

Regular Council Meeting  
February 22, 2007

Mayor Marse called to order the regular scheduled meeting of February 22, 2007 at 7:00 pm.

Members Present: Mayor J.M. Marse, Council members Jean Arrant, Mike Helton, Ray Jackson, Earl King and Charlie Simmons. Also present: City Attorney Clayton Adkinson, City Planner Latilda Henninger and City Clerk Robin Haynes.

Councilman Helton gave the invocation and the Pledge of Allegiance was recited.

Councilman Jackson motioned to approve the minutes of the regular council meetings of February 13, 2007, Councilman Helton seconded. There was no public or council discussion, the motion carried 5-0.

Ms. Henninger presented the following planning items:

Notified Council that the agenda item requesting second readings of the Huff small scale amendment and re-zoning ordinances had been withdrawn by the developer. The developer will revise the request and resubmit to the planning board at a later date.

Presented a request from Mr. Terry Habshey and Mr. Jerry Miller, representing Riverwalk, to approve a one year extension for Development Order 2006-11 for Riverwalk Phase I due to some financial restructuring. Mayor Marse informed the council that the utility easement required as a condition of the original development had been received. Councilwoman Arrant motioned to approve the one year extension for Development Order 2006-11 for Riverwalk Phase I, with a new expiration date of March 23, 2008 as requested, Councilman Jackson seconded. There was no public or council discussion, the motion carried 5-0.

Requested approval for Palm Shadow Townhomes Phase I, a 294 multifamily town home project on 44.10 acres located on parcel #'s 10-1S-19-23000-007-0000 and 10-1S-19-23000-007-0020 to include a clubhouse and swimming pool. City engineer approval was issued on February 14, 2007 and Freeport Planning Board approval was issued in October 2006. Mayor Marse expressed concern regarding the possibility of blocking an easement to property owners located at the north side of the development property line. After discussion among council and legal counsel, Councilman King motioned to approve the project as presented with the condition that the development not obstruct the north twenty feet of the project property in any way, Councilman Simmons seconded. There was no additional public or council discussion, the motion carried 5-0.

Requested approval for Courtyard at Freeport, a 98 town home units on 7.25 acres located on parcel #03-1S-19-23000-010-0000. City engineer approval was issued on February 16, 2007 and Freeport Planning Board recommended approval conditional upon a wood privacy fence being erected along the north, south and west side of the project. Application has been made to Florida DOT for an accel/decel lane to be installed on Highway 331. Councilwoman Arrant requested consideration regarding the times of construction being restricted. Councilman Jackson motioned to approve the project as presented subject to a privacy fence being erected along the north, west and south property lines, construction of an accel/decel lane, project conform to area grade to retain its stormwater runoff and hours of construction limited to between the hours of 7:00 am and 7:00 pm, Councilman King seconded. There was no additional public or council discussion, the motion carried 4-0. Councilwoman Arrant abstained herself from voting due to being an adjacent property owner.

Requested first reading and approval to advertise for adoption of a proposed ordinance re-zoning parcel #16-1S-019-23000-003-0000 owned by David Smith changing the zoning category from R-2 (Medium Density Residential) to R-3 (High Density Residential). Freeport Planning Board recommended approval of the request as presented provided the areas currently designated as conservation remained the

same. Attorney Adkinson asked what the change in designation meant in terms of allowable units per acre. Ms. Henninger discussed the differences in R2 vs R3 – basically that R2 designation only allowed 8 units per acre while R3 allowed multifamily uses that could possibly equate to up to 14 units per acre. Councilman Simmons motioned to approve the first reading and to advertise for adoption the proposed ordinance at the second meeting in March, Councilman King seconded. There was no public or council discussion, the motion carried 4-0. Councilman Jackson abstained himself from voting due to being an adjacent property owner. Ms. Henninger performed the first reading of the proposed ordinance.

Requested approval of Caswell Landing, a 38 lot subdivision on 8.04 acres located on parcel #'s 16-1S-19-23000-008-0040/0042/0110. City engineer approval was issued on January 16, 2007. Freeport Planning Board recommended approval as submitted. Councilman Jackson motioned to approve the project subject to the replacement of the palm trees shown on the landscaping plans with hardwoods native to the area, Councilman King seconded. There was no public or council discussion, the motion carried 5-0.

