



**City of Freeport**  
**REGULAR COUNCIL MEETING**  
9:00 a.m./Council Chambers/Freeport City Hall  
May 10, 2016 Minutes

**I. Meeting Opened**

The May 10, 2016 Regular Council Meeting was called to order at 9:00 a.m. by Mayor Russ Barley. The meeting was held in City Council Chambers of Freeport City Hall.

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 Clerk Rebecca Podraza, City Planner Latilda Hughes-Neel, City Attorney Clay Adkinson, Parks Director Dana Weiler, City Accountant Deborah Wimer-Zills, Administrative Supervisor Jennifer Douglas and City Engineer Anna Hudson.

**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:**

- Mr. Jim Smith of the Strategy Group

**IV. Approval of Past Minutes**

- April 28, 2016 Regular Council Meeting Minutes

*Council Action: Councilman Farris made a motion to approve the April 28<sup>th</sup>, 2016 Regular Council Meeting minutes as presented. Councilwoman McLean seconded the motion. All ayes; motion carried.*

**V. Consideration of Additions/Deletions to Agenda**

- Item #2 under City Clerk – Agent of Record Letters for Brown & Brown PRIA
- Under City Clerk – Mission Statement
- Interlocal Agreement with County for Road Maintenance

**VI. Approval of Agenda with Additions/Deletions**

*Council Action: Councilwoman McLean made a motion to approve the agenda with specified additions and deletions. Councilwoman Cuchens seconded the motion. All ayes; motion carried.*

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In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office at 850-835-2822 by 5:00 p.m. on the day prior to the meeting.

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Florida Statutes).



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**VII. Presentation by Mr. Jim Smith of the Strategy Group**

- Mayor Barley introduced Mr. Jim Smith with the Strategy Group. Mr. Smith presented the lobbying services that they provide and how they would benefit the city. He introduced Mr. Jerry McDaniel and Monty Stevens who also provided information about themselves and the lobbying services that the Strategy Group provides.

**VIII. Staff Reports**

**A. City Clerk Matters**

1. **No Wake Zone signs on Four Mile Creek**
  - An Agenda Request was submitted by a member of the Community in regards to having a no wake zone on Four Mile Creek.

City Engineer Anna Hudson approached the podium and gave the Council and those in attendance the history of the application that had been submitted for a No Wake Zone on Four Mile Creek in the past and why it was denied.

Councilwoman Cuchens referred to past minutes of county meetings regarding the No Wake Zone and reported that the last action that was taken was in 2012. At that time it stopped at the County Level.

City Engineer Hudson explained that the City adopted Ordinance 2010-07 in order to fulfill the requirements of the application process; however, Four Mile Creek did not meet the requirements to become a No Wake Zone and that is why the process did not continue any further.

Direction was given by the City Attorney and Council to have City Engineer Hudson investigate reapplying for the No Wake Zone and report back to the Council.

2. ~~Agent of Record Letters for Brown & Brown, Public Risk Agency (PRIA)~~
3. Mission Statement
  - Clerk Podraza addressed the Council in regards to the Mission Statement that was part of the Strategic Plan. The Strategic Plan had been tabled at the last Regular Council Meeting held on April 28, 2016.

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Council discussed the Strategic Plan and requested that Clerk Podraza collaborate with Council members and provide all changes, additions or recommendations they may have and present it at the June 9<sup>th</sup> meeting.

4. Interlocal Agreement with County for Road Maintenance

*Council Action: Councilman Farris made a motion to instruct City Staff to coordinate with Walton County to update the Interlocal Road Agreement and to present it to both the City and the County for approval. Councilwoman Laird seconded the motion. All ayes; motion carried.*

B. Staff Accountant

1. Current Expenditures
2. Pay all bills in order

*Council Action: Councilwoman McLean made a motion to pay all bills in order. Councilwoman Cuchens seconded the motion. All ayes; motion carried.*

C. Planning & Zoning Dept.

1. Planning Updates
  - City Planner Latilda Hughes-Neel presented the Planning Updates report.
2. 331 N WWTP Site Updates
  - City Planner Latilda Hughes-Neel presented the status of the 331 N WWTP Site Updates

D. Legal Matters

1. Letter to Alabama Engineers (Charles Peters) requesting all of the City of Freeport records
  - It was reported by City Attorney Clay Adkinson that a response has not yet been received in regards to the City of Freeport records being returned.

The next step will be to determine exactly who any successor entities may have been and attempt to recover the records from them. If they fail to provide documentation then the City Attorney's office will decide if a civil suit will need to be pursued.

2. Information on the \$1m lawsuit

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- Larry Hipsh/Black Creek requested a remittance of moneys that were paid for fees associated with the development.

City Attorney Adkinson explained that at least four separate entities own part or all of the parcels to which Mr. Hipsh client believes he has an interest in the associated fees. The City's position is that tap fees and associated impact fees run with the land. The City Attorney's office believes the statute of Limitations has run out and they do not feel that a settlement should be made at this time.

3. Annexation Ordinance Adoption
  - Attorney Adkinson requested the Council make a motion to adopt the Annexation Ordinance 2016-05 of eighteen parcels and proceed with the second reading.

