

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, August 2, 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 Absent
Councilman Jeff Pena
Councilman Jerry Cain
Councilman Mario Muraira
Councilman Troy Brimage Absent

Staff: Tim Kelty, City Manager
Betty Wells, City Secretary
Chris Duncan, City Attorney
Lance Petty, Public Works Director
Henry Rivas, Interim Building Official
Giselle Hernandez, Financial Analyst
Laura Tolar, Special Events Coordinator
Robert Cramer, Teleconference
Wade Dillion, Museum Attendant

Visitors: David McGinty Manning Rollerson
Pam Dancy Jerry Meeks
John Jasso Ruben Jasso
Albert Esquivel Kenneth Hayes
Melanie Oldham Edmeryl Williams

Visitors, Via Teleconference: Amanda Petty Paul Crow
Vander Williams

Call to order.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was led by City Manager Tim Kelty, Pledge was led by Mayor Pro Tem Cain.

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.

Melanie Oldham spoke about the proposed budget. She asked if the Heritage House was still being discussed? She spoke about the two ambulances for the Fire/Ems Department, the Public Works new building, infrastructure, the additional money being adding to the Admin Legal Fund, and the importance of our beach and the river.

Manning Rollerson spoke of winning a case in the Fifth Circuit Court. He said that the residents of the city should have sued the City of Freeport, and Brazoria County. He spoke of the Port taking the residents property on the East End. He asked what is council going to do for the people of Freeport.

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

Presentation by John Jasso and Laura Tolar regarding status update on the 2021 Veterans Day Parade.

Special Events Coordinator, Laura Tolar and John Jasso with the American Legion Post 241, presented to council an update on the 2021 Veterans Day Parade.

Mayor Pro Tem Cain asked if there was anything needed from council to help with this? Mr. Jasso said no, we just want to give you an update, and keep you informed.

Presentation for employee of the month, for the months of May and June 2021.

City Manager Tim Kelty, presented the Employee of the Month certificate to Robert Phillips for the month of May 2021, and to Wade Dillion for the month of June 2021.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from July 19, and July 26, 2021.

Mayor Pro Tem Cain asked that the meeting minutes from July 26, be corrected on the statement made by himself. To read "he would like to see the road widened at the boat ramp on 2nd Street".

Consider changing the date of the first meeting in September 2021 due to the Labor Day Holiday, to Tuesday September 7, 2021.

Consideration of approving various items and equipment for surplus and approve the sale of such items by auction.

Councilman Pena asked about the vehicles that are in the auction, he asked which departments they are coming from, if the vehicles run, and if we are just looking to retire them. Mr. Kelty said that some of these vehicles may be operable but that they are no longer cost effective to maintain.

Pam Dancy asked if these vehicles are current on the registration? Mr. Kelty said every vehicle that the city owns, is exempt.

On a motion by Councilman Muraira, with the correction to the meeting minutes from July 26, 2021 seconded by Councilman Pena, with all present voting "Aye" 3-0 Council unanimously approved the Consent Agenda.

COUNCIL REGULAR AGENDA:

Public Hearing: Public Hearing for possible action on replat on Daspit Subdivision a combination of Lots 77 and 78, Block 1 of the Bar X Ranch Subdivision Section 4 Recorded in Volume 16, Page 167-170 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97 Brazoria County, Texas June 2021.

Mayor Pro Tem Cain opened the Public Hearing at 6:30 PM.

Interim Building Official, Henry Rivas presented to council action on replat on Daspit Subdivision a combination of Lots 77 and 78, Block 1 of the Bar X Ranch Subdivision Section 4 Recorded in Volume 16, Page 167-170 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97 Brazoria County, Texas June 2021. He said that this went before Planning Commission, but there was no quorum. State Law passed says action must be taken within 30 days, and if not, it is automatically approved.

Councilman Pena asked if this property is in the city limits, or our ETJ? Mr. Rivas said the ETJ.

Melanie Oldham spoke to council about her concerns with following what the city ordinance says.

Mayor Pro Tem Cain closed the Public Hearing at 6:36 PM.

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present voting "Aye" 3-0 Council unanimously approved the replat on Daspit Subdivision a combination of Lots 77 and 78, Block 1 of the Bar X Ranch Subdivision Section 4 Recorded in Volume 16, Page 167-170 of the Brazoria County Plat Records situated in the Asa Mitchell Survey Abstract 97 Brazoria County, Texas June 2021.

Public Hearing: Public Hearing for possible action on replat of Bar X Ranch Section 4 Lot 172A-2.00 Acres. Amended Plat of Lots 172 and 172, Block 3, Bar X Ranch, Section 4, as originally platted in Volume 16, pages 169-170 of the Plat Records of Brazoria County, Texas.

Mayor Pro Tem Cain opened the Public Hearing at 6:36 PM.

Interim Building Official, Henry Rivas presented to council action on replat of Bar X Ranch Section 4 Lot 172A-2.00 Acres. Amended Plat of Lots 172 and 172, Block 3, Bar X Ranch, Section 4, as originally platted in Volume 16, pages 169-170 of the Plat Records of Brazoria County, Texas. He said that this was taken before the Planning Commission but there was no quorum. State Law passed says action must be taken within 30 days, and if not, it is automatically approved.

Mayor Pro Tem Cain closed the Public Hearing at 6:39 PM.

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present voting "Aye" 3-0 Council unanimously approved the replat on Bar X Ranch Section 4 Lot 172A-2.00 Acres. Amended Plat of Lots 172 and 172, Block 3, Bar X Ranch, Section 4, as originally platted in Volume 16, pages 169-170 of the Plat Records of Brazoria County, Texas.

Consideration and possible action on an Interlocal Agreement with Brazosport College for participation in the TIRZ.

City Manager Tim Kelty presented to council an Interlocal Agreement with Brazosport College for participation in the TIRZ. He said that this will have a tremendous impact on their economic development efforts around the river and downtown. He said that this is a tool that will help in redevelopment.

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present voting "Aye" 3-0 Council unanimously approved an Interlocal Agreement with Brazosport College for participation in the TIRZ

Discussion of 2021-2022 Fiscal Year Budget.

Melanie Oldham spoke to council about the FY 2021-2022 budget. She asked about the Corona Relief Fund. She asked if we were considering building a new Community Center, she said the city is losing revenue on not having this facility. Ms. Oldham asked about the Grants, if this is for the Waste Water Treatment Plant. She asked if the City Hall renovation will be all at once, or spread out over time.

City Manager Tim Kelty presented the discussion of the 2021-2022 Fiscal Year Budget to council. He said that the items on which consensus was reached at the last meeting have been added to the budget. He said that there were a couple of new items brought up at that last meeting for which he has developed costs for that he needs council to discuss. They include widening of the road over the levy at the 2nd Street boat ramp would be \$150,000.00, and adding more parking at the 2nd Street boat ramp would be \$100,000.00. There was a lengthy discussion by Council on the FY 2021-2022 Proposed Budget, with no consensus.

Mayor Pro Tem Cain tabled this item.

Consideration and possible action approving Resolution No. 2021-2698 amending the Social Media Usage Policy and establishing the position of Communications Manager.

City Manager Tim Kelty presented to council Resolution No. 2021-2698 amending the Social Media Usage Policy and establishing the position of Communications Manager. He said that what this resolution will do is organize and control the message the City of Freeport conveys through social media to ensure it is consistently in line with the city vision. He said an important factor is that this would be one of the responsibilities of the new Communications Manager planned for the new budget.

Councilman Muraira said that he thinks this item needs to be tabled until the Mayor and Councilman Brimage are present. Mayor Pro Tem Cain said that he agreed with tabling this item.

Mayor Pro Tem Cain tabled this item.

Consideration and possible approval of Resolution No. 2021-2699 amending the City of Freeport Policy Handbook Chapter 8, Attendance and Leave Policy adding Section 8.12 Mental Health Leave.

City Manager Tim Kelty presented to council Resolution No. 2021-2699 amending the City of Freeport Policy Handbook Chapter 8, Attendance and Leave Policy adding Section 8.12 Mental Health Leave. He said that this is a change in the law for licensed peace officers. He said that if they are involved in a high stress situation, they are allowed leave. City Attorney Chris Duncan said that Legislature requires all city's have this in place by September 1.

Councilman Pena asked if a peace officer has a traumatic event can they go on leave on their own, or does the city have the right to require them go on leave? Chris Duncan said that the Chief of Police has the authority to have them go on leave.

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present voting "Aye" 3-0 Council unanimously approved Resolution No. 2021-2699 amending the City of Freeport Policy Handbook Chapter 8, Attendance and Leave Policy adding Section 8.12 Mental Health Leave.

WORK SESSION:

Councilman Pena asked if the striping that he has requested on Velasco and Ave A, as well as Velasco and 2nd Street, will be done before the end of this budget? Public Works Director Lance Petty said that he has ordered the stop lines, the six-foot letters that spell stop that go on the road, and ceramic button strips. He said that this will take about ten days to come in. He said that the street light at Velasco and Ave A should be up by the end of August as well. Councilman Pena asked if we can add lights to the side of the Fire Department building on Broad and 1495. He said that this is very dark intersection. Chief Motley said that this is something that is in the works. He said that he is hoping that this will be done by fall. Councilman Pena asked is there a working schedule is on the streets? Mr. Kelty said that there is a schedule for the list that was presented and approved late last year. He said that these are contracted with the County. Mr. Petty said that the county came in and milled the asphalt off of the streets that will be asphalted. Councilman Pena asked about the ordinance that is to help with the flooding from soil being moved, by the property owners. Mr. Kelty said that this is being worked on now by Chris Duncan. Councilman Pena asked if we have a map for the Veterans Day Parade? Laura Tolar said that the route is Park Ave to 2nd Street to the Stadium. Councilman Pena asked if there are updates on Altamira? Mr. Kelty said yes there are eight Delegates coming, there are events scheduled for their visit and the signing at 6 PM at Riverplace on Friday. Mr. Kelty said that this is a Public Meeting. Councilman Pena said that he was contacted by the Shrine Hospital, Mr. Kelty said that the Delegates asked for them to make a presentation. Councilman Pena said that Beach Bum Barcadia held an event and it had a strong attendance. He said that people are coming to downtown, he said that these events have an impact. Councilman Pena said that he wants council to receive the agenda a week in advance, so that they have more than three days to review before the meeting. Councilman Pena said that he wants to know what a council person needs to do to add something to the agenda? Mr. Kelty said to call him.

Councilman Cain said that the vacant rental properties at 1606 West 7th the grass is waist high. 1302 West 6th the grass is to the mailbox. He said the property at 1102 West 6th he said this property caught fire, has high grass, he said that the door is off the hinges and the windows are boarded up. He said it looks like there is a sofa, ice chest and clothes inside this property, he said it looks like someone is staying in this house. Henry Rivas said that he will check into this property. Councilman Cain asked if we reach out to the owners of these properties? Mr. Rivas said that they hang doorhangers and send out certified letters. Councilman Cain said that this property has been brought up several times before. He said that this is an unsecure vacant building that people are hanging out in. He said that he is tired of these vacant homes. He said that these homes are an accident waiting to happen, and they need to be taken care of. Councilman Cain asked Chief Motley how the city is holding up with COVID? Chief Motley said the numbers are coming back up, he said that there are more COVID related calls. Chief Motley said that

the supplies are still good. Councilman Pena asked if we have percentage of employees that have been vaccinated? Mr. Kelty said that we do not, and we cannot ask an employee if they have been vaccinated.

Councilman Muraira asked when the concrete pour will start for the sidewalk by the high school? Mr. Petty said on Thursday. Councilman Muraira asked Mr. Petty if they were going back to the 4th Street Alley and level it out? Mr. Petty said yes, they are working on this, and the County has been working on it as well. Councilman Muraira asked about repair to potholes on North Gulf Blvd and Sweeney Street and Skinner and North Ave B. Mr. Petty said that these will be patched. Councilman Muraira said relating to the budget he feels that Councilman Pena has pushed for the beach time and time again, he said that this has been discussed and it keeps coming back, as well as the Social Media Policy, he said that it is repetitive. Councilman Pena said that he is not interested in politics at all, but he is interested in problem solving.

Update on reports / concerns from Department heads

Chief Motley said the Mental Health Policy, needs to be for Emergency Management as well.

Mayor Pro Tem Cain said if we cannot add Emergency Management to the policy, we need to make a new Policy.

Public Works Director Lance Petty said that the pump at the Mystery Harbor Pump Station had been pulled because of a bad bearing. He said that there was a company hired, they pulled the pump on Friday. He said that there is an eight-inch bypass pump at the site, and a 2nd pump on hand in the yard at the service Center. Should a storm come, we are covered. Councilman Cain asked if this is the same pump as last year? Mr. Petty said no last year it was the pump on Ave A by Girouard's, this one is across the river, over by the Service Center.

Open session was closed at 8:27 pm and Council entered into Executive Session.

CLOSED SESSION:

Executive Session regarding a.) (Potential Litigation) consultation with city attorney b.) (Deliberations about Real Property), O. A. Fleming, and East End, c.) (Personnel Matters) City Manager annual evaluation in accordance with Government Code Annotated, Chapter 551, Sections 551.071, 551.072, 551.074.

REGULAR SESSION

Mayor Pro Tem Cain reconvened regular session at 8:51 P.M.


There was no action taken from executive session.

Adjourn

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present voting "Aye", Mayor Pro Tem Cain adjourned the meeting at 8:51 P.M.



Mayor Pro Tem Cain
City of Freeport, Texas



City Secretary, Betty Wells
City of Freeport, Texas