Requested approval of Heritage Alley Townhomes, an 18 unit town home project located on parcel #15-1S-19-23000-004-0021. City engineer approval was issued on January 23, 2007. Freeport Planning Board recommended approval subject to removal of a tree that sits on the property line, a survey completed to settle a possible easement issue, and the garbage dumpster site being revised to allow access. The developer has applied for a Florida DOT permit seeking an accel/decel lane on Highway 20 to access North Jackson Street. Councilman Simmons motioned to approve the project subject to the tree on the property line being removed and a privacy fence being installed, Councilman King seconded. There was no public or council discussion, the motion carried 5-0.

Requested approval of Hammock Bay Pod 11, a 440 lot subdivision on 110+ acres located on parcel #21-1S-19-23000-001-0000. City engineer approval was issued on January 12, 2007. Freeport Planning Board recommended approval subject to a five year maintenance agreement for the planned inverted crown road and a special exception to allow on street parking along the main road within the development. Tonny Peters with Peters Municipal Associates expressed concerns regarding the inverted crown road as planned and requested the additional maintenance agreement. He also pointed out that the project had ample planned parking behind the units as designed wanted council direction as to the request for additional parking on the street. Mr. Jack Rhodes, consultant for Freeport 860, LLC, addressed the council regarding the above mentioned exceptions. After discussion, Councilman King motioned to approve the PDP project as presented with the inverted crown roads subject to the developer entering into a five year maintenance agreement on the stormwater system and road and at the end of the five year period giving the City an option to extend the maintenance agreement and to approve the parking as designed, Councilman Jackson seconded. There was no additional public or council discussion, the motion carried 5-0.

Ms. Henninger updated the council regarding travel trailers being used as long term residences. Some of these trailers have been used longer than the current land development code has been in place. Ms. Henninger requested approval to establish a policy to evaluate each individual travel trailer on a case by case basis as complaints are filed. Council agreed to consider travel trailers being used as residences by the same person occupying it previous to the adoption of the current land development code was adopted as “grandfathered”.

Requested approval to add a school district member as an ex-officio member of the Planning Board. Councilman Simmons motioned to approve a school district representative be allowed to participate as an ex-officio member of the Freeport Planning Board, Councilman Jackson seconded. There was no public or council discussion, the motion carried 5-0.

Attorney Adkinson notified the council that the lease should be completed soon on the baseball fields.

Mr. Peters updated the council on the following projects:

- Ramsey Branch sewer extension – design has been completed, permits applied
- Water tank repainting has been completed
- Water Maintenance building design completed – request a bid date prior to the first meeting in April

There were no agenda items listed under old business.

New Business:

Mayor Marse requested approval to have Four Mile Road re-paved. Mr. Louis Ricci, representing Freeport Seven, addressed Mayor Marse and requested a meeting to discuss assisting with paying for the Four Mile Road re-paving. Councilwoman Arrant motioned to approve accepting the lowest quote for re-paving Four mile Road, Councilman Jackson seconded. There was no public or council discussion, the motion carried 5-0.

Clerk Haynes presented a request from Mr. Lowell Burwell to waive the fees for renting the Community Center for a two week church seminar. Council agreed not to waive the fees.

Councilman Jackson motioned to pay all bills in order, Councilman Helton seconded. There was no public or council discussion, the motion carried 5-0.

Mayor Marse updated the council about the widening of Highway 331 and the current sewer line would be under the pavement when complete. He is getting prices on a road bore to bypass this section and abandon it.

Councilman Simmons raised concerns regarding the responsibilities of monitoring current construction problems on development projects. Tonny Peters stated that the project engineers are the ones responsible to make sure that the project is constructed as designed.

With no other business, Councilman Helton motioned to adjourn at 9:40 p.m.

ATTEST:

APPROVED:

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J.M. Marse, Mayor

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Robin Haynes, City Clerk

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Earl King, President of Council