

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, January 23, 2023 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

Staff: Tim Kelty, City Manager  
Lance Petty, Assistant City Manager/PWD  
Betty Wells, City Secretary  
Clarisa Molina, Administrative Assistant  
Tommy Ramsey, Interim City Attorney  
Cathy Ezell, Finance Director  
Toby Cohen, IT Manager  
Donna Fisher, Human Resource Director  
Kacey Roman, Building Official  
Chris Motley, Fire Chief  
Hope Bullman, Code Officer  
Patti Veazey, Code Officer  
Robert Johnson, EDC Director  
Alex Cruz, Patrol Officer City of Freeport  
April Tietjen, Freeport Police Department Dispatch

Visitors:

George Matamoros	George H. Matamoros
Sam Reyna	Karla Clark
Pam Dancy	David McGinty
Shonda Marshall	Desiree Pearson
Tom Pearson	Julie Solis
Manning Rollerson	Kent Holle (Facts)
Con McCleester	Melanie Oldham
Ron Bachman	Eduardo Irigoyen (US Corp)
Jack Bullman	Diane McCleester

**Call to order.**

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

## **INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation and Pledge was led by City Manager, Tim Kelty.

## **CITIZENS' COMMENTS:**

Karla Clark 411 Sailfish, she said it was a beautiful day for the MLK Parade. Ms. Clark spoke of issues of the tie in on the Surfside water line, and mowing on the sideways. She spoke of the issue on Caldwell Street, she said there is a water leak and it is causing the road to cave in. Ms. Clark asked about the retention pond behind the new hotel, where is this going to drain? She said she would like this information given to her by Mr. Kelty or whomever can answer. She spoke of the investigations, she said they need to be released. She spoke of trying to get in touch with City Hall, and Mr. Kelty not always responding to emails. She spoke of the mistakes in the minutes.

Pam Dancy 313 S. Front Street, she said the minutes need to be corrected. She said Mr. Reyna made a comment regarding the need to terminate the City Manager, she said this needs to be added. She spoke of the duplication of visitor names in the minutes. She said the information on the Election Contract is wrong. She said she would like to see council take citizens' concerns and acknowledge them at the next meeting.

Manning Rollerson 126 West 6, spoke of the drainage pipes that are just sitting, and work not being done. He spoke of 1800 feet of pipe being, \$220,000, from the county for the infrastructure. He spoke of the Urban Grants. He spoke of the super fund site and the testing of the groundwater. He asked what is DOW and the City doing to correct this issue. He said the city needs to address these issues.

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

Presentation by the US Corp of Engineers updating Council and the Public of the Freeport Project.

Eduardo Irigoyen presented to council the update of the Freeport and Vicinity Hurricane Flood Protection Project. He announced an Open House will be held on Thursday February 2, 2023 from 4 PM-& PM, at the Lake Jackson Civic Center.

Manning Rollerson spoke of his Federal Case.

Melanie Oldham spoke of this project. She said she would like to know we are protected from the 100-year flood.

Presentation of employee of the month for the month of December 2022.

Mr. Kelty presented the employee of the month to Alex Cruz, and April Tietjen, for the month of December 2022. Patti Veazey was also recognized for her outstanding work for the City of Freeport.

## **CONSENT AGENDA**

Consideration and possible action on the approval of City Council meeting minutes from January 9, 2023, and the Special Meeting from January 9, 2023.

Consideration and possible action approving the date change for the 2<sup>nd</sup> meeting in February from Monday February 20, to Tuesday February 21, 2023 for the President's Day Holiday.

Consideration and possible action approving ratification for the approved Replat of God's Grace Subdivision Comprised of Lots 1,2,3,4 & 5 Formerly a Called 14.7385 Acre Tract Being a Part of Tracts 36,37,38, 39 & 40 of the San Bernard Syndicate Subdivision N and being that same tract a Recorded in County Clerk's File No. 2022-019935 of The Brazoria County Official Records in the Thomas B. Bell Survey Abstract 41 City of Freeport (ETJ) Brazoria County, Texas.

Consideration and possible action approving the ratification of the approved Replat of Seaside Estates of Follett's Island TX a 10 Lot Subdivision of 25.979 Acres Composed of Tracts 5 through 11 of the unrecorded Subdivision of 70.15 acres conveyed to Nelms Development LLC in County Clerk's File 2021061111 of the Brazoria County Official Records situated in the Stephen F. Austin Peninsula League Abstract 29 City of Freeport Brazoria County, Texas.

Mr. Kelty asked that the change to the minutes in Mr. Reyna's comment "Tim Kelty should be removed", he said this needs to be added to the minutes.

Ms. Dancy spoke of the contract that was approved in the minutes, she said this needs to be removed. Mr. Kelty explained the minutes are correct, and the contract will come back on another council meeting to be amended.

A motion was made by Councilman Muraira to approve the consent agenda with the correction "Mr. Kelty needs to be removed" to the meeting minutes for January 9, 2023. Seconded by Councilman Pena, with all voting "Aye" 3-0 vote council unanimously approved the Consent Agenda.

### **COUNCIL REGULAR AGENDA**

Consideration and possible action approving an amendment to the agreement between Brazoria County and the City of Freeport to receive funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383; Entitlement Grant CFDA 14,218; Grant Number B-21-UC48-005.

City Manager Tim Kelty, presented to council an amendment to the agreement between Brazoria County and the City of Freeport to receive funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383; Entitlement Grant CFDA 14,218; Grant Number B-21-UC48-005. He said this is the project for Ave G and H sanitary sewer that received CDBG Funding through the County. Our Grant Administrator requested this amendment, because we are approaching the end of the grant period. He said the amendment is a for a requested time extension. This will extend 60 days. Being extended until February 28, 2023.

A motion was made by Councilman Muraira to approve the amendment to the agreement between Brazoria County and the City of Freeport to receive funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383; Entitlement Grant CFDA 14,218; Grant Number B-21-UC48-005. Seconded by Councilman Pena. With discussion that followed.

There was discussion with the remainder of the funds, and if they could be spent. Ms. Ezell said this was a CBDG Grant fund, she said we were close to using all of the funds, she thinks \$10,000-\$20,000, but we could not change the scope of the work. It had to be in that area where we did the surveys.

Mr. Rollerson asked about the Urban Grant, he said this is for housing. Mr. Rollerson asked if these were just being used for the sewer lines? Councilman Pena asked if this project is just residential? Mr. Kelty said yes, it is just for residential.

Ms. Clark asked the date of completion? She was told February 28, 2023.

Mayor Pro Tem, Cain called the motion for a vote, with a present voting "Aye" 3-0, council unanimously approved an amendment to the agreement between Brazoria County and the City of Freeport to receive funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383; Entitlement Grant CFDA 14,218; Grant Number B-21-UC48-005.

Consideration and possible action approving the Joint Election Agreement with Brazoria County for the General Election on May 6, 2023.

City Manager Tim Kelty presented to council the Joint Election Agreement with Brazoria County for the General Election on May 6, 2023. He said the cost will be about \$15,000 he said his will also include the Charter Election. Mr. Kelty said if there is a runoff, it will be an additional \$15,000.

A motion was made by Councilman Muraira to approve the Joint Election Agreement with Brazoria County for the General Election on May 6, 2023. Seconded by Councilman Pena. With discussion that followed.

Councilman Pena asked the dates of when candidate must turn in applications to be a candidate in the General Election. Mr. Kelty told him, January 18 – February 17, 2023.

Mayor Pro Tem, Cain, called the motion for a vote, with all present voting "Aye" 3-0, council unanimously approved Joint Election Agreement with Brazoria County for the General Election on May 6, 2023.

