

City of Freeport
REGULAR COUNCIL MEETING MINUTES
September 25, 2014

I. Meeting Called to Order

The September 25, 2014 Regular Council Meeting was called to order at 7:00 pm by Mayor Russ Barley.

Council Members present: Councilman Eddie Farris, Councilwoman Kasey Cuchens, Councilwoman Janice McLean, Mayor Russ Barley, Councilwoman Elizabeth Brannon and Councilwoman Jennifer Laird.

Staff present: City Attorney Clayton Adkinson, City Planner/Interim City Clerk Latilda Hughes-Neel, Fire Captain Tom Palmer and City Engineer Cliff Knauer.

II. Invocation and Pledge of Allegiance

The Invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

III. Approval of Past Minutes – 8/28/14 RCM, 9/4/14 SCM, 9/9/14 RCM & 9/16/14 SCM

Mayor Barley called for a motion on the meeting minutes of 8/28/14 and 9/4/14

Councilwoman Brannon requested that the following change to the 8/28/14 RCM Minutes be made on Page 4/7: "For Brannon personally, pedestrian safety and water are is a huge concern and priority."

Board Action: Councilwoman Cuchens motion that the minutes of 8/28/14 RCM and the minutes of 9/4/14 SCM be approved with the addition specified by Councilwoman Brannon to page 4/7 of the 8/28 minutes. Councilwoman McLean seconded the motion. All ayes; motion carried.

Mayor Barley called for a motion on the meeting minutes of 9/9/14 and 9/16/14.

Board Action: Councilman Farris motioned to approve the minutes of 9/9/14 and 9/16/14 as presented. Councilwoman Laird seconded the motion. All ayes; motion carried.

IV. Staff Reports

A. Planning Department

1. Notice from DEO/LSA 2014-02 (information only)

Planner Hughes-Neel announced that the Department of Economic Opportunity (DEO) had approved the latest Large Scale Amendment, pertaining to the Design Charrette Standards, the Urban Service Boundary Area and the Working Waterfront Planning Area.

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B. Legal Matters

The following items were presented by City Attorney Clayton Adkinson:

1. Annexation Ordinance – First Reading

Adkinson presented the ordinance for first reading. Planner Hughes-Neel gave a brief overview of the process thus far.

Councilwoman Cuchens recused herself because she owns one of the parcels been considered for annexation.

Board Action: Councilwoman McLean motioned to approve the First Reading of the draft Annexation Ordinance and advertise for adoption. Councilman Farris seconded the motion. The vote was 3:1, with Councilwoman Brannon voting nay and Councilwoman Cuchens recused. Motion carried. (Form 8B attached).

2. Legal Description of City Boundary Rewritten

Adkinson stated to the Council that the City needs to redraw its boundaries into one unified legal description. Preble-Rish should be approached about what it would take to redraw the boundary using their surveying branch of their services when the Annexation Initiative is complete.

3. Ferrell Tap/Impact Fee Matter

Adkinson provided a legal opinion to the Council that Diane Ferrell had not paid sewer/water tap/impact fees; therefore she is not entitled to the refund she is requesting (legal opinion attached).

C. Fire Department Report - none

D. Parks Department Report - none

E. Engineering Report

Cliff Knauer discussed the engineering updates provided by Anna Hudson, who was unable to attend on behalf of Preble-Rish for this meeting: Items discussed:

1. Freeport Consumptive Use – 5-Year Compliance Report
2. Water & Sewer Model
3. Business 331 Sewer Upgrades
4. Freeport Legislative Appropriation Water Projects
5. NFWFMD Grant Initiative

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6. Additional Tasks

- a. Two SCOP application packages to FDOT: Resurfacing Bus. 331 & new roadway to extend N Nick Wilson Way to the 331 Bypass.
- b. Working with Planning Dept. on site visits and impact fees calculations
- c. Working with Sewer Dept. on current sewer issues/lift station problems

Knauer discussed the two (2) projects had been sent to NFWFMD.

V. Old Business

Mayor Barley informed the Council that neither the #1 candidate for City Clerk (from Wisconsin) nor the #2 candidate for City Clerk (from California) accepted the job offer. They each had extenuating circumstances which prevented them from relocating.

