

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, August 16, 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 Absent
- Councilman Mario Muraira
- Councilman Troy Brimage

Staff:

- Tim Kelty, City Manager
- Betty Wells, City Secretary
- Cathy Ezell, Finance Director
- Chris Duncan, City Attorney
- Lance Petty, Public Works Director
- Henry Rivas, Interim Building Official
- Giselle Hernandez, Financial Analyst
- Laura Tolar, Special Events Coordinator, Via Teleconference
- Robert Cramer, Teleconference
- Chris Motley, Fire Chief
- LeAnn Strahan, Destinations Director
- Jessie Dyson, Freeport Fire/EMS
- Kris Vierra, Freeport Fire/EMS
- Abdiel Martinez, Freeport Fire/EMS
- Parker Jones, Freeport Fire/EMS
- Blaine Redwine, Freeport Fire/EMS
- Ray Garivey, Freeport Police Chief

Visitors:

David McGinty	Manning Rollerson
Pam Dancy	Jerry Meeks
Sandra Barnett	Kenny Hayes
Tommy Pearson	Landis Adams
Melanie Oldham	Gina Adams
Brian Bruce	John Hatmaker
Sabrina Brimage	

Visitors, Via Teleconference:

Nicole Mireles	Paul Crow
Vander Williams	Lila Diehl

Call to order.

Mayor Bass 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 Councilman Brimage.

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.

Tommy Pearson spoke of the pumps over by Superior Fab, he said that the pumps have had problems for the seven years that he has lived in the City. He said that there has been floods and pumps not working. He said a pump has been missing for years. He said that we need to get rid of the rental pumps and replace it with a pump. He said this has been a problem for a long time, and we need to get it taken care of.

Kenneth Hayes, 414 Mystery Harbor spoke to council about the pop box on the levy that needs to be removed. He also asked about the VIC being moved back to the original building. Mr. Hayes said that the first workshop meeting that we had over the budget, the Health Insurance for the City Employees was discussed, he said that Councilman Pena made a comment that the city should reach out to the industry partners, and get them to help pay for the insurance coverage because the air pollution is what is hurting our people. Mr. Hayes said this is a dangerous statement to be made by one of our City Councilmembers in public.

Pamela Dancy spoke to council about the flooding that occurs on her property when it rains. She said this has been going on forever, she said that Band-Aids are just being put on this problem, it is not being fixed. She said that she is a tax payer and the City Council has failed her. She spoke of the pump issues and asked how hard is it to put a camera into the pipe.

Manning Rollerson spoke to council about the 5th Circuit Court ruling and the East End of Freeport. He said that Council always fails them. Mr. Rollerson spoke about the pump issue in the city.

Melanie Oldham, 922 West 5 spoke to council about infrastructure, pumps and the 2.6 million in COVID money, she said that this money can be used for things, such as bonuses for employees. She asked if council is still considering the rehab on the Heritage House, and if the city has considered a new Community Center. She said that she thinks the money for Heritage House should be used for the rehab on City Hall. She spoke about the VIC, streets and drainage.

Ms. Gloria Molina spoke to council about having to pay a water bill that was left by a tenant. Mr. Duncan said that she can speak with Mr. Kelty about this issue, because council cannot discuss something that is not on the agenda. She said that she has spoken with Mr. Kelty, Darla Autry and Councilman Muraira.

Councilman Muraira said that he has advised her that there is a grant that is available to help with this bill.

Mayor Bass said that we cannot discuss this here. She can bring it up as citizen comments, or ask to be placed on an upcoming agenda.

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

Presentation for employee of the month, for the month of July 2021.

City Manager presented employee of the month for the month of July 2021 to Firefighter James Parker Jones.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from August 2, and August 6, 2021.

Consideration and possible action approving Resolution No. 2021-2700 approving the recommendation of the Employee Benefits Trust in regard to the award of the Employee Health Insurance Contract.

Consideration of approving Resolution No. 2021-2701 by the City of Freeport Designating Authorized Signatories for Contractual Documents and Documents for Requesting Funds Pertaining to the Community Development Block Grant – Disaster Recovery Program (CDBG-DR) Contract Number 20-065-050-C158.

Councilman Pena asked a question about this item. Ms. Ezell said that this is the Grant for the Bar Screen replacement, she said that the paperwork through the GLO has to be updated with her information so that she can sign for the financial side. She said that there are issues of the draw of funds on the grant.

Item No. 5, Consideration and possible action approving Ordinance No. 2021-2635 amending the offering of health benefits coverage to City of Freeport Retirees was pulled from the consent agenda and tabled by Mayor Bass.

On a motion by Councilman Brimage, seconded by Mayor Bass, with all present voting “Aye” 4-0 Council unanimously approved items No. 2, 3 and 4 on the Consent Agenda.

COUNCIL REGULAR AGENDA:

Consideration and possible action approving Resolution No. 2021-2698 amending the Social Media Policy.

