



CITY OF FREEPORT
REGULAR COUNCIL MEETING MINUTES

February 23, 2023, 6:30 p.m.
Council Chambers, Freeport City Hall

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

Staff Members Present: City Attorney Clay Adkinson, City Manager Mark Martin, City Clerk Kathie Gatewood, Finance Officer Sara Bowers, Planning Director Latilda Hughes-Neel, Parks Director Travis Digges, Wastewater Supervisor Paul Johnson, City Engineer Alex Rouchaleau, and Billing Supervisor Rebecca King, and Human Resources Generalist Chris Quinley

1. Meeting called to order

The meeting was called to order at 6:31 p.m. by Mayor Barley in the Council Chambers of Freeport City Hall.

2. Invocation and Pledge of Allegiance

The invocation was given by Councilwoman Haffner, followed by the Pledge of Allegiance to the American Flag.

3. Recognition of Guests

4. Consent Agenda

- a. Bills
- b. Regular Council Meeting Minutes – February 14, 2023
- c. Budget Amendment #2
- d. Quail Run Capacity Fees
- e. Revenue & Expenditure Report Through January 2023

5. Public Comment on Consent Agenda

Mayor Barley called for public comment and there was none.

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6. Approval of Consent Agenda

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

To approve the consent agenda as presented.

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

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

Carried.

7. Consideration of Additions/Deletions/Changes to Agenda

1. Planning Addition – Update on Lift Station Requirements
2. Planning Addition – Plat Dedication Statement
3. Planning Addition – Florida Boating Improvement Grant
4. City Manager Addition – Deferred Compensation Plan

8. Approval of Agenda with Additions

Moved by: Councilwoman Brannon

Seconded by: Councilwoman Haffner

To approve the consent agenda additions as presented.

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

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

Carried.

9. Staff Reports

- a. Water
- b. Sewer
- c. Parks

1. Regional Sports Complex Speed Bump/Crosswalk Discussion

Parks Director Digges summarized the history of the speed bump and crosswalk in the Regional Sports Complex for the Council. He said the fire department was called to the park last week for an incident and the fire truck was unable to drive over the speed bump. He noted that the fire truck is new and sits lower than the previous truck. He said ultimately the fire truck was able to access the area needed with maneuvering. The fire department has requested the speed bump to be removed.

Councilwoman Haffner asked if this was the only speed bump like this in the park, to which Parks Director Digges replied yes. He said there was smaller speed bumps around the one in question. Councilwoman Haffner asked if the speed bump could be reduced in size or should it be removed, to which Parks Director Digges advised that he recommends removing it, putting asphalt over it, paint a crosswalk over it and ensure there are proper smaller speed bumps throughout the area.

Councilwoman Brannon agreed with Parks Director Digges and recalled why the speed bump was installed several years ago. She said because more bathrooms are now available that not as many children will be crossing that area so she would be okay with removing the speed bump so long as the changes stay yellow, and if any issues come up that they can address it again.

Councilman Day asked about keeping it handicapped accessible, which Councilman Dickey said he was also wondering about. Parks Director Digges said the curb can be cut on both sides to ensure handicap accessibility.

Councilman Farris commented that many cars today do sit very low and he aware of some people having issues with the speed bump.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Mayor Barley called for further Council discussion and public comment and there was none.

To remove the Regional Sports Complex speed bump and have the area striped, painted and handicap accessibility added on both sides.

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

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Carried.

2. Omnia Contract

Parks Director Digges asked the Council for permission to sign an agreement for Omnia, a competitive bid contract organization to purchase playground equipment for the public sector. He explained that the agreement would allow for better pricing for playground equipment. Councilwoman Brannon said she did not have an issue with using the agreement but wanted Parks Director Digges to have the City Attorney review the agreement beforehand.

Moved by: Councilwoman Brannon

Seconded by: Councilman Day

Mayor Barley called for further Council discussion and public comment and there was none.

To allow Parks Director Digges to sign the Omnia agreement after being reviewed by the City Attorney.