The Council discussed re-advertising, and including Florida Assn. of Counties in addition to the Florida Assn of City Clerks and the Florida League of Cities and area newspapers.

Board Action: Councilwoman Cuchens motioned to re-advertise the City Clerk position for two weeks as discussed above. Councilwoman Laird seconded the motion. All ayes; motion carried.

The Council discussed the Hiring Process for the City Clerk. Councilwoman Cuchens commented that she was not in office when the City Clerk qualifications were determined and she would like the opportunity to review the job description.

Action by Mayor: Mayor Barley set a Special Council Meeting for Thursday October 2, 2014 at 6:30 pm for:

- 1) Selection Process
- 2) City Clerk Job Description

VI. New Business

Mayor Barley announced that Fire Chief Chad Harrell had resigned effective September 25, 2014 (letter of resignation attached).

Board Action: Councilwoman Cuchens motioned to accept Harrell's resignation. Councilwoman Brannon seconded the motion. All ayes; motion carried.

A. Mayor Barley/Palm Tree Ordinance

Mayor Barley led a discussion of Resolution 2007-04, informally known as the "Palm Tree Ordinance". The Council generally determined that landscaping plans and revised landscaping plans are reviewed/approved by the Council and that the "Palm Tree Ordinance" is unnecessary. The Council discussed and agreed that protected tree

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mitigation should NOT be made with palm trees.

Board Action: Councilwoman McLean motioned to rescind Resolution 2007-04/Palm Tree Prohibition. Councilman Farris seconded the motion. The vote was 4:1 with Councilwoman Brannon voting nay. Motion carried.

B. Councilwoman Cuchens/Billing Department Fees

Councilwoman Cuchens presented ideas for additional fees for same day business (\$25), tampering fee (\$25) and processing (\$35) for turning on service after turn-off list has left the office.

The Council discussed the need to compare fees to other utilities. Attorney Adkinson advised that the current fee resolution would have to be amended.

Board Action: none

C. Councilwoman Cuchens/FDOT Contract with City for 331 Maintenance

Councilwoman Cuchens discussed the 331 Maintenance Contract with FDOT. Water Supervisor Larry Tuggle found someone to subcontract the work and is getting caught up.

Board Action: none

D. Councilwoman McLean/County Counter-Proposal on Fire Department

The county staff level counterproposal was made available to the Council from Attorney Adkinson. The County did not accept their staff counterproposal. Adkinson suggested that Councilman Farris be the City person to negotiate with the County because he is the Council member over the Fire Dept. and to meet with the County at the first of the week. Adkinson suggested that the Fire Dept. Proposal be added to the Special Meeting agenda to discuss, or it can be pulled if no resolution is made.

Planner Hughes-Neel was instructed to add the Fire Dept. Proposal to the October 2, 2014 Special Meeting Agenda:

Special Council Meeting for Thursday October 2, 2014 at 6:30 pm for:

- 1) Selection Process
- 2) City Clerk Job Description
- 3) Fire Dept. Proposal

Board Action: Councilwoman Brannon motioned for Attorney Adkinson and

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Councilman Farris to represent the City in the proposed meeting with the County Commission regarding the Fire Dept. Proposal. Councilwoman Laird seconded the motion. All ayes; motion carried.

E. Councilwoman Brannon/ Legislative Updates

Councilwoman Brannon distributed a packet of League of Cities information from the Jay meeting on September 18th. Per Councilwoman Brannon the meeting was very productive. The League was able to set their priorities; establish advocacy training guidelines; they reviewed their Strategic Plan; discussed scholarships for attending elected municipal officials.

Councilwoman Brannon discussed the meeting of the Energy/Environmental/Natural Resources Committee, which was held in Orlando on September 11-12. Jeff Prater, the Director of the FDEP/Central District spoke to the Committee. The two top priorities out of the Committee are 1) water quality/creating sustainable state-wide policies for conservation/restoration of our waters; bays, rivers, estuaries, tributaries, i.e. our watershed and 2) support for low-interest loans/grants for sewer expansion projects to protect our environmentally sensitive areas. These are the two top priorities for the State of Florida, which ties in to the NWFLC priorities which will give the NWFLC really good support at the State level when meeting on different legislative bills over in Tallahassee, especially Amendment 1 which the League of Cities is supporting.

