

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, January 6, 2020 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 Brooks Bass  
Councilman Jerry Cain  
Councilman Ken Green  
Councilwoman Sandra Loeza  
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager  
Stephanie Russell, Assistant City Manager  
Betty Wells, City Secretary  
Chris Duncan, City Attorney  
Brenda Miller-Ferguson Human Resource Director  
Courtland Holman, Economic Development Director  
Ray Garivey-Freeport Chief of Police  
David Hoelewyn, Street Department Director  
Nat Hickey, Property Manager  
Kim Townsend, Freeport Parks Department Director  
Mike Prasliscka, Freeport Fire Department  
Billy Shoemaker, Code Department Director  
Laura Tolar, Assistant City Secretary/ Special Projects Coordinator  
Brian Dybala, Freeport Golf Course Director

Visitors:	Esther Williams	Bob Casale
	Desiree Pearson	Melanie Oldham
	Stella Casale	Sam Reyna
	Nicole Mireles	Jessica Willis
	David Towers	Gina Adams
	Mario Muraira	Theresa Jackson
	Keith Stumbaugh	Jessie Parker
	Tommy Pearson	Winston Russow
	Louie Jones	Dorothy Thomas
	George K.	Edmeryl Williams

**Call to order.**

Mayor Brooks Bass called the meeting to order at 6:00 p.m.

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

Proclamation for Martin Luther King, Jr.

Mayor Brooks Bass read the proclamation of the City of Freeport proclaiming that Monday January 20, 2020 is MARTIN LUTHER KING, JR. DAY in the City of Freeport

Presentation of Sanitary Sewer Lift Station assessment by Freese and Nichols.

Mr. Jerry Barber with Freese and Nichols presented to Council the Sanitary Sewer Lift Station assessment. Mr. Barber explained that the engineers with Freese and Nichols looked at all twenty-nine of the lift stations in the City of Freeport. They came up with the highest risk stations being #3, #4, #5 and #14.

**Citizen's Comments**

Melanie Oldham spoke to Council about the MUD. She said that she spoke with TCEQ's MUD division. Ms. Oldham said that Mr. Wong turned in his application in January 2018 to the TCEQ. She thanked Council for thinking this out and not making quick decision on granting this MUD.

Desiree Pearson spoke to Council about her concern of the loss of our Freeport Police Officer's. She said this happening because of the pay scale. She said that City of Freeport Police Department is one of the lowest paid in our area. She said that she just wants to make Council aware that the city is losing a lot of good officers, because of the pay.

Mr. Bob Casale spoke to Council about his lot in Bridge Harbor. He said that a building was built on his property without his permission, he said this happened because the city allowed this. He said that he has requested that the city to resolve this issue. He said that cannot get a clear title to his land with the construction on his property. He wants the City Manager to produce the documents that he has given to the city and he wants to go over this with the Mayor, his Council person and the City Attorney.

**CONSENT AGENDA:**

Consideration and possible action on the approval of City Council meeting minutes from December 16, 2019.

Discuss and consider changing the date of the second meeting in January due to the Martin Luther King, Jr. holiday, to Tuesday, January 21, 2020

Consideration of approving to ratify the City Managers approval of the Windstorm Insurance Policy Renewal. Proposed by Victor Insurance for TWIA (Texas Windstorm Insurance Association).

On a motion by Councilwoman Loeza, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved the Consent Agenda.

**REGULAR SESSION**

**Public Hearing:** Discuss and consider approval of BERNARD ACRES 1.05 Acres-2 Lots. Amended Plat of Lot 83 Block 1, Bernard Acres, Section II, According to the Recorded Plat in Volume 8, page 33 Plat Records, Brazoria County, Texas.

Public Hearing was opened by Mayor Brooks Bass at 6:35 PM. Billy Shoemaker, presented to council the proposed replat for BERNARD ACRES 1.05 Acres-2 Lots. Amended Plat of Lot 83 Block 1, Bernard Acres, Section II, according to the Recorded Plat in Volume 8, page 33 Plat Records, Brazoria County, Texas. This was approved by the Planning Commission. Mayor Bass closed the Public Hearing at 6:39 PM and reopened regular session.

On a motion by Councilwoman Loeza, seconded by Councilman Green with all present and voting Aye”, Council unanimously approved the replat of BERNARD ACRES 1.05 Acres-2 Lots. Amended Plat of Lot 83 Block 1, Bernard Acres, Section II, according to the Recorded Plat in Volume 8, page 33 Plat Records, Brazoria County, Texas.

**Public Hearing:** Discuss and consider approval of a proposed re-plat of HAWKINS SUBDIVISION A Three Lot Subdivision of the Stephen and Paula Hawkins called 25.638 Acre Tract. Recorded in County Clerk's File 16-063090 of the Brazoria County Official Records. Situated in the Sterling McNeel League Abstract 94. City of Freeport, Brazoria County Texas.

Public Hearing was opened by Mayor Brooks Bass at 6:39 PM. Billy Shoemaker, presented to council the proposed replat of HAWKINS SUBDIVISION A Three Lot Subdivision of the Stephen and Paula Hawkins called 25.638 Acre Tract. Recorded in County Clerk's File 16-063090 of the Brazoria County Official Records. Situated in the Sterling McNeel League Abstract 94. City of Freeport, Brazoria County Texas. This replat was approved by the Planning Commission. Mayor Bass closed the Public Hearing at 6:41 PM and reopened regular session.

