

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, September 16, 2019 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 Brimage-
Councilman Brooks Bass
Councilman Ken Green
Councilwoman Sandra Loeza
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager
Betty Wells, City Secretary
Chris Duncan, City Attorney
Stephanie Russell Assistant City Manager
Brenda Miller-Ferguson Human Resource Director
Nat Hickey, Property Manager
Chris Motley, Fire Chief
Courtland Holman, Economic Development Director
David Hoelewyn-Street Department Director
Donna Fisher-Accounts Payable and Human Resource Assitant
Clarisa Molina-Administrative Assistant
Laura Tolar-Special Projects Coordinator Assistant City Secretary
Danny Gillchriest-Police Captain
Billy Shoemaker-Building Department Director
Michael Praslicka-EMS Coordinator
Cody Chandler-Fire Fighter
Zach Armstrong-Fire Fighter
Brennon Malone-Probationary Fire Fighter

Visitors: Melanie Oldham Angie Williams
Tommy Pearson Kenny Hayes
Edmeryl Williams Manning Rollerson
Sabrina Brimage Breanna Brimage

Call to order.

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

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff

City employee's Lieutenant Justin Davison and Clarisa Molina was presented with a certificate recognizing them as Employee of the Month for August 2019

Citizen's Comments

Manning Rollerson spoke to council regarding a spill team that was at the river; Mayor Brimage informed Mr. Rollerson that the spill team is a chemical company that conducts a practice training each quarter. Mr. Manning also spoke regarding the East End Park. He states that swapping the park without coming to the voters first is against the law.

REGULAR SESSION

Consideration and possible action on the approval of City Council meeting minutes from September 3, and September 9, 2019.

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved the City Council meeting minutes from September 3, and September 9, 2019.

Public Hearing: First Public Hearing Regarding the re-adoption of the Juvenile Curfew Ordinance of City of Freeport, Texas codified as Section 130.20 through 130.99 of Freeport's Code of Ordinances, for the purpose of determining whether or not to abolish, continue or modify said ordinance, the Public Hearing opened at 6:16 pm.

Manning Rollerson spoke to council at the Public Hearing in regards to the Juvenile Curfew Ordinance. He said that the age of juveniles was raised to the age of 21.

On a motion by Councilman Bass and seconded by Councilwoman Loeza with all present and voting "Aye" the Public Hearing was closed at 6:20.

Consideration and possible action regarding Ordinance No. 2019-2582 approving the Property Tax Rates for 2019 Tax Year.

Assistant City Manager Stephanie Russell presented Ordinance No. 2019-2582 to Council for approving the 2019-2020 Property Tax Rate \$0.628005.

Councilman Bass made a motion stating "I propose adopting a tax rate of \$0.628005 per \$100.00 valuation for the 2019 tax year, which effectively a 1.6 percent increase in the tax rate. The motion was seconded by Councilwoman Loeza. With all present voting 3 to 1, Council approved Ordinance No. 2019-2582 approving the Property Tax Rates for the 2019 Tax Year.

Councilman Yates voted no.

Ratification of the Fiscal Year 2019-2020 Adopted Budget

Assistant City Manager Stephanie Russell spoke to Council regarding Ratification of Fiscal Year 2019-2020 adopted budget. She said that is a house keeping item. She stated that any budget that raises revenue and property tax from one year to the other has to be ratified after you adopt your budget and your tax rate.

On a motion by Councilman Bass seconded by Councilman Green with all present and voting "Aye" the Ratification of the Fiscal Year 2019-2020 adopted budget was approved.

Consideration of Ordinance No. 2019-2583 adopting an amendment to the budget for the 2018-2019 fiscal year.

