

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, July 2, 2018 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council: Mayor Troy T. Brimage
Councilman Brooks Bass
Councilman Green
Councilwoman Sandra Loeza
Councilman Roy E. Yates

Staff: Bob Welch, Finance Director / Interim City Manager
Wallace Shaw, City Attorney
Ursula Reyes, City Secretary
Nat Hickey, Property Manager
David Hoelewyn, Streets Director
Loni Kershaw, Human Resources Director
Jennifer Hawkins, EDC
Leann Strahan, Museum Director
Ray Garivey, Police Chief
Laura Tolar, Special Projects Coordinator

Visitors:	Annett Sanford	Evelyn Burridge
	Moby Burridge	Melanie Oldham
	Doug Dominguez	Margaret McMahan
	Sabrina Brimage	Manning Rollerson
	Angie Williams	Edmeryl Williams
	Kenny Hayes	Nicole Mireles
	Christina Travis	Sam Reyna
	Larry Fansher	Jay Meija
	Erin Callahan	

Call to order.

Mayor Troy T. Brimage called the meeting to order at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Troy T. Brimage led the Pledge of Allegiance.

Attending citizens and their business.

Margaret McMahan said she has been on the same committee for the past 12 years and she wanted to know if there was anything in place on how many meetings someone could miss. Ms. McMahan said she wanted to see all the committee's active and successful and contributing to the city and she sees it as an issue to keeping us going forward. Mayor Brimage said that he would love for Ms. McMahan to recruit some folks.

Manning Rollerson concern was that he sent an open records request in and he hasn't received a response.

Mr. Rollerson also had a concern about a sink hole on 8th Street that was getting big.

Mr. Rollerson also stated that on Ash Street by the soccer field they repaved the road but it is falling back into the ditch.

Consideration of approving the minutes for June 18, 2018 meeting.

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the minutes for June 18, 2018 meeting.

Consideration of Ordinance No. 2018-2152 closing and abandoning 8,717.5 (50 x 174.35 + -) square feet of the Division Street ROW located South of Mystery Harbor Lane and West of the centerline of said right-of-way and authorizing Mayor to sign and City Secretary to attest a deed without warranty conveying City's Interest to Jay Mejia, the adjoining land owner.

On a motion by Councilman Yates, seconded by Councilman Bass, with all present voting "Aye", Council unanimously approved Ordinance No. 2018-2152 closing and abandoning 8,717.5 (50 x 174.35 + -) square feet of the Division Street ROW located South of Mystery Harbor Lane and West of the centerline of said right-of-way and authorizing Mayor to sign and City Secretary to attest a deed without warranty conveying City's Interest to Jay Mejia, the adjoining land owner.

Consideration of Ordinance No. 2018-2153 closing and abandoning portion of Groce Street right of way south of the southern boundary of Mystery Harbor Lane and North of the northern easement of the toe of the northern boundary of the Velasco Townsite levee and authorizing Mayor to sign and City Secretary to attest a deed without warranty conveying the City's interest to Ray Garivey, who was the successful bidder for such portion.

Mr. Bass stated that he didn't recall discussing the amount that was in the paperwork. Mayor Brimage said he didn't agree with the \$300,000.00 value. Mayor Brimage said that he thinks that we should stick with what we have been doing with everyone else and not put any values on it.

Tabled

Consideration of Resolution No. 2018-2552 reappointing Annette Sanford to the Board of Adjustments.

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved Resolution No. 2018-2552 reappointing Annette Sanford to the Board of Adjustments.

Consideration of agreement between the City of Freeport and the Economic Development Corporation concerning transfer of ownership of LOTS 1, 2, 3, 6, 7, 8, 9, 10, 19 AND 24, BLOCK 694 all in the VELASCO TOWNSITE, of the City of Freeport, Texas, according to the map or plat of said townsite recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas to the Economic Development Corporation and authorizing the Mayor to sign and the City Secretary to attest the Special Warranty Deed pursuant to the terms of that agreement.

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the agreement between the City of Freeport and the Economic Development Corporation concerning transfer of ownership of LOTS 1, 2, 3, 6, 7, 8, 9, 10, 19 AND 24, BLOCK 694 all in the VELASCO TOWNSITE, of the City of Freeport, Texas, according to the map or plat of said townsite recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas to the Economic Development Corporation and authorizing the Mayor to sign and the City Secretary to attest the Special Warranty Deed pursuant to the terms of that agreement.

Larry Fansher wanted Council and Mayor to elaborate more about these lots and asked if the City owned these lots currently and in what point in time did they acquire these properties. Mayor Brimage stated this Council didn't acquire the property and he didn't know which Council did. Councilman Bass said that it's in the City's name and we have the legal title to the property.

Mr. Hickey stated that this was urban renewal property that they had to take when they purchased other property back in 1960. Larry Fansher asked if this property was obtained for the sport complex. Mayor Brimage said that this Council has moved forward and decided to develop 96 homes.

Melanie Oldham stated that the Urban Renewal Board couldn't transfer but had to sell this land and wanted to know if the City just transfer or do they have to sell it at fair market value. Mayor Brimage asked Ms. Oldham what her concern was if she wanted to stall this process. Melanie Oldham said no she just wanted clarification for the next urban renewal committee meeting.

Councilman Bass said that Realty World has promised a lot and we want to see them do something.

Councilman Yates asked why we were going to transfer these lots to the EDC instead of the City selling the property. Mayor Brimage said because we would have to put it out for bids and anyone could get it and sit on it and not do anything with it. Mayor Brimage said we finally have a developer that wants to build.

Consideration of accepting and authorizing the property manager to have recorded a deed without warranty, utility easement and a blanket access and construction easement from GAW Realty, LLC.

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting “Aye”, Council unanimously approved accepting and authorizing the property manager to have recorded a deed without warranty, utility easement and a blanket access and construction easement from GAW Realty, LLC.

Consideration of authorizing preparation of documents for the sale of City owned property, known as Lot 11, Block 36, 651 Old Surfside Road, Tax ID 8110-0395-000.

Tabled

Consideration of authorizing preparation of documents for the sale of City owned property, known as Lot 23, Block 729, Velasco Townsite, 1321 North Avenue M, Tax ID 261468.

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting “Aye”, Council unanimously approved setting a bid date for August 6, 2018 authorizing preparation of documents for the sale of City owned property, Known as Lot 23, Block 729, Velasco Townsite, 1321 North Avenue M, Tax ID 261468.

Consideration of authorizing City Secretary to publish in the Facts a notice that applications will be accepted to fill vacancies on Urban Renewal, Planning Commission, Library Board and Beautification Committee.

On a motion by Councilman Bass, seconded by Councilman Yates, with all present voting “Aye”, Council unanimously approved authorizing City Secretary to publish in the Facts a notice that applications will be accepted to fill vacancies on Urban Renewal, Planning Commission, Library Board and Beautification Committee.

Consideration of replacing the sanitary sewer main for the 900 Block of West Second Street, between Beech Street and Cedar Street and authorizing the Mayor to sign a letter agreement with Veolia giving the City’s approval.

Mr. Welch said that the cost would be \$54,045.00 dollars to replace the sanitary sewer main between Beech Street and Cedar Street behind On the River Restaurant. Mayor Brimage stated

he spoke with Jerry Meeks and it is something that needs to be done because it is in very bad shape.

On a motion by Councilman Yates, seconded by Councilman Bass, with all present voting “Aye”, Council unanimously approved replacing the sanitary sewer main for the 900 Block of West Second Street, between Beech Street and Cedar Street and authorizing the Mayor to sign a letter agreement with Veolia giving the City’s approval.

Presentation and consideration of approving Audit for the 2016-2017 fiscal year.

Kevin Cadenhead from Kennemer Masters and Lunsford gave a presentation from this year’s audit. Mr. Cadenhead stated that overall the audit went well but for three years in a row there have been material weakness.

Mayor Brimage stated that they were not going to approve this tonight so that the Council members had time to review it and we would put it on the next agenda.

Melanie Oldham asked Mr. Cadenhead if the City and EDC were blended or separate in the audit. Mr. Cadenhead said they are blended.

Tabled

Consideration of changing Golf and EMS Enterprise funds in the current and all future City budgets to special revenue funds as requested by the Auditors.

On a motion by Councilman Yates, seconded by Councilman Green, with all present voting “Aye”, Council unanimously approved changing Golf and EMS Enterprise funds in the current and all future City budgets to special revenue funds as requested by the Auditors.

Consideration of taking action on any other item discussed in Executive Session.

No Action Taken.

Work Session:

Mayor Troy T. Brimage announcements and comments.

Mayor Brimage said that the concerts on the river have been a huge hit. We had food vendors and Karbach Brewery were there handing out free beer.

Mayor Brimage stated the mosquitos are bad but we are continuing to spray.

Mayor Brimage said the splash pad is packed with kids every day. He said we should have a parking lot over there soon.

Mayor Brimage also said that the lights at Arrington Park are fixed.

Councilman Green Ward A.

Councilman Green said that on the corner of West 1st they have some plants that are obstructing the four ways stop.

Councilman Green asked if a “slow children at play” sign could be put up on West 9th Street.

Councilman Bass Ward B.

Councilman Bass asked if we could install a “slow children at play” sign by the splash pad.

Councilman Bass asked if we could get Velasco Drainage Engineer to come talk to us about flood issues.

Councilwoman Loeza Ward C.

Councilwoman Loeza said that the music and atmosphere was great at the rocking the river concert.

Councilwoman Loeza stated that a few people have been asking her how often they spray but she says she can see a difference already.

Councilwoman Loeza said on Victoria and Autrey there is a curb without any protection.

Councilwoman Loeza asked about the concrete at the Golf Course and when Sorrell Construction was going out to pick that up. David Hoelewyn said that they would start Monday.

Councilman Yates Ward D.

Councilman Yates said that they changed the fish advisory signs but they changed them on the new river.

Melanie Oldham stated that the pictures she provided for Council is what she got from the Texas Department of State Health. She said they put the signs on the new Brazos River but because the old Brazos River hasn't had the fish tested since 1998 they can't say if it's ok to fish there.

Councilman Yates advised the citizens that if they have a complaint about the City to call their Councilmember.

Councilman Yates asked if anyone has heard from Kendig Keist. Jennifer Hawkins said that they cancelled their meeting in June and moved it to July to get more information on the Transportation and Infrastructure report.

Manning Rollerson stated that on the corner of North Avenue J there was a big tree and you can't see what is coming from the left side.

Updates on current infrastructure.

Commerce Street water and sewer project- Engineering phase
Lift Station and Force main – South Avenue A
SSO plan camera inspection - hasn't started
1200 Block of Avenue S - water and sewer line
Engineer estimate water tower improvements – CDBG Grant funds
Beach road improvement FEMA funds – J.P. Bryan Road
Alley pothole repairs / concrete work / drainage
Zapata ditch and 288 – Hayes property
1600 Block of North Ave T – Driveway pipes for new homes completed
1500 Block of Broad – alley improvements (need to rent tiller)
1600 Block 5th Street – curb, gutter and sidewalk
1600 Block 6th Street – curb, gutter and sidewalk
Yaupon and 11th Street – replacing concrete
4th Street between Dixie and 288 – Street improvement (replace concrete street)
Inlet cleaning due to rainy weather
New 20” storm pump installed at Mystery Harbor pump station

Update on reports / concerns from Department heads.

David Hoelewyn said that Sorrell Construction is still working on 4th, 8th and 11th Streets.

Leann Strahan thanked everyone that went out to the Community Cocktail Soiree

Leann Strahan said she has Market Day coming up this Sunday and she has more and more vendors each time and it's really growing.

Leann Strahan also reminded everyone of Kidfest July 28, 2018.

Leann Strahan said she is started to take down the Mother Goose Exhibit and she is going to start putting up a Bach to School Exhibit in August.

Jennifer Hawkins said she has been working closely with Realty World and trying to get that paperwork going.

Jennifer Hawkins thanked Mayor Brimage for promoting rocking the river concerts.

Melanie Oldham stated that she goes to the EDC meetings and there has been discussion about the Wong property. She asked if we really wanted heavy industry in the City and she said that it needs to be looked over closely and not just a group of people deciding.

Ray Garivey said that he and his wife bought the old police car about 12 years ago and had it painted. He said that he has donated it to the City.

Mayor Brimage closed open session at 7:31 PM and opened Executive Session.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government code, to-wit:

1. Discussion and possible action regarding claims asserted by Jeff Pynes in connections with termination of his employment with the city and any counterclaims or other response the City may have to such claims.

No Action Taken.

Adjourn

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting "Aye", Mayor Brimage adjourned the meeting at 7:43 PM.

Mayor, Troy T. Brimage
City of Freeport, Texas

City Secretary, Ursula Reyes
City of Freeport, Texas