickey

Seconded by: Councilwoman Brannon

Mayor Barley called for public comment and there was none.

To issue a written request with documentation to the TPO to add the proposed projects to the TPO needs list as port related water freight transit projects

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

Moved by: Councilman Dickey

Seconded by: Councilman Farris

Mayor Barley called for public comment and there was none.

To approve staff reactivating Four Mile Creek Port Authority agreement and pursue an ex officio position for the Port Authority in the Okaloosa Walton TPO

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

Transportation Planning Organization (TPO) Vice Chair, Tony Vallee spoke with the Council about a non-voting member seat the city will have with these actions.

3. Alaqua Business Park Major Development

Senior Planner Graves presented the Council with the project. She recommended approval. City Attorney Adkinson swore in persons wishing to speak.

Scott Jenkins of Jenkins Engineering represented the applicant and presented the Council with project details.

Moved by: Councilman Farris
Seconded by: Councilwoman Brannon

Mayor Barley called for public comment and there was none.

To approve the Alaqua Business Park Major Development as presented.

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

Legal

1. Review of Ordinance 2021-08 related to the purchase and installation of meters larger than 1-inch

City Attorney Adkinson asked the Council for direction regarding Ordinance 2021-08. He reminded the Council of past discussions related to the ordinance.

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Haffner

Mayor Barley called for public comment and there was none.

To authorize the City Attorney to revise ordinance 2021-08 and bring it back to the Council for 1st and 2nd reading.

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

Councilwoman Haffner	aye
Councilman Day:	aye
Councilman Farris:	aye
Councilwoman Brannon	aye
Councilman Dickey:	aye

Carried.

j. Engineering

11. Old Business

12. New Business

a. Mayor Barley

b. Councilwoman Brannon



- c. Councilman Farris
- d. Councilwoman Haffner
- e. Councilman Dickey
- f. Councilman Day

13. Public Comment

Mayor Barley called for public comment.

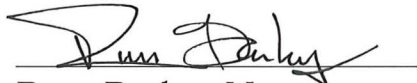
Manny Vitale – thanked the Council for the amazing fireworks show.
Cliff Knauer – thanked the Council for moving forward on the Waterfront projects.

14. Adjournment

With no other business, Mayor Barley motioned to adjourn at 9:04 p.m.

Minutes were prepared by City Clerk Gatewood and approved by the City Council on August 24, 2023.

ATTEST:



Russ Barley, Mayor



Kathie Gatewood, City Clerk