Assistant City Manager Stephanie Russell presented the proposed budget amendments to City Council. She spoke on the revenue impact of this budget amendment. The Freeport Golf Course budget amendment will have a net zero impact to the budget. The Golf Course has sold more merchandise this year, which means we had to buy more merchandise to sale; the merchandise expense budget will be raised to \$75,000.00. The cost of the City Hall elevator, which was approved in the last meeting, is included in this amendment as well. Also, as discussed at the strategic planning workshop, the lease purchase contracts estimated payoff is an estimated \$1.2 million, with estimated savings over \$90,000.00, in addition to eliminating the re-occurring annual cost of roughly \$300,000.00. Included in the budget amendment are Water and Sewer costs for: lift stations #5 and #13 rehab, the sewer line replacement, lift station risk base assessment, and the water facility assessment. The EDC Loan is a cleanup item. It was accounted for but was not transparent in the way it was handled going to an account that was not an expenditure account. This Budget Amendment is the recommendation of City Manager Tim Kelty and Assistant City Manager Stephanie Russell.

On a motion by Councilman Bass and seconded by Councilwoman Loeza with all present and voting “Aye” Council approved Ordinance No. 2019-2583 approving the adoption of Budget Amendment #5.

Consideration of approval of Resolution No. 2019-2606 the bid for Bank Depository services

Assistant City Manager Stephanie Russell presented to Council Resolution No. 2019-2606 Bank Depository Services. The City issued request for applications for the bank depository service in July. The four banks that submitted these were, Texas Gulf Bank, First National Bank of Lake Jackson, First State Bank of Clute, and Moody National Bank. Mr. Bill Cook with Valley View Consulting spoke to Council. Assistant City Manager Stephanie Russell and Bill Cook both recommend that the City stay with Texas Gulf Bank.

On a motion by Councilwoman Loeza and seconded by Councilman Bass with all present and voting “Aye” council approved Resolution No. 2019-2606 awarding Texas Gulf Bank for the Bank Depository Services.

Consideration of authorizing engagement letter to conduct audit for FY 2018-2019

Assistant City Manager Stephanie Russell spoke to council in regards to the engagement letter from Whitley Penn to conduct the audit for Fiscal Year 2018-2019; this was included in the 2019-2020 budget.

On a motion made by Councilman Bass and seconded by Councilman Green. With all present and voting “Aye” they approved the engagement letter to conduct the audit for FY-2018-2019.”

Consideration of approving Resolution No. 2019-2607 regarding a rate increase of EMS Services.

Fire Chief Motley spoke to council in regards to Resolution No. 2019-2607 for a rate increase of EMS Services. The last fee schedule was in 2014. He stated that if this resolution is approved this will bring the EMS billing service fee in alignment with Alvin EMS, and Santa Fe EMS. This will not impact the Medicaid or Medicare patients. City Manager Tim Kelty and staff recommend this Resolution.

On a motion by Councilman Bass and seconded by Councilman Yates with all present and voting “Aye,” council approved Resolution No. 2019-2607 regarding a rate increase of EMS services.

Consideration to approve Resolution No. 2019-2608 approving BASF Firefighting & Emergency Support Services Agreement.

Fire Chief Motley presented to council Resolution No. 2019-2608. BASF Firefighting & Emergency Support Services Agreement. Councilman Bass inquired as to the expense that the City would acquire. Chief Motley responded that there will be no burden on the tax payers.

On a motion by Councilman Bass and seconded by Councilman Green with all present a voting “Aye” council approved Resolution No. 2019-2608 BASF Firefighting & Emergency Support Services Agreement.

Consideration to approve Resolution No. 2019-2609 approving the EDC Budget

EDC Director Courtland Holman presented Resolution No. 2019-2609 to council for approving and adopting a budget for the Freeport Economic Development Corporation for the Fiscal Year 2019-2020

Resident Melanie Oldham questioned the balloon payment that is due. Assistant City Manager Stephanie Russell recommends that the balloon payment be refinanced she also stated that she does not know the terms for a refinance at this time. Stephanie Russell does recommend this budget.

The Mayor asked if this was the last of the debt for EDC and Assistant City Manager answered with “yes”.

On a motion by Councilwoman Loeza and seconded by Councilman Bass with all present and voting “Aye” council approved Resolution No. 2019-2609 approving the EDC Budget.

Consideration and possible action on Change order #4 to the contract with Sorrell Construction for the 2019 Concrete Street Repair Project.

