



City of Freeport
REGULAR COUNCIL MEETING
6:30 p.m./Council Chambers/Freeport City Hall
April 26, 2018 Agenda

I. Meeting Opened

The April 26, 2018 Regular Council Meeting was called to order at 6:30 p.m. by Mayor Russ Barley. The meeting was held in City Council Chambers of Freeport City Hall.

Council Members present: Mayor Russ Barley, Councilwoman Elizabeth Brannon, Councilwoman Kasey Cuchens, Councilman Eddie Farris, Councilwoman Amanda Green, and Councilman William “Boots” McCormick

Staff present: City Clerk Rebecca Podraza, City Attorney Clay Adkinson, Finance Officer Sara Bowers, Water Office Assistant Stacy Ward, Billing Supervisor Jennifer Douglas, Sewer Supervisor Robert Fawcett, Parks Director Charles Simmons, Planning Director Latilda Hughes-Neel, Planning Technician Elizabeth McCombs, City Engineer Cliff Knauer, and City Engineer William Menadier.

II. Invocation and Pledge of Allegiance

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

III. Recognition of Guests: None

IV. Public Comment on Consent Agenda: None

V. Approval of Consent Agenda

1. Bills Paid
2. Revenue & Expenditures for March
3. April 10, 2018 Regular Council Meeting Minutes
4. April 10, 2018 Workshop – Forensic Audit Presentations

Council Action: Councilwoman Cuchens made a motion to approve the Consent Agenda as presented. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

VI. Consideration of Additions/Deletions to Agenda

Additions

- Finance - Sewer Financing Agreement
- Legal - Authorize Legal Staff to Draft Ordinance to Change Fee Structure

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- Old Business – Planning & Development Review Board Code of Conduct
- Planning – Request Workshop
- Engineering – SRF Bay Area
- Engineering – Reuse System/Sewer Plant
- Parks – Fences

~~Deletions:~~ None

VII. Approval of Agenda with Additions/~~Deletions~~

Council Action: Councilwoman Brannon made a motion to approve the Agenda with specified Additions and ~~Deletions~~ as presented. Councilman Farris seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

VIII. Public Request for Placement on City Agenda

1. Relay Day May 5, 2018 Proclamation
 - Leigh Wilson approached the podium and requested approval for the Relay of Life Proclamation proclaiming the month of May as “Paint the Town Purple Days”.

Council Action: Councilwoman Cuchens made a motion to approve the Relay for Life, American Cancer Society Proclamation, naming the month of May “Paint the Town Purple Days.” Councilman Farris seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

IX. Public Request for Placement on City Agenda

1. Margaret Jean & Nathan Everett
 - Nathan and Margaret Jean Everett requested a resolution to the problem they are having with high bills. The Mayor will work with them on solving the issue. No Council action was taken.

X. Staff Reports

A. City Clerk Matters: None

B. Finance Department

1. Forensic Audit
 - Finance Officer Sara Bowers presented the ranking of the top three firms for the Forensic

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Audit RFP. Marcum, LLP was ranked as the number one Firm.

Council Action: Councilwoman Brannon made a motion to enter negotiations with Marcum, LLP for scope of work and prices associated with the scope of work for a forensic audit. Councilman McCormick seconded the motion. Council discussion ensued.

Councilwoman Cuchens asked if the Council is still requesting the full forensic audit. There was discussion during the interviews that a full forensic audit was not necessarily the route the City would need to go.

Councilwoman Green stated that she spoke to a couple of the firms and they advised that the City could negotiate a starting point with them and then re-negotiate if needed. The scope can be narrowed.

Councilwoman Cuchens asked Councilwoman Brannon if the motion is for a forensic audit.

Councilwoman Brannon responded that her motion is to move forward with the forensic audit. She feels the scope can be defined more clearly and may be narrowed when the City goes into negotiation.

