

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, April 17, 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 Coordinator

Visitors:	Melanie Oldham	Manning Rollerson
	George Matamoros	David McGinty
	Nicole Mireles	Sam Reyna
	Con McCleester	Diane McCleester
	Ron Bachman	Margaret Bachman
	Pam Dancy	Eric Hayes
	Sue Page	Manuel Gonzales
	Erik Aguilar	Mark Parker
	Gwendolyn Jones	

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.

CITIZENS' COMMENTS:

Sue Page Surfside Beach Skimmer Court, spoke of a study on “betterbrazoria.org” she recommended that council take a look at this. She said there are reports under the “new study” tab that shows the lost revenues from tax abatements.

Melanie Oldham 922 West 5, said the city has given away a lot of money to tax abatements in the last 10 years. She said we need to get creative in bringing money into the city. Ms. Oldham spoke of the Interlocal Agreement between the Port, she said this needs to be brought out the City.

Nicole Mireles 2002 North G, announced there will be a candidate forum on Saturday from 10am-12pm at the First Methodist Church.

Sam Reyna 2002 North G, spoke of Ordinance No. 2019-2567, he said this was adopted February 2019. He spoke of the City Manager and the Building Official violating the ordinance by removing political signs. He said this is a violation of the First Amendment of freedom of speech. Mr. Reyna said this should be addressed by council.

Manning Rollerson 126 West 6, handed out a letter from the AG Office, he said the investigation is over and he would like a copy of the investigation. He spoke of Olson and Olson applying to work for Port of Freeport. He said this is concerning. He said it is crucial to know what is happening in Freeport.

George Matamoros North Ave O, spoke of the boat ramp at the T-Dock, he said residents have asked for stripes for parking, and signs for no parking in front of the ramps. Mr. Matamoros spoke of Mr. Ed Garcia, he said he will be greatly missed.

Pam Dancy South Front, said she appreciates the things that council has done. She spoke of the political signs being removed. Ms. Dancy said we need fairness and balance in the city.

Melanie Oldham spoke of candidate bashing, and stated she has been removed from the CCF.

Sam Reyna said the CCF was formed to help the citizens, and the veterans, he said we are here to stay. He said the Councilman from Ward C was invited to the forum, but has not responded to the email.

Jeff Pena 224 West Park, read a quote from President John F. Kennedy. He said he encourages residents to step out and speak up. He spoke of the articles in the newspaper. Mr. Pena said early voting for Wards A & C start Monday.

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

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

City Manager Tim Kelty, presented a certificate for Employee of the Month, for the Month of March 2023 to Court Clerk Kelli Yates.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council Meeting Minutes, from April 4, 2023, and Special Meeting Minutes from April 10, 2023.

Consideration and possible action for road closures on May 5, 2023 from 3pm-9pm for the Cinco de Mayo event.

Consideration and possible action approving proposal for 1-year agreement with Holmes Murphy and Associates for Employee Benefit Broker Services.

A motion was made by Council Cain, seconded by Councilman Pena with all present voting "Aye" 5-0, Council unanimously approved the Consent Agenda.

COUNCIL REGULAR AGENDA

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 to approve, seconded by Councilman Rossow with discussion that followed.

George Matamoros North Ave O, supports this item.

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 Legal approves the contract. He said the city has 14 days to opt out of this contract, and the contract begins on the date of the actual use of the system. He said there is a savings of \$25,000 the first year, and \$20,000 thereafter.

There was a lengthy discussion by Council on the service, and the recording that is on calls coming into the City.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0, Council unanimously approved a contract for the phone system upgrade for all City Departments of the City of Freeport.

Consideration and Possible action on approval of Residential Street Lighting plan for 2023 street light additions.

Councilman Muraira asked if we received a price on the commercial lights on 4th Street, across from the Freeport Intermediate School. Mr. Kelty said the price is \$1,500 to \$3,000.

A motion was made by Councilman Cain to approve the recommended light plan, seconded by Councilman Pena with discussion that followed.

City Manager Tim Kelty presented to council the Residential Street Lighting Plan for 2023. He said the map identifies potential additions for this year. He said we are allowed to add up to 50 lights per year, at no cost.

There was discussion on the antique lights on 2nd Street that do not work, it was asked that these please get fixed. Ms. Cramer said these are private customers' accounts, this is not billed to the City.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0, Council unanimously approved Residential Street Lighting plan for 2023 street light additions.

Consideration and possible action of approving a salary increase for the Freeport Fire/EMS.

A motion was made by Councilman Pena to approve, seconded by Councilman Muraira with discussion that followed.

Fire Chief Motley presented to council salary increase for the Freeport Firefighters. He said staff is recommending raising the base pay from \$48,600 to \$55,000 a year. He said this is being asked based on Texas Commission on Fire Protection website, on current salaries. He said we are roughly 12% below market value. Chief Motley said we have six positions vacant. He said this has been a challenge, we are losing employees to other agencies because of pay.

There was discussion by council on Volunteer Firefighters. Council discussed that all first responders need to be paid well. There was discussion on the budget for the salary increase.

Councilman Pena withdrew his motion, Councilman Muraira withdrew his second.

A motion was made by Mayor Bass, to approve an immediate salary increase, seconded by Councilman Cain with discussion that followed.

Councilman Cain said he feels our first responders are top notch, and they need to be paid accordingly. He said we need to set some kind of time limit so we are not training and then they leave for another agency. He said we need to implement a retainment time limit to stay on board, or the monies for training need to be paid back.

Mayor Bass called the motion to a vote, with all present voting "Aye" 5-0, Council unanimously approved the salary increase for the Freeport Firefighters.

WORK SESSION:

Councilman Pena thanked the citizens for speaking in citizens comments. He said he sent an email to all of council with his concerns for 10th, and 11th Streets, he said the dowels are not being placed properly. Mr. Petty passed out a picture and said the rod irons are place correctly, he said the engineers said there is no issues. Councilman Pena said there have been vehicles speeding down 9th and 11th Street, he asked that there be more patrol present between 3pm-5pm. Councilman Pena spoke of the Street lighting, he said he is happy the lights are going up.

Councilman Cain spoke of the playground at the T-Dock, he said the slide is missing. Mr. Petty said this will be replaced soon. Councilman Cain said the BOA has been busy with the dangerous structures. He said he is most concerned of the ones with open access, he said the one on 8th and Dixie that caught fire. Ms. Roman said the Board gave them 10 days to secure, and if they did not it will be an immediate demolition. She said this should be down in the next 10 days. Councilman Cain spoke of the house across from this structure, he said there is a stack of lumber, he asked can we get this cleaned up as well? Mr. Petty said this is forms from Lucas Construction, and they are utilizing the lot. Councilman Cain asked that there be fencing around this. Mr. Petty said yes this can be done.

Councilman Muraira asked for an update on Starbuck's, Kacey Roman said about five months. He asked for an update on Taco Bell, Mr. Kelty said there is not one yet. Councilman Muraira asked about the lot next to Texas Gulf Bank, he said there have been inquires. Councilman Muraira asked about the fishing dock. Lance Petty said the railing should be done end of this week. Councilman Muraira asked about ownership of property between North Ave M and N. Mr. Kelty said he spoke with the gentleman today and gave the information he was requesting.

Councilman Rossow said the railroad sign on Ave. D needs replacing West bound, and he said there is no sign East bound. He said there is a right turn at Ave. H between ABC Ave and Archer needs to be replaced, the sign is not legible. Councilman Rossow said the 500 Block between Brit Bailey and Archer has grass that is waist high, and on Ave B & C on Brit Bailey there is trash that has been out for about three months. He said the sign on the Old Brazos River, South side is turned the wrong direction. He said the North side, it needs to be replaced. Councilman Rossow said he has about twenty-five issues, he said there are potholes all on the South end of Freeport. He said there is a lot of trash on the South end of Freeport.

Update on reports / concerns from Department heads.

Regulations prohibiting shipping containers

Eric Hayes said back in February 2020, the Planning Commission met on creating an ordinance for shipping containers. He said the majority of citizens and businesses was against creating this ordinance. Mr. Hayes said we do need an ordinance with some restrictions as they need to be painted and tied down.

Manuel Gonzales, business owner 1309 Brazosport, he asked that council consider allowing the containers for small business owners.

Councilman Pena asked what the policy is for code enforcement and any reports for particular construction or remodeling that may or may not have a permit. He said this weekend he was driving around the city and he noticed two projects going on. He said one was on 332 and the other on Front Street. He said he reported them by text to Ms. Roman and Mr. Kelty, with no response. He said he was told there was a visit by code enforcement. He said his concern is the retaliation from city hall. He said the owner said he was told Councilman Ward A told on him. He said we need accountability and customer service.

City Manager Tim Kelty said in regards to shipping containers Councilman Muraira brought this to his attention because of the need for Mr. Gonzales. He said looking at this the current ordinance does prohibit shipping containers. He said he is asking for guidance from council. David Olson recommended holding off on enforcement until we change the rules.

Manning Rollerson said of the whistleblowers should be kept confidential.

CLOSED SESSION:

Open Session was recessed and Executive session was opened at 7:37 P.M.

Executive Session was recessed at 9:38 P.M.

OPEN SESSION:

City Manager Tim Kelty read the Mediator's Settlement Proposal.

There was discussion by Council on the history with the Port and East End. There was discussion over Condemnation Lawsuit brought by the Port against the City of Freeport East End Properties. There was discussion over the Legislative Bill, and discussion over the legal process. There have been three condemnation cases that have been filed by Port Freeport, it was explained how this process works. Council discussed the appraised value that was offered by Port Freeport, there was discussion that council did their due diligence to protect Freeport.

Melanie Oldham opposes this settlement proposal.

Manning Rollerson opposes this settlement proposal.

David McGinty opposes this settlement proposal.

George Matamoros believes this settlement proposal should be accepted.

A motion was made by Councilman Pena to decline the Mediator's Settlement Proposal, seconded by Councilman Muraira, with a 3-2 vote motion fails. Councilmen Rossow and Cain and Mayor Bass voted "Nay", Councilmen Muraira and Pena "Aye".

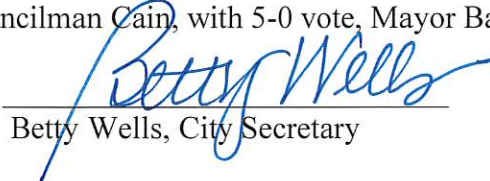
A motion was made by Councilman Cain to accept the Mediator's Settlement Proposal, seconded by Councilman Rossow with a 3-2 vote motion fails. Councilmen Rossow and Cain voted "Aye". Mayor Bass, Councilmen Pena and Muraira voted "Nay".

Adjourn

On a motion by Councilman Pena, seconded by Councilman Cain, with 5-0 vote, Mayor Bass adjourned the meeting at 10:40 P.M.



Brooks Bass, Mayor



Betty Wells, City Secretary