*Council Action: Councilman Farris made a motion to adopt the Annexation Ordinance 2016-05 and proceed with the second reading. Councilwoman Cuchens announced at this time of her recuse from the vote for the proposed Annexation Ordinance and verified that the proper CE Form 8B – EFF has been submitted. Councilwoman McLean seconded the motion. All ayes; motion carried.*

4. Personnel Policies & Procedures Manual
  - City Attorney Adkinson advised that the manual has been reviewed by the City Attorney's Office and may be distributed to Council for review. Clerk Podraza will distribute the Manual to the Council for review before the May 26<sup>th</sup> Regular Council Meeting.
5. 501c3
  - City Attorney Adkinson reported on the procedures that would be required of the City to become a 501c3. It is the recommendation of the City Attorney that the City not incur the expense of applying for the 501c3 at this time but to look for other 501c3 options that the City might partner with.

E. Engineering

1. Engineering Updates
  - City Engineer Anna Hudson presented the Engineering Updates Report.

F. Water Dept.: None

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G. Sewer Dept.

- Councilwoman McLean reported that the Sewer Department purchased the Mini Excavator approved by Council at the April 28<sup>th</sup> Regular Council Meeting and it has been delivered.

H. Parks Dept.

1. ~~Recognition of Nick Hughes~~
2. Parks Director Weiler presented the Council with updates regarding the Freeport City Pool.
  - The first inspection will be May 11, 2016.
  - Trex Decking is being installed.
  - New pump will be installed when received.
3. Parks Director Weiler presented the Council with City Program Updates
  - Spring Soccer closing Sat. May 14<sup>th</sup>.
  - Kayaking/Canoe Certification Course will begin next week.
  - Archery starting in late June.
  - Tennis Clinics will be held through the summer.
  - Pool programming will be held through the summer.
  - Council requested that a quote for the score boards be provided when the hectic schedule of opening the pool has subsided. Parks Director Weiler ensured that it will be taken care of.

**Old Business:** None

**IX. New Business**

A. Mayor Russ Barley: None

B. Councilwoman Brannon: None

C. Councilwoman Cuchens

1. Waste Pro letter
  - Council discussed the Position of Owner/Operator letter sent from Waste Pro Freeport LLC, to the City in regards to the Freeport C&D Disposal Facility. Councilwoman Cuchens recommends that the City collaborate with the City Attorney to draft an acknowledgment letter from the Mayor.

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*Council Action: Councilwoman Cuchens made a motion for the City Attorney to assist the City in drafting a letter to Waste Pro Freeport LLC, from the Mayor, in response to the letter dated April 29, 2016. Councilwoman McLean seconded the motion. 3 ayes (Cuchens/McLean/Laird); two nays (Brannon/Farris); motion carried.*

2. Review of agenda before it is finalized
  - Council discussed how the agenda is processed for Council Meetings. It was suggested that before items are immediately placed on the agenda, that the City Clerk may possibly offer help from City Staff. This may minimize lengthy meetings and unnecessary discussions that action is not needed on. City Attorney Adkinson advised that the approval of Additions/Deletions at the beginning of each meeting is currently the procedure the City has in place. City Attorney Adkinson advised that additions and deletions for the agenda cannot be done without the consent of the Council as a whole.
3. Update on DEO conference
  - Councilwoman Cuchens reported to the Council on the DEO Conference she attended regarding the Competitive Florida Partnership Grant that the City will apply for next year. Councilwoman Cuchens thanked everyone for allowing her to attend and it is her hope that the Council will see results coming back to the City.

D. Councilman Farris

1. Discussion about the Presentation by Mr. Jim Smith of the Strategy Group
  - Councilman Farris asked that Council please review the packet provided by the Strategy Group to possibly revisit during the budget process.
2. Department Head attendance at Regular Council Meetings
  - Council has requested that the City Clerk send an email to all Department Heads reminding them that meeting attendance is mandatory.

E. Councilwoman Laird: None

F. Councilwoman McLean

1. Fire Assessment
  - Council discussed the Fire Assessment tax as well as public comments from the community were heard.

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*Council Action: Councilman Farris made a motion to run a separate newspaper ad announcing to the public that the Fire Assessment Fees will be discussed and action will be taken at the May 26<sup>th</sup> Regular Council Meeting at 6:00 pm. Councilwoman McLean seconded the motion. Four ayes; one nay; motion carried.*

2. Rate Study Suggestion
  - Councilwoman McLean presented a copy of a suggestion for a rate increase that she prepared for the Council to review.
  - City Engineer Anna Hudson has agreed to meet with Mr. Mearns to review the rates and present at the next meeting May 26<sup>th</sup>.
  - Councilwoman McLean volunteered to assist with this process.

**X. Public Comment**

- Becky Sumner approached the podium and addressed Council in regards to the streets of Hammock Bay. Becky would like for the Council to address the need for striping along Great Hammock Bend and readjust the speed limit signs within the interior streets as well.
- Jay Odum approached the podium and informed the Council and those present that reflectors have been purchased and will be installed along Great Hammock Bend.

**XI. Adjournment**

Mayor Russ Barley called for a motion to adjourn. Councilwoman McLean motioned to adjourn. The Mayor gavelled and the meeting adjourned at 11:03 a.m.

FREEPORT CITY COUNCIL

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
City Clerk

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