Councilwoman Cuchens feels it would be hard to vote and move forward on something that she cannot agree with right now. If the Council would reduce the level of the audit from forensic and negotiate the scope to look more at procedures that need improvement, then Councilwoman Cuchens could be open to voting on the audit.

Councilman McCormick advised the Council that his second to the motion was based on moving to the next phase of negotiations with the Firm. This would include what the City wants to look at and how to move forward.

Councilwoman Brannon advised that her motion is to move forward with the forensic audit and to define the scope and set the price.

Mayor Barley called for Public Comment.

Mr. Mark Trailer approached the podium and asked the Council questions regarding the audit.

Robert Mims approached the podium and addressed the Council and asked questions regarding the
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audit.

Four ayes, (Brannon, Farris, Green, McCormick); one nay, (Cuchens); motion carried.

- Finance Officer Bowers requested Council approval for a Special Meeting May 8, 2018 at 3:00 pm.

Council Action: Councilwoman Brannon made a motion for the Finance Officer to try and schedule a Special Council Meeting for May 8, 2018 at 3:00 PM, to meet with Marcum, LLP and negotiate the Forensic Audit contract. Councilwoman Green seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

2. Sewer Financing Agreement

- Finance Officer Bowers requested Council approval to discontinue Sewer Financing agreements, as discussed at the Tuesday, April 24th Workshop. City Attorney Adkinson will draft a Resolution to memorialize the discontinuation of financing sewer installation.

Council Action: Councilwoman Brannon made a motion to discontinue the Sewer Financing Agreements for sewer installation, except for those included in the Brandon Oaks agreement with the County. Councilwoman Cuchens seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

C. Planning & Zoning Dept.

1. Workshop Request

- City Planner Latilda Hughes-Neel advised the Council that representatives from the State Revolving Fund Program will be available from 1:00 pm to 3:00 pm, Tuesday, May 8, 2018.

Council Action: Councilwoman Cuchens made a motion to approve a Council Workshop regarding the SRF Program, from 1:00 pm to 3:00 pm on Tuesday, May 8, 2018. Councilwoman Green seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

2. Comprehensive Plan Amendment - Storm water

- City Planner Hughes-Neel presented the Land Development Code Amendment and the updates to the Stormwater Management Requirement, Performance Standards.

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Council Action: Councilwoman Cuchens made a motion to approve advertising and first reading, of the Comprehensive Plan Amendment of Stormwater Ordinance. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

Council Action: Councilwoman Cuchens made a motion to approve authorization of the submittal of the proposed Comprehensive Plan Amendment, to the Department of Economic Opportunity. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

Council Action: Councilman McCormick made a motion to approve authorization, to set 2nd reading for adoption of the Comprehensive Plan Amendment for Stormwater Ordinance, after authorization from the Department of Economic Opportunity. Councilwoman Cuchens seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

2. City Planner Hughes Neel presented the Land Development Code Amendment. The following amendments to the code were reviewed.
- o stormwater
 - o landscaping
 - o parking
 - o definitions

Council discussion ensued to allow placing three or more residential units on any parcel of record under the Development Activity section 5.04.05 A.

Council Action: Councilwoman Brannon made a motion to approve 1st reading and advertisement of the Land Development Code Amendment, with the addition of the language regarding family compound and family inheritance policy safeguards. Councilman McCormick seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

D. Parks Department

1. Walton County Sheriff's Office Work Crew Contract
- Parks Director Simmons presented the Walton County Sheriff's Office Work Crew Contract. Invoices from the Sheriff's Office will be paid monthly.

Council Action: Councilwoman Brannon made a motion to approve the Walton County Sheriff's Office Work Crew Contract as presented. Councilman Farris seconded the motion. All ayes,

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(Brannon, Cuchens, Farris, Green, McCormick); motion carried.