On a motion by Councilwoman Loeza, seconded by Councilman Cain with all present and voting Aye”, Council unanimously approved the replat of HAWKINS SUBDIVISION A Three Lot Subdivision of the Stephen and Paula Hawkins called 25.638 Acre Tract. Recorded in County Clerk's File 16-063090 of the Brazoria County Official Records. Situated in the Sterling McNeel League Abstract 94. City of Freeport, Brazoria County Texas

**Consideration of approving Ordinance No. 2020-2592 for proposed 2018-2019 budget amendment #7**

Assistant City Manager Stephanie Russell presented to Council the proposed Ordinance No. 2020-2592 for 2018-2019 budget amendment #7. She said that this budget amendment offsets major expenditure overages. Ms. Russell said that this amendment has zero impact to the General Fund, it is not adding revenue or expenditures, it is just netting them out.

On a motion by Councilman Yates, seconded by Councilman Green with all present and voting “Aye” council unanimously approved Ordinance No. 2020-2592 for proposed 2018-2019 budget amendment #7

**Consideration of approving Freese and Nichols to study the storm drainage system in the North Velasco Boulevard area.**

City Manager Tim Kelty spoke to Council about the pump station behind the Service Center. He said that this is East of Velasco Boulevard, on the North side of the river. This pump station has two 20-inch diameter pumps 75 horse power and they pump about 12,500 gallons per minute each. This station has

been plagued with issues over the last few years. Mr. Kelty said that he recommends that council approve Freese and Nichols to proceed and evaluate this pump station. The proposed work is expected to take 30 days. The cost for this evaluation is \$15,000.00.

On a motion by Councilman Cain, seconded by Councilman Green with all present and voting "Aye" council unanimously approved, Freese and Nichols to study the storm drainage system in the North Velasco Boulevard area.

## **WORK SESSION:**

Councilman Green said that he had the opportunity to ride every street in his ward today. He said that he counted 20 to 25 homes where there are home improvements being done. From foundation to porch and windows. He said that this shows people are wanting to stay where they are at. He also said there are about eight new homes that have just been completed. Mr. Green said that 8<sup>th</sup> and 11<sup>th</sup> Streets are deplorable, he said that there are cars parked on both sides of the street. There are no alleys over on these streets. He said that something must be done.

Councilman Cain thanked Street Department Director David Hoelewyn for fixing the potholes by the Freeport Park. He also asked for an update on the streets. David Hoelewyn said that they are hoping to start oiling on Monday. Mr. Cain said that the 1700 Blk of West 5<sup>th</sup> Street looks like someone just dumped out a furniture and left it there. He asked who needs to be contacted to get this cleaned up.

Councilwoman Loeza asked about a speed bump being put in on 8<sup>th</sup> Street. Mr. Kelty explained the significant issue with putting a speed bump in a residential street. She asked if there are any updates on Church's Chicken building. Billy Shoemaker Building Department Director said that the city received the report from Freese and Nichols, and it has been sent to the engineers for Church's, but they have not heard a response from them. This has been about a month ago. Mayor Bass said to give them a week, and then we will start taking action. Councilwoman Loeza asked if there is any update on the road construction on 288 coming into Freeport. She said that this is so dangerous.

Councilman Yates said that he has a few questions about a couple houses that are being built on Ave A. he said that they did not scrape the grass or scrape the dirt. Billy Shoemaker Building Department Director said that the compacting of the soil is between the engineer and the contractor. Billy Shoemaker said that the city does not have an ordinance that addresses how to prep the soil on a foundation.

City Manager Tim Kelty announced that Councilman Green, some members from the EDC Board and himself would be going to the ICSC Conference in Forth Worth on Wednesday-Friday. He also wanted to alert Council of budget amendment that will be for animal control with the Brazoria County SPCA. He said that the invoice that was sent is about \$12,500.00 over budget. Assistant City Manager Stephanie Russell said that they should be sending a revised invoice. Mayor Bass said that he and Tim Kelty will be attending a meeting January 14, with the Mayor's of Clute and Lake Jackson and their City Managers along with some representatives from SPCA. He said that there are some issues that have risen, and they are going to try and get it worked out.

## Update on reports / concerns from Department heads

Kim Townsend Parks Department Director said that she would like for all to come for the MLK parade. She said that the City will have a float in the parade. This will be on Monday January 20, 2020.

Melanie Oldham asked Brian Dybala, Director of the Freeport Golf Course if any repairs have been done to the erosion on the banks. Stephanie Russell said that the last update on this is that the city is working with FEMA on getting the reimbursement established. This must be done properly.

Open session was closed at 7:03 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 Brooks Bass re-opened regular session at 7:50 pm.

Consideration and possible action to approve a resolution consenting to the creation of Freeport Municipal Utility District No. 1, to include land located within the City's corporate boundaries, and providing the conditions under which the consent is given.

No action taken.

There will be a Special Meeting on Monday January 13, 2020 at 6:00 PM

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

No action taken.

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilman Cain, with all present voting "Aye", Mayor Brooks Bass adjourned the meeting at 7:51 PM.

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Mayor, Brooks Bass  
City of Freeport, Texas

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City Secretary, Betty Wells  
City of Freeport, Texas