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

Carried.

d. City Manager

e. City Clerk

1. City Records Retention Discussion

City Manager Martin explained that City Clerk Gatewood made him aware of a public records issue which is contributing to the city having a lack of storage space. City Clerk Gatewood advised the Council of the amount of public records boxes and asked for guidance on how to handle the large amount of records. City Manager Martin said he was looking into options as well. Councilwoman Brannon was frustrated because the Council, years ago, thought they had handled this and there was no backlog of records. She said the Council paid a lot of money for the records to be taken care of and it seems they were not. The Council told City Clerk Gatewood they understood these records are from before her time with the city. The Council asked to table the item until City Manager Martin has time to seek other options to present to them. Councilwoman Haffner

asked City Clerk Gatewood how she was shredding current documents, which she replied with a regular office shredder. Councilwoman Haffner said she would like City Hall to have the once-a-month shred service quoted in the meeting package.

Moved by: Councilwoman Haffner

Seconded by: Councilman Farris

Mayor Barley called for further Council discussion and public comment and there was none.

To approve a once-a-month shred service for City Hall for \$34.50 a month.

Councilwoman Haffner aye

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Dickey aye

Councilman Day: aye

Carried.

Moved by: Councilwoman Haffner

Seconded by: Councilman Day

Mayor Barley called for further Council discussion and public comment and there was none.

To table the City Records Retention Discussion for a future regularly scheduled Council Meeting.

Councilwoman Haffner aye

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Dickey aye

Councilman Day: aye

Carried.

f. Finance

g. Billing

h. Planning

1. Request for New Community Center Workshop

Planning Director Hughes-Neel asked the Council for a motion to setup a workshop for the community center so the Council can sit down with Tony Valle and discuss exactly what is going to be inside of the building.

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Moved by: Councilman Farris
Seconded by: Councilman Dickey

Mayor Barley called for further Council discussion and public comment and there was none.

To set a Workshop Meeting for the new Community Center on March 9, 2023, at 6:00pm in the Council Chambers.

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

Carried.

2. Sewer and Water Service Fees

Planning Director Hughes-Neel reported to the Council that staff has been meeting every two weeks to discuss infrastructure regarding water, wastewater, and roads. She said from those meetings there were discussions with the water and wastewater department regarding how low the city's fees were for service calls compared to what plumbers charge for the same work. She said the water department fee is currently \$150.00 an hour plus the cost of parts and Water Supervisor Tuggle recommends that fee to be \$200.00 an hour to sufficiently cover the time he has to spend on service calls. She said with wastewater it is different because most of the time they have a call it involves digging and transporting equipment to the area and the work is very time consuming. Wastewater Supervisor Johnson told the Council that contractors have told him they have no issue hitting the city lines because the city charges far less than a plumber. Contractors who call a plumber can expect to pay upwards of \$6,000.00 per service call. She said a service call fee policy needs to be established for wastewater and asked the Council what they felt was a reasonable charge. She said staff was pondering between \$3,000.00 and \$4,000.00.

Councilwoman Brannon said she was floored that someone would intentionally cut the city lines. Councilwoman Haffner said she was okay with the amount of staff recommendation. City Attorney Adkinson asked Wastewater Supervisor Johnson what the average service call time is, to which he replied that it depends. City Attorney Adkinson asked what the longest time was, to which he said one day (ten hours). He asked if the average call was five hours (half day) and Wastewater Supervisor replied

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yes. Planning Director Hughes-Neel asked how many employees he needed for a service call, and he replied usually four.

Moved by: Councilwoman Haffner

Seconded by: Councilwoman Brannon

Mayor Barley called for further Council discussion and public comment.

Councilwoman Brannon said she wants to be sure all developers get notice of this fee policy to ensure they all know. Planning Director Hughes-Neel said she would advise all developers that the city deals with and will also hand out the notice with each building permit. Councilwoman Brannon said the contractors should sign that they have been noticed and Planning Director Hughes-Neel said they would do that.

To approve a minimum wastewater service call fee of \$4,000.00 for the first 5-hours and \$1,000.00 an hour for each hour after 5-hours plus the cost of parts and a water service call fee of \$200.00 an hour plus the cost of parts.

Councilwoman Haffner aye

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Dickey aye

Councilman Day: aye

Carried.

3. Lift Station Requirements

Planning Director Hughes-Neel reminded the Council of the updates made to the Technical Standards Manual which included when a new lift station is required that bypass pumps are used to avoid any future unnecessary issues. She said they have received some pushback from those seeking an approved development order, but that staff is holding firm on the requirement. She said there was no action to be taken and she just wanted to provide them with an update.

4. Plat Dedication Statement

Planning Director Hughes-Neel told the Council she has been speaking with the City Attorney regarding an old statement on plats that states the streets are dedicated to the city. She recently said a Homeowners Association mistook that message to mean the city would take care of the maintenance of the street, which is not the case. She explained that there is a separate process, that is in the Land Development Code, for the city accepting streets. City Attorney Adkinson has provided Planning Director Hughes-Neel with language to use moving forward stating a separate

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written agreement is needed for the city to accept the streets. City Attorney Adkinson explained to the Council the law surrounding accepting streets, saying acceptance and dedication are not the same thing. He is requesting the language to deter confusion in the future because just because a road is accepted as a public road does not mean the city is accepting responsibility for maintenance of the roads and reiterated that the city is not accepting roads for maintenance at this time. He said the law is very much on the side of the city. He asked the Council for a motion for the language addition to future plats.

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

Mayor Barley called for further Council discussion and public comment and there was none.

To approve, "No public dedication made hereon shall include an assumption of maintenance and responsibility by the City until such time that the City completes any required inspections and accepts maintenance and responsibility in separate written agreement" as an addition to future plats.

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

Carried.

4. Florida Boating Improvement Grant

Planning Director Hughes-Neel informed the Council that staff has been gathering information regarding derelict and submerged boats. She said there is a current 75/25 grant available to remove submerged vessels. She said Engineer Cliff Knauer has a salvage expert looking at the submerged vessels in Freeport and coming up with cost estimates of what it would take to move these vessels, which some of them are quite large. She asked the Council for permission to move forward with the grant as their deadline is March 3, 2023.

Councilwoman Brannon recalled that years ago they went through this same process for 6-7 submerged vessels, and asked why the city cannot pursue the vessel owners legally when this happens, and wondered if there was any governing board for this sort of situation. City Attorney Adkinson suggested working with Fish and Wildlife (FWC) to begin with. She said

she would make the motion to move forward with the grant; but that, in the future she would like to explore options to legally hold vessel owners accountable and keep an eye on that area, so this doesn't happen again. Councilwoman Haffner commented on how long the process takes for the grant.

Councilman Dickey said he rode around with City Manager Martin to assess how many submerged vessels there were and believed there were six.

Moved by: Councilwoman Brannon

Seconded by: Councilman Dickey

Mayor Barley called for further Council discussion and public comment.

Councilwoman thanked Planning Director Hughes-Neel for finding the grant and bringing the matter to the Council's attention.

To allow staff to move forward with the Florida Boating Improvement Grant for submerged vessels.

Councilwoman Haffner aye

Councilman Farris: aye

Councilwoman Brannon: aye

Councilman Dickey aye

Councilman Day: aye

Carried.

i. Legal

j. Engineering

1. Sewer Plant Progress Update

Engineer Philip Jones of Dewberry Engineering, who oversees the project, gave the Council a progress update on the sewer treatment plant.

10. Old Business

11. New Business

a. Mayor Barley

b. Councilwoman Brannon

c. Councilman Farris

d. Councilwoman Haffner

e. Councilman Dickey

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f. Councilman Day


12. Public Comment

Mayor Barley called for public comment and there was none.

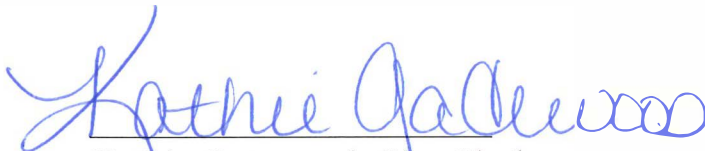
13. Adjournment

Mayor Barley motioned to adjourn, and the meeting adjourned at 7:32 p.m.

Minutes were prepared by City Clerk Gatewood and approved by the City Council on March 14, 2023.


Russ Barley, Mayor

ATTEST:


Kathie Gatewood, City Clerk