- Parks Director Simmons advised that the Sheriff's Work Crew worked the Month of April. As agreed upon by the City Council and the Sheriff's Office, the Work Crew would work during the negotiation of the Agreement. Councilwoman Cuchens requested that the Council pay the Sheriff's Office for the month of April.

Council Action: Councilwoman Cuchens made a motion to request an invoice and approve payment to the Sheriff's Office, for the Work Crew during the Month of April. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

2. Fences

- Parks Director Simmons presented two quotes for fencing to be installed at Casey Park. The new fencing will match the white vinyl fencing around the Veterans Memorial. The work includes removing the old fencing.

Council Action: Councilwoman Brannon made a motion to approve tear out of existing chain link fencing and installation of white vinyl 2 rail ranch fencing at Casey Park, for a total amount not to exceed \$4,270.00. Councilman Farris seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

- Parks Director Simmons updated the Council on the following:
 - City Pool
 - Pressure Washing of Walk Over to Blueberry
 - Tennis & Basketball Court Resurfacing
 - Scheduled Saturday Baseball Games
 - No Dogs Allowed signs at Sports Complex

E. Legal Matters

1. City Canvassing Board & Election Day Poll Workers Approval

Council Action: Councilman Farris made a motion to approve the designation of the City Clerk as the Manager and Clerk of the 2018 City Election, to be assisted by up to 6 members of the Supervisor of Elections Staff as Deputy Managers and Clerks, as well as the Supervisor of Elections. Councilman McCormick seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

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- City Attorney Adkinson advised the Council that he has verified with the Supervisor of Elections that the City Council is the Canvassing Board.
- 2. City Code of Ordinances: Chapter 4 – Animal Control
 - City Attorney Adkinson advised the Council that the City does not need to repeal and replace the current code. The recommendation is to shore up the current interlocal agreement with the County. The current City Animal Control Ordinance would still govern. Legal does not recommend repealing or replacing Chapter 4 from the current City Code.
- 3. Legal Updates
 - Grinder Pump Ordinance
The draft Ordinance addressing the discontinuation of selling Sewer Grinder Pumps and provisions for the Sewer Maintenance Agreement, will be presented at the next Regular Council Meeting May 8, 2018.
- 4. Authorize Legal Staff to Draft Ordinance to Change Fee Structure
 - City Attorney Adkinson requested approval from the Council, to direct Legal Staff to begin drafting an Ordinance, related to Capacity Fees and to Sunset and repeal the current Impact Fees.

Council Action: Councilwoman Green made a motion to approve the City Attorney to begin drafting an Ordinance related to the Capacity Fees and to Sunset and repeal the current Impact Fees. Councilwoman Cuchens seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

F. Engineering

1. Joyce Lane Sewer Extension Project
 - City Engineer Cliff Knauer addressed the Council on the Joyce Lane Sewer Extension Project. There is approximately eight (8) houses in the area. A proposal was previously presented to the Council for approximately \$3,500.00. This would include the survey, design and permitting. Council discussion ensued.
 - Staff was directed to send letters to the residents in the area to determine an interest before a decision is made.
2. SRF Bay Area