Councilwoman Brannon discussed the new advocacy training soon to be available for municipal officials. The training is being conducted by the Florida Institute of Government.

Councilwoman Brannon notified the Council that the next NWFLC meeting is December 4th in DeFuniak Springs with the annual Christmas Dinner afterwards.

Councilwoman Brannon reminded the Council that the Legislative Committee will meet October 11-12 and the Legislative Conference will be set for November.

F. Planner Hughes-Neel/Request to purchase office equipment

Hughes-Neel informed the Council that she had been working with Fiscal Clerk Floyd McKenzie and Chief Billing Clerk Jennifer Douglas to assess the City Hall equipment needs.

Hughes-Neel made the Council aware of 2013-2014 Administration Budget monies which were still available and a list of needed equipment for Administration at City Hall:

Administration Accounts available to purchase needed equipment:

Vehicle & Equipment Maintenance \$6200

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Administrative Expense	\$10,000
Office Supplies	\$8100
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TOTAL	\$24,300

Equipment Needed for City Hall:

Power Point Projector	\$300
Computer System/Planning	\$1900
Security Doors	\$6600
Safe/Billing Office	\$1800
6 Fireproof File Cabinets	\$7200
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TOTAL	\$17,800

Hughes-Neel stated that the prices given were the maximum; staff intends to research state contract equipment items and buy at a reduced rate wherever possible.

Board Action: Councilman Farris motioned to approve purchase of the equipment as outlined above. Councilwoman McLean seconded the motion. All ayes; motion carried.

G. Fire Department Employees

The Fire Dept. appeared before the Council as a group. Lieutenant Terry L. Raffield spoke on behalf of the group and spoke to the following items:

- The Fire Dept. wants to stay in the City. The Fire Dept. provides and participates in many community service and improvement projects, including education and fire prevention.
- The Fire Dept. has strong ties to the City. Most of the firefighters live in or very near the City. The people they serve are also their families and neighbors.
- ISO rating: The City's rating is 5, which is good. The county's rating is 9-10, which is not as good as the City's. The current rating will not same at the same level if the change is made.
- The current pay-scale is not as good as the county or neighboring communities, but the Fire Dept. personnel are willing to accept the current rate of pay to be able to stay part of the City; their home community.
- The Fire Dept. feels professionally and personally accountable to their families, friends and neighbors; to provide the best fire protection services they can.
- The City's revenue is better this year than the year before and with the anticipated growth, should be even better in the future, making it easier for the Council to

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balance the budget and keep the City's departments intact.

Councilman Farris told the Fire Dept. he appreciated them coming before the Council and giving their views on the Fire Dept. proposal.

VII. Council Business Not on Agenda

Councilwoman McLean presented a letter of thanks from a city sewer customer (copy attached) praising the work of Robert Fawcett and Addison Parker.

Councilwoman Cuchens asked the Council to specifically review the qualifications listed in the current City Clerk job description at the October 2, 2014 Special Council Meeting.

Special Council Meeting for Thursday October 2, 2014 at 6:30 pm for:

- 1) Selection Process
- 2) City Clerk Job Description
- 3) Fire Dept. Proposal

Councilwoman McLean requested that the City's Personnel Policies be added as an agenda item for the October 2, 2014 Special Council Meeting.

Special Council Meeting for Thursday October 2, 2014 at 6:30 pm for:

- 1) Selection Process
- 2) City Clerk Job Description
- 3) Personnel Policies
- 4) Fire Dept. Proposal

Mayor Barley stated that Bayfest was a success and he thanked everyone who assisted and volunteered.

VIII. Public Comment - none

IX. Adjournment

Mayor Barley called for a motion to adjourn

Board Action: Councilwoman McLean motioned to adjourn.

The meeting adjourned at 8:35 pm.

APPROVED

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Mayor

Council President

ATTEST:

City Clerk

APPROVED