

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, March 1, 2021, 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 Jeff Pena
Councilman Jerry Cain
Councilman Mario Muraira
Councilman Roy E. Yates

Staff:

Tim Kelty, City Manager
Betty Wells, City Secretary
Chris Duncan, City Attorney
Brenda Ferguson, Human Resource Director
Lance Petty, Public Works Director
Chris Motley, Freeport Fire Chief
Ray Garivey, Freeport Police Chief
Courtland Holman, EDC Director
Clarisa Molina, Administrative Assistant
Laura Tolar, Special Events Coordinator, Via Teleconference
Robert Cramer, Freeport Parks Via Teleconference
LeAnn Strahan, Designation Director, Via Teleconference
Jessica Vandergrift, Freeport Fire/EMS, Via Teleconference
Kim Hammonds, Freeport Parks Department, Via Teleconference

Visitors:

David McGinty	Tommy Pearson
Kenny Hayes	Melanie Oldham
Sam Reyna	Ed Garcia
Mary Garcia	Jerry Meeks (Veolia)
Nick Irene (Facts)	Ruben Renobato
Manning Rollerson	Troy Brimage
Sabrina Brimage	Gina Adams
Sandra Barnett	Jim Barnett

Visitors, Via Teleconference:

Amanda Petty	Pam Tilley
Victoria Gardner	Paul Crow
Lila Diehl	DJ Max
Jason Hull	

Call to order.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation and the Pledge was led by Mayor Brooks Bass.

CITIZENS' COMMENTS:

Members of the public are allowed to address the City Council at this time, and must include name and address. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

Manning Rollerson thanked council and the City of Freeport, for allowing Living Word Church to help pass out the food on Saturday. He said that there were several families fed on his side of town. He also spoke about the cars parked on his property. He said that on 2nd and Terminal there is a warehouse, he wants to know if this is a residential, how is this building allowed to be there?

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

Report on Hydrant repair Schedule.

Jerry Meeks with Veolia spoke to council about the fire hydrants that are not working throughout the City. He said that there are five hydrants on Hwy. 1495 that will be backed up until they have a meeting with TXDOT. He said that he was told by TXDOT that some of the hydrants are going to be in conflict with them. Mr. Meeks said that the City will be responsible for the removal of these hydrants, because we are in their ROW. Mr. Meeks said that there are some hydrants on Ave. A, and most of these need valves, some we will have to bust up concrete. He is hoping that this can get started by the end of next week.

Mayor Bass asked about the hydrants that were busted by the Port's mower. He asked if the Port will be responsible for this repair. Mr. Meeks said that they should be.

Councilman Yates asked if the hydrants on 1495 are on the South side of the River, Mr. Meeks said yes.

Mayor Bass asked how do we have this many hydrant's out at one time? Mr. Meeks said that they go from the list that is provided by the Fire Department inspections. Mr. Meeks said that these are from the last two list that were provided by Fire Department, and the list shows the remaining hydrants that needs repair. He said that there were about 15-16 that were repaired.

CONSENT AGENDA

Consideration and possible action on the approval of City Council meeting minutes from February 17, 2021 Emergency meeting and from February 22, 2021.

Consideration and possible action approving Resolution No. 2021-2672 changing Texas Gulf Bank signers.

Consideration and possible action approving Resolution No. 2021-2673 changing TexPool signers.

Consideration and possible action approving Resolution No. 2021-2674 to approve submission to the GLO Beach Maintenance Reimbursement (BMR) Program. And designating the Finance Director as the official with full authority to act for the purposes of the program.

On a motion by Councilman Cain, seconded by Councilman Muraira, with all present voting "Aye" 5-0 Council unanimously approved the Consent Agenda.

COUNCIL REGULAR AGENDA:

Consideration and possible action on approving amendment to the EDC By-laws.

Freeport EDC Director, Courtland Holman presented to council the possible action on approving the amendment to the EDC By-Laws. He said that on February 9, 2021 the EDC Board voted to recommend amendments; the proposed amendments are 1). Prohibiting board members from abstaining from voting, and 2). Board members shall be required to attend in person a special board meeting if they request the special meeting.

Mayor Bass what is the basis of this amendment?

Courtland Holman said that this was voted on by the Freeport EDC by a 6-1 Vote.

On a motion by Councilman Cain, seconded by Councilman Yates, with all present voting "Aye" 5-0 Council unanimously approved the amendment to the EDC By-laws.

Consideration and possible action regarding authorizing City-Wide one-time utility billing adjustment due to winter weather event.

City Manager Tim Kelty, presented to council the possible action regarding authorizing City-Wide one-time utility billing adjustment due to winter weather event. He said that this will be something to help the residents that had busted pipes, or water that was left dripping during the winter weather event.

Mayor Bass asked how will the household know if they were given this adjustment. Mr. Kelty said that most will not know because it will be done before the bills are mailed out, he said this will publicized.

On a motion by Councilman Muraira, seconded by Councilman Yates, with all present voting "Aye" 5-0 Council unanimously approved the City-Wide one-time utility billing adjustment due to winter weather event.

Discussion and possible action regarding implementation of Salary Survey.

City Manager Tim Kelty presented to council the possible action regarding implementation of Salary Survey. He said that the Fire and Police Departments are below market. He said that with the authorization from council, staff reached out to SGR to do a salary survey. He said that survey recommends increases ranges from 6%-23% for the PD, and 5.3%-12% for the Fire Department in order to make them competitive with the market. He said the survey does show that our Police and Fire are

grossly under paid. Kelty said that while what is being presented to council for consideration is the recommended 6% for patrol officers and 6% for all the other positions below market value, and 5.3% for Firefighters and 5.3% for all other positions below market value, it is important to recognize that survey recommendations are a good target to shoot for and that we do have the intent to try to meet those goals as funds become available.

The total annual cost to implement the survey's recommended change is \$352,000, increasing for inflation. The cost for the partial implementation this year is \$140,000 in this year's budget which is available through the little over \$100,000 budgeted for that purpose plus some vacancy savings. The cost of this partial funding on next years budget would be about \$210,000. Another option would be to wait until May to fund the salary increases. Because we would be funding fewer months in the fiscal year, the entire increase could be funded with the \$140,000 available. However, it would leave \$352,000 to be funded in next years budget, which has not yet been begun to be developed.

Mayor Bass asked why SGR would put us with Pearland? Mr. Kelty said the list of Cities included both larger and smaller cities and those similar in to the City of Freeport. He said that we are trying to get close to a median with other cities. The recommended salaries are well below what Pearland pays.

Councilman Cain asked how \$352,000.00 how does that compare to the budget this year? City Manager Tim Kelty said the General Fund is \$16.5 million in the current fiscal year, and 65.5% of this is for salaries, and benefits. In comparison the change in salaries it is about 2.1% of the General Fund and about 3.2% of salaries and wages.

Councilman Pena asked when was the last raise that was given? Mr. Kelty said that all employees received raises on October 1, 2020. He asked if the was a COLA increase? Mr. Kelty said that it was part of COLA, and part was on merit increase. Increases on in the Police Department are based on a pay matrix. He said that this increase being discussed is a salary adjustment. Mr. Kelty said that these departments are below average in pay compared to other departments.

Ruben Renobato asked which officers this is for? Mr. Kelty said the 6% is for 21 Patrol Officers, and all of the PD employees with the exclusion of the Chief. Mr. Kelty explained the 5.3% is for the Fire Department with the exclusion of the Chief. Mr. Renobato said that we have thirteen municipalities in our County and Freeport is 10th based on other municipalities. Mr. Renobato spoke in favor of increases for the Police and Fire departments

Ed Garcia said that based on the population size of 12,000 in the City of Freeport he believes that the Police Department is over staffed. He said that if we adjust the number of people in the department, then we can find the money to pay these people. He asked about the Fire Department going to a Volunteer Department Structure.

Chief Raymond Garivey said that the number of calls per year is 35,000. He said that the department has a quick response time, and man power. He said that we are adequately staffed, he respectfully disagrees that the department is over staffed. He said that the survey speaks for itself, and it was conducted fairly. Chief Garivey said that we just lost our K-9 Officer with six years' experience.

Mayor Bass said we are trying to compete locally correct, not with the larger cities. Chief Garivey said yes.

Councilman Cain asked what the numbers are in Clute compared to Freeport? Chief Garivey said the last he heard they have three on a shift.

Councilman Pena asked about the 35,000 calls per year. Chief Garivey said that the calls for services are generated as cases, and go on the blotter that is sent the Facts newspaper. Traffic stops are not reported, these do not generate a case.

Chief Motley said that while the door is not closed to the idea of volunteer fire services, we had been only having discussion regarding supplementing the paid with volunteers. He warned against replacing the professional fire fighters with volunteers. He said that it would take about two to three years for the first volunteer, to do what your commissioned employees do now, and that is would be a step backward.

Councilman Pena asked if the General Fund is the Annual Budget? Mr. Kelty said that the General Fund is the part of the Annual Budget, he said that this includes Police, Fire, Public Works, and Administration. He said that it does not include Water, EDC or Debt.

Mayor Bass asked what is the recommendation of staff? Mr. Kelty asked Council to recognize the goals set by the survey and currently authorize the 6% to the PD and 5.3% to Fire.

Troy Brimage said that that we have lost 20 people in the last two years from our PD. Mr. Brimage said that other agencies are getting our trained officers, and we in turn have to hire and train new officers. He said that we have made budget amendments for a lot more and a lot less, we need to take care of the people that take care of us.

Mayor Bass said that he recommends that we get Patrol and Fire Fighters up to where they need to be. He said that at this time he thinks that we should consider 6% to Patrol Officers and 9% to the other PD staff. He said that this is recommended for the Fire Department as well with the 5.3% and 9%.

Councilman Yates asked where this will put us in comparison to the other cities? Mr. Kelty said that this will not get us to the top, but it will put us in the middle in a more competitive position.

Councilman Muraira asked what Mr. Kelty's opinion is on the Mayor's proposal. Mr. Kelty said that he feels this change will not have a huge impact to the budget as compared to the original recommendation. He said that this proposal is impactful to the ranking officers, and that it puts Patrol and Fire Fighters little above the average, which is our goal.

Chief Garivey said that he commends the Mayor on his proposal, taking care of patrol and as well as staff. He said we agree and accept.

Chief Motley said that he agrees with this proposal, he said that he supports this.

Councilman Cain, said that we are trying to get a more competitive salary. He said the main reason is for retention. He said that he wants the Chiefs to pay attention to their staff, because not all are motivated by money. He said that he wants to make sure that we listen to our crews.

Councilman Pena thanked everyone for their input. He said that we have to make a strategic decision, and a good comprehensive plan.

On a motion by Councilman Muraira, for the salary increase for 5.3% across the board for the Fire Department for those below market rates, and 6.0% across the board for the Police Department for those below market rate, and seconded by Councilman Yates, on a vote 3-2, Council approved the recommended implementation of Salary Survey. Councilman Cain and Mayor Bass voted "Ney"

Discussion and possible action on approving Resolution No. 2021-2675, the annual review and renewal of Ethics Ordinance.

City Manager Tim Kelty presented to council Resolution No. 2021-2675, the annual review and renewal of the Ethics Ordinance. He said that this was adopted back in 2019, he said that this comes back for review and renewal annually.

Melanie Oldham said that she agrees with the ethics ordinance, but she thinks that there should be a sheet signed by all employees, appointed officials and council stating that they received and read this ordinance.

On a motion by Councilman Cain, seconded by Councilman Pena, with all present voting "Aye" 5-0 Council unanimously approved Resolution No. 2021-2675, the annual review and renewal of Ethics Ordinance.

Discussion regarding vacancies on EDC and Planning Commission.

Mayor Bass announced that there are vacancies on the EDC and the Planning Commission Boards. He said that if you have turned in an application it will be considered. If you are interested in serving on one of these Boards and have not turned in an application, please go to City Hall fill out an application and turn it in, to be considered.

WORK SESSION:

Councilman Cain said that the playground by the old community house has a broken slide. Do we know the timeframe on getting this repaired? Public Works Director Lance Petty said that the slide has been ordered but has been delayed due to the winter storm. Councilman Cain asked to get rid of the sign at the entrance to the Community House since it has been torn down for a while. He also asked about the issues with heavy trash pickup, he asked is it possible to get the contract changed so that they pick up half the city on Monday and the other half on Tuesday. Mr. Kelty said that we will be going out for bids for trash service, that this contract is about to expire. Councilman Cain said that on Dixie Drive where it dead ends there is an abandoned boat that has been there for years, can we look into who owns this, and get it out of there.

Councilman Muraira asked if there is an update on the leak at the library. Lance Petty said that the water has been removed, he said that there is a TML claim on the damage. He said that flooring and sheetrock damage has been authorized to be replaced. There should be an adjuster out this week. He said that it should be back up and running in the next eight to ten weeks. At this time the main focus will be in the area where elections are held. Councilman Muraira asked Mr. Kelty about the building inspection sheet, he said that he thinks that this needs to be done by the City Manager, and not by Billy Shoemaker. He asked Mr. Kelty about meeting with local City Managers to see how they do their inspection logs. Councilman Muraira asked what the game plan is for the funding on the Pixie House. Mr. Kelty said that planning for Bond expenditures will be back on agenda for more consideration at the next meeting. Councilman Muraira asked if we are getting bids on the streets? Mr. Kelty said that the Bid specifications concrete streets for this year are being developed by Freese and Nichols, and he will get with them on the timeframe. Councilman Muraira asked why Slaughter Road was without water this weekend. Jerry Meeks said this had to do with work that Centerpoint was doing, he said that it was pulling the pressure down. Councilman Muraira asked about the vehicles on the East End, he said that the vehicles were moved over by O. A. Fleming, have these cars been moved? Mr. Kelty said that he believes they have

all been moved. He also said that the cars that were on City property, were towed, and the ones that were on private property, the property owner was talked to and told them they needed to be moved. He said that the cars were being rejected by the Port, and the cars were being illegally dumped.

Councilman Roy Yates asked why Freeport lost power as it did, and Lake Jackson and Clute didn't. Councilman Yates if asked will we get some kind of report explaining why we had such a long power loss. Mr. Kelty said that we have not received anything explaining this.

Councilman Pena asked about the lighting on Brazosport and Gulf. He said that there are four lights that need to be repaired, he said that there are some on Yellowstone and Brazosport as well. Mr. Petty said the lights at Yellowstone will be fixed. He said the lights at the Buc-ees intersection those cannot be repaired because there is no electric to them. He said that TXDOT said that these lights interfere with the traffic lights. He said that TXDOT will be removing these poles because of the interference. Councilman Pena spoke about the lighting in the police and library parking lot. Mr. Petty said that there is no electrical in the parking lot, but there is one light on the building, he said that we will order a couple more of those lights and mount them on the building, and hopefully this will help with the issue. Councilman Pena asked if we can get the walkways at 2nd and Velasco, and Ave A and Velasco painted with reflective paint? Mr. Petty said yes, we have the paint but we need to get the Diamond Dust. Councilman Pena asked Mr. Kelty if we can get the theater properly secured? Mr. Kelty said that Mr. Shoemaker is reaching out to the owners. He asked about the cranes coming into Freeport. Mr. Kelty said that he has spoken with TXDOT, and asked the contractors to keep the cranes down when they are not in use. Councilman Pena asked about the dumpster on Pine and 7th Street, he said it has been there for about 6 months. He also asked about the sidewalk by Sweet T's. He asked about the status on the lifeguards. Mr. Kelty said that he is wanting to open the pool about a week before school releases.

City Manager Tim Kelty said that he had meeting with TXDOT about the Pine Street Bridge, he said that construction will begin February of 2022. He said that the bridge will be closed at that point for 27 months. In September of 2022 they are scheduled to award the project to widen Hwy 36 from two lanes to four lanes between Pine Street and the River. Councilman Pena said that this cannot happen at the same time. He said that this will close entrance to the beaches. Mr. Kelty said that the road will not be closed, it will be under construction and it will be hectic. Mayor Bass said that we need to get in touch with Mr. Vasut, he said this cannot happen at the same time.

Human Resource Director Brenda Ferguson said that she has put flyers out for people that need help from FEMA, for the damage caused by the winter weather event. She said that the deadline to file is April 21, 2021. Renters do qualify. She said homeowners can apply, but they must apply with homeowner's insurance first, she said that there will be help for large deductibles.

Mayor Bass said to make sure this is on the website, and the FEMA information may need to go on the Ever Bridge icon.

Mayor Bass said for council to be sure and check their streets. He said this bond is for streets and drainage.

Update on reports / concerns from Department heads

Chief Motley spoke to council about the SAFER Grant. He said that they are working on this grant application. Chief Motley said that this will fund positions for three years at 100%. If this is awarded it will be brought back to council for approval.

Open session was closed at 8:15 pm and Council entered into Executive Session.

CLOSED SESSION:

Executive Session regarding a.) (Potential Litigation) consultation with city attorney b.) (Deliberations about Real Property), open space program, in accordance with Government Code Annotated, Chapter 551, Sections 551.071, 551.072.

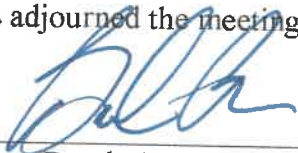
REGULAR SESSION

Mayor Bass reconvened regular session at 9:08 P.M.

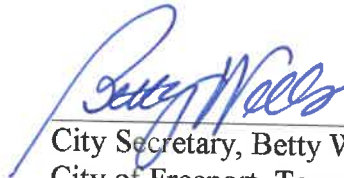
There was no action taken from executive session.

Adjourn

On a motion by Councilman Cain, seconded by Councilman Pena, with all present voting "Aye", Mayor Bass adjourned the meeting at 9:10 P.M.



Mayor, Brooks Bass
City of Freeport, Texas



City Secretary, Betty Wells
City of Freeport, Texas