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- City Engineer Cliff Knauer presented information from SRF representatives, regarding questions from the Council at the April 24th Special Meeting. The following topics were discussed:
 - The completed Planning Study may be used indefinitely
 - Financing rates for the SRF loans
 - There are no penalties if the City's conditions change after approval
 - Information was provided about the SRF Clean Water Program
 - Engineer Knauer stated that if the Council would like to include the Bay Area in the SRF application, a decision will need to be made by the May 8th Meeting. This would be sufficient time for Staff to prepare the submittal by the deadline.
3. Reuse System/Sewer Plant
- Engineer Knauer discussed the issues that Engineering, and Staff have been working to resolve over the past several months. Council has made it abundantly clear that they would like the reuse system working.
 - When the plant was designed by Peters Engineering, the requirements from the original process design engineer, which was Lakeside, should have been incorporated into those plans; however, a few things were missed.
 - Part of the issue can be fixed by moving two sewage intake pipes to the other side of the plant. A higher RPM is needed on the rotors as well. This can be fixed by changing the size of some of the pullies. Worst-case scenario, the pumps would have to be replaced with larger RPM pumps.
 - Engineering believes that they are about 6 weeks away from opening the reuse system. Lakeside has provided all the assistance and recommendations so far for free.
 - Councilwoman Cuchens asked if the Council should approve Lakeside to be contracted as a consultant.
 - Sewer Supervisor Robert Fawcett is also working with Mr. Ron Trygar, from the TREEO center. He may also be willing to assist with the reuse system.
 - Staff will look into consulting agreements with these two sources.
- G. Water Dept.
1. Water Supervisor Tuggle is on vacation. He asked Mayor Barley to announce that Josh McKay has passed the state exam and is now a Drinking Water Distribution Operator. Mayor Barley congratulated Josh for his accomplishment.

H. Sewer Dept.: None

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XI. Old Business

1. Planning & Development Review Board Code of Conduct

- Planning Board Chairman Gary Adams approached the podium and presented the Code of Conduct approved by the PDRB as well as LDC 2.03.03 Citizen Boards. The Code of Conduct is a simple reminder of how the Board is going to conduct their business. Mr. Adams asked the Council to please support the PDRB by accepting the Code of Conduct that was unanimously approved by the PDRB.
- City Planner Hughes-Neel provided a copy of the Oath as well as LDC material that Mr. Adams referenced to the Council. Council discussion ensued.

Council Action: Councilman McCormick made a motion to accept the Code of Conduct. Councilman Farris seconded the motion. One yea, (McCormick); four nays, (Cuchens, Brannon, Farris, Green); motion failed.

XII. New Business

A. Mayor Russ Barley

- Mayor Barley has had several complaints about the Fountain. He has met with the Town Planters who have agreed to help. With their help as well as the help of the City Parks Director Charlie Simmons, they are working on it. It will look totally different in about two weeks and the Mayor wanted to make everyone aware of it. It is getting a complete overhaul.

B. Councilwoman Brannon: None

C. Councilwoman Cuchens

1. LAGRANGE PARK

- Councilwoman Cuchens briefed the Council on the history of the LAGRANGE PARK Parcel of Land. At one time the City owned the parcel of land which was donated to Freeport through the Department of Interior in the 1960's. The City could not afford to complete the construction of the Park, which was required by the Dept of Interior. The Dept. took the land back.
- In 2015 the process to reapply was started to try and secure the land again. Engineering drew up a preliminary design for the park. According to previous minutes, an application acquisition was done, and an environmental assessment was going to be completed for an approved amount of \$2,500.00. Councilwoman Cuchens asked the Council if they are

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interested in appointing someone to move forward on the project.

- Engineer Knauer advised that he has the information on the project from 2015 and explained that it is six (6) acres of waterfront property. The application was never submitted. Knauer agreed to donate their time for the project. This would be a great opportunity for the City.

Council Action: Councilwoman Cuchens made a motion to approve Mayor Barley and City Engineer Cliff Knauer to submit the application and pursue the acquisition of the Lagrange Park Property, from the Department of Interior. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

- D. Councilman Farris: None
- E. Councilwoman Green: None
- F. Councilman McCormick: None

XIII. Public Comment

- Mr. Adams approached the podium to request information regarding policy that may be in place which prohibits Staff answering questions from the public. Attorney Clay Adkinson advised Mr. Adams that the City does not have a policy and that it would be up to the Direct Supervisor of the employee. All request for records would be directed to the City Clerk per statute 119. Statute 119 does not legally require employees to answer questions from the public. Questions are best directed through City Hall.

XIV. Adjournment

Mayor Barley adjourned the meeting at 9:00 p.m.

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FREEPORT CITY COUNCIL


Mayor

ATTEST


City Clerk

APPROVED

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