City Manager Tim Kelty presented to council the possible action approving Resolution No. 2021-2698 amending the Social Media Policy. He said that this was tabled last meeting because Mayor Bass and Councilman Brimage were not present. Mr. Kelty said that there has been no change in what is being proposed. He said that this gives the city better control of the content and message that gets put on social media, he said this item had been developed with the input from and at the request of Councilman Pena, and that it is consistent and in line with the city’s vision identified in the City’s Strategic Community Plan adopted in 2019. Mr. Kelty said that Communication Manager position who would be responsible for administering the policy is included in the budget FY2021-2022.

Councilman Brimage said that in his opinion the city is not ready for a Communication Manager and it wasn't needed. He said we have good people that run these departments, who are successful in what they do. He said that we can't afford to pay an insurance policy, and we can't fix the flooding problems, but we are talking of adding a Communication Manager? He said that he does not understand this.

Councilman Muraira said that he agrees with this Amending the Social Media Policy and approving a Communication Manager position.

Councilman Pena said that this position should cover more than just the Social Media. Mr. Kelty said that the monitoring of social media is just a small portion of what this position will do. Mr. Kelty said that it will be in charge of creating flyers, newsletters, developing official press release and help with marketing the community and communication with the public. Councilman Pena said that Freeport is so far behind, we needed this position yesterday. He said that when other Councilmembers speak, he respects their time, and he would appreciate the same respect. He said during the freeze, it would have been nice to have something like this to build hope.

On a motion by Councilman Pena, seconded by Councilman Muraira, with all present and voting 2-2, the item was not approved. Councilman Pena and Councilman Muraira voted "Aye". Mayor Bass and Councilman Brimage voted "Ney".

Consideration of and action on setting the City of Freeport proposed 2021 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2021 Tax Rate.

Finance Director, Cathy Ezell presented to council the City of Freeport proposed 2021 tax rate, setting public hearing (if necessary), and directing staff to publish the Notice of Proposed 2021 Tax Rate. She said that we have to adopt the tax rate as part of the budget. She said that the legislature changed how we do everything. She said that the rate decided on tonight is the proposed tax rate. Ms. Ezell said when we come back on the next meeting we can go less, but not more.

Mayor Bass asked to define debt. Ms. Ezell said it is the amount of Bond money that was borrowed and promised to be paid back by the property tax rate.

Councilman Pena asked if this tax rate is the overall property tax rate? Ms. Ezell said yes.

On a motion by Councilman Brimage to propose a tax rate of .61, with an M&O rate of .506691 and a debt rate of .103309, which is 5.3% over the NNR rate, of which \$2,767,965 is General Fund M&O Revenue, and impacts the budget by \$89,208; and, scheduling a Public Hearing on the Tax Rate, Tuesday September 7, 2021 at 6 PM, seconded by Mayor Bass, with all present voting "Aye" 3-0 council unanimously approved the City of Freeport proposed 2021 tax rate, setting public hearing, and directing staff to publish the Notice of Proposed 2021 Tax Rate.

Mayor Bass "Aye"

Councilman Brimage "Aye"

Councilman Pena "Aye"

Councilman Cain was not present.

Councilman Muraira was not present.

Discussion of Fiscal Year 2021-2022 Budget.

Finance Director Cathy Ezell said that this is the proposed budget. She said that there have been no changes since the last Budget Discussion. Ms. Ezell said that there are two items that are up in the air from the last Budget Workshop, she said the expansion of the roads over the levy to the 2nd Street Boat Ramp for \$150,000.00, and adding additional parking at this boat launch, for \$100,000.00. She said no consensus had been reached when these items were brought up.

Councilman Pena asked when will we hold the last Budget Workshop? Ms. Ezell said this is the last one prior to the meeting schedule for adoption. Councilman Pena said that he wishes we would have had an independent Workshop. City Manager Tim Kelty said that there is time to make changes before the next meeting. Councilman Pena said that the budget to date, is a hodgepodge approach to allocate these funds, without any particular vision.

Councilman Muraira said that he would like to see the funds that are set for the Heritage House, be moved to the Velasco Community House. He said that he would like a facelift on this building. He said that he would like to see if we can consider \$50,000-\$200,000 for the Velasco Community House.

City Manager asked Council if there is consensus on the two items of widening of the road at the 2nd Street Boat Ramp, and additional parking, at this location. He also asked if the Velasco Community House rehab is to be added, he asked if there are any other projects that council would like to see added to this budget.

Mayor Bass said that Mr. Kelty is looking for guidance on the budget.

Consideration and possible action regarding Ordinance No. 2021-2636 requiring an electrical inspection prior to renewing expired electrical service.

There was an online comment on this item asking why this did not go to Planning and Zoning Commission before City Council, the Planning Commission has been against this and has voted it down in the past.

An online statement was agreeing with Councilman Brimage on the Social Media Policy, they commented when there are streets that need repair and the flooding through the city, we do not need this new position of Communication Manager.

Interim Building Official, Henry Rivas presented to council Ordinance No. 2021-2636 requiring an electrical inspection prior to reconnection if the service had been disconnected for more than 3 months. He said that currently the city does safety inspections on all reconnections at no charge. This Ordinance will allow for the setting of a fee for the city's inspection.

Mayor Bass asked if there are laws or codes to enforce this? Mr. Rivas said that there is no fee on the safety inspection. Mayor Bass asked if there are codes that can be enforced if someone has an unsafe electrical breaker box. Mr. Rivas said that there is the National Electrical Code. He said that we will not know this if we are not called out to inspect.

Councilman Brimage said that he thinks we should charge the landlord, not the tenant.

Councilman Pena asked what the Fire Chief's opinion is on this? Chief Motley said that there were issues in the past. He said that he doesn't have current information on hand. He said that this is a good preventative safety measure.

Councilman Brimage asked if electricity is turned off, the property must have an electrical inspection before power can be turned back on. Mr. Rivas said yes.

This item was tabled by Mayor Bass.

Consideration and possible action approving Resolution No. 2021-2702 amending the Master Fee Schedule with fee for electrical inspection for reactivation of service.

This item was tabled.

WORK SESSION:

Mayor Bass asked that Gina Adams with the BCHC to stand, he spoke of the Sisterhood Signing Agreement with Altamira, Mexico. He said that Ms. Adams and the BCHC were the ones to get this started. He said that he wants to thank her for all of the hard work put into this.

Councilman Pena said that he was elected because he has new ideas, he speaks up and he is not interested in how things have been done, but in doing things that have not been done. He said that he got elected because of the changes he did on the EDC, cleaning up bad contracts, and bad deals. He said that he took his oath very seriously. He said that when he thinks about the air and the quality of it, here in Freeport he said that maybe he has just not inhaled enough of the fumes, because he still has he wits and he will still impose the questions that others may fear. Councilman Pena asked Mr. Petty for an update on Ave A and Velasco. Mr. Petty said the shipment came in today, once the rain stops we will start laying in on the roadway. Councilman Pena asked Mr. Petty about the intersection at Ave A and Velasco, he said that there was a red light there and it was removed. Councilman Pena asked if we need stop signs at this location. Mr. Petty said that we can look at putting a flashing light here. Councilman Pena asked if the street and sidewalk schedule has been compiled? Mr. Kelty said that he will get this put together for him. Councilman Pena said that the sidewalk in front of the river by the boat ramp and continuing to Velasco Bridge. The next one is by Sweet T's. He said that he is curious about the sidewalk by city hall, he said it is pristine. He said across the street these sidewalks are not pristine. He also spoke of the health services and insurance and saving money, he said why don't we check into testing our employees for smoking, and offer maybe lower premiums. Councilman Pena spoke of the Bill Fish Classic, he said that he knows that Councilman Brimage hosted this event. He is curious how many people came to the city for this? Councilman Brimage said he did not have an exact number but it was the largest ever. He said that there were 31 boats, at least 300-400 people at Riverplace, he said that there was not enough room for seating. Councilman Pena said that he wants to make sure we are looking at promoting our events.

Councilman Brimage said that Dale Lindsey at 1402 North Ave O said that he has bulky trash that needs to be picked up, he said that it has been out for three weeks. Councilman Brimage asked that Mr. Kelty reach out to Jaime with Waste Connections and get this picked up. He said that the ditch at Zapata needs to be cleaned out as well, he asked that Mr. Kelty contact Mr. Lindsey. Councilman Brimage said that the Velasco Lodge has a leak on their side, and the owner wants to repair the leak himself. He asked that Mr. Meeks go and speak with him. He said the ditch behind Superior Fabrication is overgrown, he said this needs to be taken care of. He spoke of the school road, it looks like they are going pretty high, and it is going to push the water into the driveway. He said that it looks like the same thing is going to happen at Ave A in front of Superior Fab. Councilman Brimage, asked that Ms. Pam Dancy's house be taken

care of. He said that this is a problem, he said please address this problem. Councilman Brimage said that this is an emergency situation. Mayor Bass said that we need to get this ditch mowed, we own it we need to take care of it.

Update on reports / concerns from Department heads

Fire Chief Motley told council that CHI Brazosport is on diversion, Angleton UTMB is on diversion, he said stay healthy. He said that COVID is the chief complaints. He said that we need to monitor the hurricane season.

Police Chief Garivey said that Officer Fernandez got a grant for \$127,000.00 for new radios.

City Manager Tim Kelty introduced Brian Bruce with Veolia.

CLOSED SESSION:

There was no Executive 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

Adjourn

On a motion by Councilman Brimage, seconded by Councilman Pena, with all present voting "Aye", Mayor Bass adjourned the meeting at 8:55 P.M.



Mayor Brooks Bass
City of Freeport, Texas



City Secretary, Betty Wells
City of Freeport, Texas