## **WORK SESSION:**

Councilman Pena spoke of the MLK Parade. He said that he wishes Mayor Bass a speedy recovery. He spoke on the EOM, he said lifesaving is above and beyond, and maybe we designate another "above and beyond" when they save someone's life. Councilman Pena thanked the PD for the quick response for the violence that broke out between the patrons at the downtown pool hall. Councilman Pena said he also wants to ask the City Manager to release the report by Zech and Navarro on the Boys and Girls Club. And he asked that the original report from Mr. Brimage be returned to City Hall. Councilman Pena said he wants to speak on the meeting minutes, and clarify the comments made by Cathy Ezell at the previous meeting, that he and Councilman Muraira continue to pressure staff to do things, in violation of the Charter. Councilman Pena said at no time has he violated City Charter. He said he consistently "CC's" the City Manager, City Attorney and the rest of council, and always responded accordingly. Councilman Pena said the wanted to thank the Parks Department for getting the lights that were out in downtown Municipal Park replaced. He spoke of the reflectors that are planned in the downtown on Park Avenue and Broad. He said these will help drivers be aware of the stop signs at night, and protect the pedestrians in the downtown area. Councilman Pena said thank you for the repairs on the pumps that service the splash pad. He asked for updates for the sewer issue on 2<sup>nd</sup> Street affecting Port Café? Mr. Petty said

before this meeting, it had not been repaired. The contractor for Centerpoint bored into the sewer line and caused these problems. The cost of these repairs will be going back to Centerpoint.

Councilman Muraira asked if barricades can be put up on North Ave N and Yellowstone at the dead-end. He said he had a complaint that people are driving in the yard of the house on the corner. Councilman Muraira said the Mr. Vega wanted to thank Mr. Petty for getting rid of the bees. He said that he has been driving around and has seen the sidewalks that have been replaced. He spoke of the one on Dixie by the school. He said he has noticed a lot more kids outside. Councilman Muraira asked Mr. Kelty if we had an update on the lighting plan from Centerpoint? Mr. Kelty we are still waiting on Centerpoint. Councilman Muraira spoke of the EDC, Planning and Zoning, and the Mainstreet Workshop at 6 PM on Thursday. He asked if council can attend, Mr. Kelty said yes. Mr. Kelty said the meeting is for discussion on the potential first floor residential development in downtown, and we will be talking about signage regulations. Councilman Muraira said that he thinks the Boys and Girls Club report needs to be released, he said what he saw was a small packet and to him, it's a difference of opinion between Zech/Duncan.

Ms. Dancy said she hopes Mayor Bass gets better. Ms. Dancy asked about the meeting for Thursday night. Mr. Kelty said no action will be taken at this workshop.

Mr. Rollerson asked for a patrol officer at Yellowstone's four way stop.

Mayor Pro Tem, Cain congratulated the MLK Parade, he said it was one of the biggest parades in Freeport. He spoke of the work at FIS, on the football field, he said there have been stands added. He said with that, we need lighting on Dixie Dr. He said it is terrible. We need to reach out to the ISD as well, and see if they are willing to put some on their side as well. Councilman Cain said we are experiencing a lot of water main breaks. He asked if this is from the freeze, a lack of maintenance, or bad luck. Mr. Petty said it is contractors hitting mains, boring lines, and the age of the system.

City Manager Tim Kelty, said this Thursday or Friday we will be submitting an application to TXDOT, for about \$5.7 million-dollar grant, and it requires no match. Mr. Kelty said this will be for sidewalks along Gulf Boulevard and along Brazosport Boulevard and other linkages. This includes curb ramps and I believe a crossing signal. This will include connectivity, this will also include some bike routes. He said if this is awarded, it will probably be about a two-year project.

Update on reports / concerns from Department heads

### **CLOSED SESSION:**

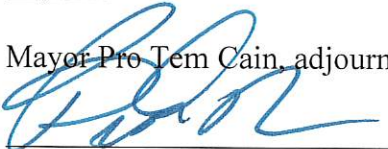
Open Session was closed at 7:12 P.M.

No action was taken from Executive Session.

Executive Session was closed at 8:40 P.M and the meeting was called back into regular session.

Adjourn

Mayor Pro Tem Cain, adjourned the meeting at 8:40 P.M.

  
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Mayor, Brooks Bass  
City of Freeport, Texas

  
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City Secretary, Betty Wells  
City of Freeport, Texas