Street Department Director David Hoelewyn spoke to council about the contract with Sorrell Construction for the approval of change order #4 for the 2019 Concrete Street Repair Project. This involves the two transitions, the one on Yaupon and on Pecan. The cost for these two transitions will be \$27,200.00 which is \$13,600.00 per transition. City Manager Tim Kely asked the time frame on the completion of the job. David Hoelewyn is unable to answer positively due to the rain.

On a motion by Councilman Yates and seconded by Councilman Bass with all present and voting “Aye” Change Order #4 was approved.

WORK SESSION:

Mayor Troy Brimage asked what the status of the pumps are with the upcoming weather event. David Hoelewyn said that there are two pumps working and we are waiting on a part for Mystery Harbor pump. He said the pumps will run. Mayor Brimage asked council if they should rent a pump for Velasco. Mr. Hayes asked David Hoelewyn if they were going to get the lights on the pumps so that we know that the pumps are running. Mayor Brimage said that we will have pumps there tomorrow. Mayor Brimage also spoke to Billy Shoemaker about the auto shop on Ave A and that they continue working on cars on the side of the road. Billy Shoemaker said that he will address the situation. Mayor Brimage

also spoke on the dump truck on Ave A still parking in the yard. Billy Shoemaker said that there is no ordinance about parking on the side of the house. The Mayor's concern on the parking is the truck is driving over the sidewalk, and curbs.

Councilman Green asked David Hoelewyn about the intersection of 6th and Walnut. A resident said that her water line was repaired about six months ago and now when she comes out of her drive way there a slope and at the end of the slope there is a 6 inch pothole. There are about six families that have to go through this every day. David Hoelewyn said that he would get it taken care of.

Councilman Bass thanked the Mayor for the pumps. He inquired City Manager Tim Kelty the status from the September 3rd meeting on the entities that damage our lines who will be the one to repair the damage. He also asked if Veolia is aware to notify the City if contractor has not repaired in a timely manner. Mr. Kelty informed Councilman Bass that if there is a problem Veolia is aware to notify the City. If this happens then the contractor is responsible for the repair. If the repair is not completed timely manner then the City will do the repair and send an invoice to the entity that caused the damage. Councilman Bass thanked Tim Kelty for working on this, and he also stated that we need to make sure that our city employees know to inspect and make sure that the repair was done correctly.

Councilwoman Loeza asked if there was anything that the city could do to make a business repair their parking lots. Mayor Troy Brimage stated that there is no ordinance that states what kind of condition that private businesses must retain their parking lots. City Manager Tim Kelty said this is one of the areas that will probably be in the zoning update. Councilwoman Loeza spoke of a business that has rebar showing when you are leaving the parking lot. Billy Shoemaker stated that if it is safety issues like this then let him know and he will figure out who is responsible for this repair.

Councilman Yates had nothing to report.

City Manager Tim Kelty spoke about BISD the park and O. A. Fleming property they are working on a few things and they will let us know. He also spoke about the elevator and that the City went with ThyssenKrupp. The other company was significantly higher and that the elevator should be up and working the first week in November. He also introduced Brenda Ferguson as the City's new HR Director. He also reminded everyone that signed up for TML Conference coming up October 9th. Tim Kelty also spoke about Gass the FPD's K-9 passing away, and to keep Officer Wagner in our prayers.

Update on reports / concerns from Department heads

Chris Motley Fire Chief gave a weather update on system he said that they are having conference call at 12:00 noon on Tuesday. He said that Tuesday –Thursday would be the rain days, and that there is no circulation. This will be a rain event. Prepare because it can't be predicted.

Open session was closed at 7:11 pm and Council entered into Executive Session.

CLOSED SESSION:

Executive Session regarding economic development (Projects 2019-2 and 2019-3) and Attorney Consultation (Potential Litigation) in accordance with Vernon's Texas Government Code Annotated, Chapter 551, 551.087 and Chapter 551, 551.071.

REGULAR SESSION

Mayor Troy Brimage opened regular session at 7:39 pm

Consideration in open session of taking action on any matter discussed in closed executive session

No action taken.

Adjourn

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Mayor Troy Brimage adjourned the meeting at 7:40 PM.

Mayor, Troy Brimage
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas