

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, April 4, 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  
Councilman Jeff Pena  
Councilman Jerry Cain  
Councilman Mario Muraira  
Councilman Winston Rossow

Staff: Tim Kelty, City Manager  
Lance Petty, Assistant City Manager/PWD  
Betty Wells, City Secretary  
David Olson, Interim City Attorney  
Clarisa Molina, Assistant City Secretary/Administrative Assistant  
Cathy Ezell, Finance Director  
Toby Cohen, IT Manager  
Donna Fisher, Human Resource Director  
Kacey Roman, Building Official  
Chris Motley, Fire Chief  
Laura Cramer, GIS/Special Events Co  
Jason Schafer, Fire Marshall  
Mike Praslicka, Freeport Deputy Fire Chief  
Justin Davidson, Freeport Fire Department  
Evelyn Betancourt, Freeport Fire Department

Visitors:	Bob Casale	David McGinty
	Manning Rollerson	Margaret Bachman
	Ron Bachman	Nicole Mireles
	Sam Reyna	Melanie Oldham
	Con McCleester	Diane McCleester
	Jessie Parker	Debra Rossow
	Pam Dancy	Karla Clark
	Karen Tait	Janice Garcia
	Betty Jo Ramirez	Jarvis Davis
	Kent Holle	Mark Parker
	Carol Parker	

**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, and Pledge was led by Mayor Brooks Bass.

Consideration and possible action approving Ordinance 2023-2692, Canvassing the returns and declaring the results of the April 1, 2023 run-off Election for City Council Ward D Special Election, signing the required affidavit, and administering the oath for the successful candidate.

A motion was made by Council Pena, to approve Ordinance 2023-2692, Canvassing the returns and declaring the results of the April 1, 2023 run-off Election for City Council Ward D Special Election, signing the required affidavit, and administering the oath for the successful candidate, seconded by Councilman Cain with all present voting "Aye" 4-0, Council unanimously approved Ordinance No. 2023-2692.

City Secretary, Betty Wells administered to Oath of Office to Winston Rossow, and Councilman Rossow took his seat.

## **CITIZENS' COMMENTS:**

Karla Clark, 411 Sailfish spoke of her concern of the General Election on May 6, and the issues that she feels are in violation of the Charter, and the candidates that are running.

Melanie Oldham 922 West 5, spoke of her concerns of the condemnation with the Port Freeport. She spoke of a Bill that has been filed. Ms. Oldham said this land needs to be fought for, and this Bill needs to be revised.

Manning Rollerson spoke of the East End, he said this land is worth more than the \$8 million. He said the park must be voted on by the public.

Sam Reyna 2002 North Ave G, spoke of the City Manager and City Building Official picking up political signs. He said that it is illegal for anyone to pick up the signs. He said a complaint should be filed before any sign can be removed.

Melanie Oldham spoke of US Homeland Security Civil Rights investigating Port Freeport and the former leadership of the City of Freeport, for devaluating the East End and civil rights abuses and violations.

Manning Rollerson announced he is running for Precinct 1 Place 1 Port Commissioner. He spoke of the Homeland Security Investigation.

Karla Clark spoke of the wrong that goes with an election, and the wrong that is kept from the public. She said she hopes your allegiances Mr. Rossow to city, county officials as well as financial influencers, do not stand in your way of the people.

Pam Dancy South Front, thanked the City for the egg hunt at the park. Ms. Dancy said she agrees that citizens need to know what is happening with the Port. She asked that item #5 be tabled until after the May Election.

Jeff Pena 224 West Park, spoke of social media, our rights of voting, and having our voices heard. He spoke of Ed Garcia, and asked for a moment of silence. Mr. Pena asked that item #5 be tabled until after the May election.

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

Presentation for Employee of the Month, for the Month of February 2023.

City Manager Tim Kelty, presented a certificate for Employee of the Month, for the Month of February 2023 to Mike Praslicka.

**COUNCIL REGULAR AGENDA**

Consideration and possible action on the approval of City Council Meeting Minutes, the Special Meeting from March 20, 2023, and the Special Meeting from March 27, 2023.

A motion was made by Council Cain, seconded by Councilman Muraira with all present voting "Aye" 5-0, Council unanimously approved City Council Meeting Minutes, and the Special Meeting from March 20, 2023, and the Special Meeting from March 27, 2023.

Consideration and possible action approving Joint Resolution, for adoption of Brazoria County Emergency Management Plan.

Freeport Fire Chief Chris Motley presented to council a Joint Resolution, for adoption of Brazoria County Emergency Management Plan. There was discussion of mutual aid.

A motion was made by Council Cain, seconded by Councilman Muraira with all present voting "Aye" 5-0, Council unanimously approved Joint Resolution, for adoption of Brazoria County Emergency Management Plan.

Consideration and possible action approving Ordinance No. 2023-2693, amending Rules and Procedures for Council Agenda.

A motion was made by Councilman Pena, to table this item, seconded by Councilman Muraira. With discussion that followed.

City Manager Tim Kelty presented to council Ordinance No. 2023-2693, amending Rules and Procedures for Council Agenda. He said this item was requested by Councilman Cain at the last city council meeting. Mr. Kelty said if this is passed tonight, it will amend Ordinance No. 2022-2657.

There was discussion by council of when a Special Meeting should be called. Special Meetings are for emergencies, or time sensitive items. Councilman Pena said this item should wait until after the May Election. He also said that the Ordinance is Politically driven, and it is just being used to silence Councilmen and the public.

Mayor Bass called the motion to table this item, with a 3-2 vote motion failed. Councilmen Cain and Rossow, and Mayor Bass voted "Nay", Councilmen Pena and Muraira voted "Aye".

A motion was made by Councilman Cain, seconded by Mayor Bass to approve Ordinance No. 2023-2693, amending Rules and Procedures for Council Agenda. With discussion that followed.

Manning Rollerson said Councilman Rossow should not be allowed to vote.

Pam Dancy feels this should be tabled for Councilman Rossow's benefit, she said show respect.

Mayor Bass called the motion to a vote, with a 1-4 vote, motion fails. Mayor Bass, Councilmen Pena, Muraira, and Rossow voted “Nay”. Councilman Cain voted “Aye”

Discussion and guidance from Council on the 2023 Street Lighting Plan.

Karla Clark said Bridge Harbor is part of Freeport. She said the map does not include the Gulf View Subdivision. She said she hopes that the representative for Ward D will take a look at this.

Laura Cramer GIS/Special Events Coordinator, presented to council the recommended Street Light Plan for 2023.

Councilman Muraira asked that lights be added to 4<sup>th</sup> Street between 288 and Dixie. Ms. Cramer said this is not a residential area. She said the free lights are for residential neighborhoods. She said she will get the cost to install in nonresidential.

Councilman Pena asked who is responsible for the antique lights on 2<sup>nd</sup> Street? He asked that a Centerpoint light be installed in this area if the antique lights cannot be repaired.

Council was asked to review the map closely and bring back any recommended changes at the next meeting.

No action was taken on this item.

Consideration and possible action approving a contract for the phone system upgrade for all City Departments of the City of Freeport.

A motion was made by Councilman Cain, seconded by Councilman Muraira to approve a contract for the phone system upgrade for all City Departments of the City of Freeport. With discussion that followed.

Toby Cohen IT Manager, presented to council a contract for the phone system upgrade for all City Departments of the City of Freeport. He said this will replace the aging phones, to new phones and this will be a cost reduction of \$25,000 the first year and \$15,000 in subsequent years. This upgrade will help prevent phone outages, and will allow transfers to any city department.

There was discussion by Councilman Pena to do a partial switch to ensure it actually works, and the possible downtime of the phone lines.

City Attorney David Olson requested time to review the terms and conditions included by a link in the agreement

Councilman Cain withdrew his motion to approve, Councilman Muraira withdrew his second. Item will be placed on the next agenda.

Consideration and possible action on the purchase of new vehicles for the Building Department.

Finance Director Cathy Ezell, presented to council the purchase of new vehicles for the Building Department. She said this is a budgeted item, but it is over \$50,000 and is required to come before Council for approval.

A motion was made by Councilman Cain to approve the purchase of new vehicles for the Building Department, seconded by Councilman Pena with discussion that followed.

Councilman Pena asked what the MSRP is on the vehicles? Ms. Ezell said the 2023 Ford-F150 is \$35,995, and the 2023 Chevy Silverado is \$44,263. Ms. Ezell said she does not know the retail price of these.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0 council unanimously approved the purchase of new vehicles for the Building Department.

Consideration and possible action awarding contract to B3 Resources, LLC for T-Dock Road and Levee Improvements.

Councilman Pena said he is not sure why we are revisiting this, that it is in violation of the Ordinance. Mr. Kelty said this proposal was presented in October or November and failed on a 2-2 vote. In February there was a proposal for a single-entry road project. This proposal is for the full project as presented in November.

Assistant City Manager, Lance Petty presented to council a contract to B3 Resources, LLC for T-Dock Road and Levee Improvements. He said this is the entire project, and the bidder still honors the project for the amount that was previously bid. Mr. Petty said this project will widen the streets at four feet on each side. He said the levee crossing incline will be reduced for safety reasons, and it will extend out a lot further. It will also address all the potholes and damaged asphalt.

A motion was made by Councilman Cain to approve the contract to B3 Resources, LLC for T-Dock Road and Levee Improvements, seconded by Councilman Muraira, with discussion that followed.

Councilman Pena asked if the flood district was contacted and if they will cut or lower the levee to facilitate this project? It was asked if there are required permits for this project? Mr. Kelty said we do secure permits for projects. He said the height of the levee will not change, and the asphalt will be milled. There was discussion of the road being eaten up by the boat traffic, but the safety issue is not because of just the boats, it is because of every vehicle that crosses over that levee. There was discussion of potentially putting the rec center in this area, this will cause more traffic, which means we need safety.

Mayor Bass called the motion for a vote, with a 4-1 vote, the contract to B3 Resources, LLC for T-Dock Road and Levee Improvements passed. Councilman Pena voted "Nay".

Consideration and possible action approving a lease agreement with Feeding Hearts Ministry for use of Antonelli's.

Karla Clark spoke in favor of the approval of this item.

City Manager Tim Kelty presented to council the possible action approving a lease agreement with Feeding Hearts Ministry for use of Antonelli's. He said with the approval of this agreement the City would lease Antonelli's to Feeding Hearts Ministries Inc., for them to prepare food, drinks and snacks to sell to the general public throughout the week. The revenue made from this will be used to support the Ministry. Mr. Kelty said they will be responsible for making all improvements to the building and this cost will offset the rent during the 18-month lease. This is a 501-C3 organization.

There was a lengthy discussion by council of what the facility will be used for and if there is knowledge of what will be needed to bring the facility up to code. There were questions asked about the lease agreement. It was suggested that the date of the "commencement date" should be when the COO is issued. There was discussion on the lease contract needing some modifications.

A motion was made by Councilman Pena, to approve the lease agreement with the discussed changes and the provisions that were articulated to the City Attorney, to change the commencement date to be the issuance of the COO, seconded by Councilman Muraira, with all present voting "Aye" 5-0 council unanimously approved a lease agreement with Feeding Hearts Ministry for use of Antonelli's.

#### **WORK SESSION:**

Councilman Pena thanked all the citizens who spoke in citizens comments. He thanked Deputy Chief Praslicka for his service. He spoke of the repairs on 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup> Streets being done by Lucas Construction. He spoke of pooled water on these streets. He said the grass needs to be replaced. He asked what the turnover time is for reimbursement for his trip he made to Austin. He spoke of the egg hunt, he said there was large turnout he said it was great. He suggested the City check into having more food trucks and vendors at these events. He asked if there are any violations for code enforcement and water billing for the Port. Councilman Pena asked if there are any lawsuits pending against the City or the Freeport EDC? He said the Port fast tracked, and he is hoping we can come to an agreement with the Port. Mr. Kelty said there are three points of inspection for the street repair, he said City Staff, Freese and Nichols, and Terracon. He said there are no code violations, nor water billing issues with the Port. Mr. Kelty said Councilmen Muraira and Pena's reimbursement checks will be ready this week.

Councilman Cain congratulated staff on the egg hunt, he said it was a huge success. He said let's do what we can to make the events as big as we can. He congratulated Councilman Rossow.

Councilman Muraira mentioned a citizen comment of council being in discussion with the Port. He asked if council can make a notification to the citizens, of ongoing business between the City and the Port. Councilman Muraira said there is a pothole at the very end of the curve on North Ave Q and Zapata. He said he wants to meet with Mr. Kelty about getting reflectors on Zapata, Skinner and Jones Road.

Councilman Rossow had no comment.

City Manager Tim Kelty announced that the city is accepting bids for City Hall renovations for the 1<sup>st</sup> and 2<sup>nd</sup> Floor, these bids will be open on the 26<sup>th</sup> of April. He also said we have had an asbestos study, and there are some issues. He said bids will be going out for this as well.

#### **CLOSED SESSION:**

Open Session was recessed and Executive session was opened at 8:20 P.M.

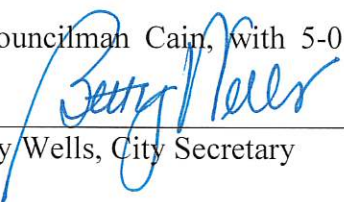
Executive Session was recessed at 9:35 P.M.

#### **OPEN SESSION:**

##### Adjourn

On a motion by Councilman Muraira, seconded by Councilman Cain, with 5-0 vote, Mayor Bass adjourned the meeting at 9:35 P.M.

  
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Brooks Bass, Mayor

  
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Betty Wells, City Secretary