

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, February 7, 2022 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 Troy Brimage

Staff: Tim Kelty, City Manager
Betty Wells, City Secretary Via Facebook Live
Cathy Ezell, Finance Director
Chris Duncan, City Attorney
Lance Petty, Public Works Director
Chris Motley, Fire Chief
Kacey Roman, Building Official
Laura Cramer, Special Project Coordinator/GIS

Visitors:

Raven Wuebker	Pam Dancy
Melanie Oldham	Tommy Pearson
Desiree Pearson	Sam Reyna
Manning Rollerson	Kenny Hayes
David McGinty	Sabrina Brimage
George Matamoras	Diane McCleaster
Con McCleaster	Nicole Mireles
Dr. Kody Gordel and Wife	

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 Mayor Bass.

CITIZENS' COMMENTS:

Sam Reyna 2002 N Ave G, spoke to council about the building inspection at 1922 N. Ave G. He said these people are still living with a generator, still waiting on an inspection Mr. Reyna said this inspection needs to be done, so that the power can be turned back on. Mr. Reyna spoke of a plumbing permit, he

said that the plumber was told no permit was needed for a plumbing inspection. Ms. Roman hung a tag, but did not go into the home to inspect the plumbing, he said he knows this because the door was not opened. He spoke of the qualifications of a Building Officials, and the selection of the Building Official. Mr. Reyna said the panel to select Ms. Roman consisted of Mr. Kelty, City Manager, Mario Muraira, Dow Operator, Jerry Cain, United Rentals, Lance Petty, Streets Supervisor, Andrew Dill, Pastor, and Chris Motley, Fire Chief. Mr. Reyna said none of these people are a Building Official. Mr. Reyna spoke of the sprinkler system ordinance, and the businesses the city is losing. He spoke of how the Fire Marshall did not show up for an inspection. Mr. Reyna also announced he is resigning from the Charter Review Board, effective immediately.

Dr. Kody Gordel, Vet for the Freeport Vet Clinic, spoke to council about the new Boarding Facility. He was asking what he needs to do to get a Variance for fencing. He said the facility will be able to house 40-80 dogs at a time, and they will need the green space. Mayor Bass asked that he get with Mr. Kelty for guidance on what will need to be done.

George Matamoras 1722 N. Ave O, thanked council for starting Facebook Live for the city council meetings, he did suggest putting this information on the City Website. He said Councilman Muraira made a good point at the last city council meeting, about the lights for the soccer fields. Mr. Matamoras said it is time that the city starts spending money on our youth. Mr. Matamoras said he would like to see council start to invest in our youth.

Pam Dancy said she takes her pets to the Freeport Vet. She said they are very professional, and wonderful people.

Manning Rollerson spoke to council about being a citizen of the City of Freeport. He said he is concerned of the direction of this city. He said there is a lack of trust and transparency. He spoke of the Rental Units' Inspections, and he is 100% behind it. He said after 38 years nothing has changed. He said that the elected officials hurt the East End.

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

Presentation of Quarterly Investment report.

Finance Director, Cathy Ezell presented the 1st Quarter Investment Report to Council.

COUNCIL REGULAR AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from January 18, and January 24, 2022.

City Manager Tim Kelty presented to council the approval of City Council meeting minutes from January 18, and January 24, 2022.

On a motion by Councilman Brimage, seconded by Councilman Cain. With all present voting "Aye" 5-0 vote, Council unanimously approved City Council meeting minutes from January 18, and January 24, 2022.

Consideration regarding Ethics Ordinance 2019-2567, and possible action on proposed Resolution No. 2022-2738 reaffirming Ethics Ordinance.

City Manager Tim Kelty presented to council Ethics Ordinance 2019-2567, and possible action on proposed Resolution No. 2022-2738 reaffirming Ethics Ordinance. He said in 2019 the Ethics Ordinance was adopted. Mr. Kelty said this was created to encourage ethical conduct, for our Elected and appointed Officials and City Employees. Mr. Kelty said the review and re-adoption is done on an annual basis, and it is now time to do this. Staff recommends the approval of Resolution No. 2022-2738 reaffirming the Ethics Ordinance.

On a motion by Councilman Brimage, seconded by Councilman Muraira. With all present voting "Aye" 5-0 vote, Council unanimously approved Resolution No. 2022-2738 reaffirming Ethics Ordinance.

Consideration and possible action approving Ordinance No. 2022-2658 for Budget Amendment #4 for FY 2020/2021.

Finance Director Cathy Ezell presented to council Ordinance No. 2022-2658 for Budget Amendment #4 for FY 2020/2021 for the amount of \$282,235.00. Ms. Ezell said this is for FY 2020-2021. She said there were a few things that came up after the year end close out. Ms. Ezell said she is required, to charge back to when the expenditure occurred. She said the Engie Electric payment plan was \$183,000, and the payoff of the Lease for the Golf Carts \$204,830.

Mayor Bass asked if we can prevent this from happening in the future? Ms. Ezell said it is hard to prevent, because things do come in after the fact. She said we just have to monitor and closely watch to reduce the chance of it happening again.

On a motion by Councilman Brimage to approve Ordinance No. 2022-2658 for Budget Amendment #4 for FY 2020/2021, for the amount of \$282,235, seconded by Councilman Cain, with discussion that followed.

Councilman Pena asked for the total of the lease on the golf carts. Ms. Ezell said the city received \$208,000. The payoff of the lease was \$204,830, she said there was a little profit.

Mayor Bass called the motion for a vote. With all present voting "Aye" 5-0, Council unanimously approved Ordinance No. 2022-2658 for Budget Amendment #4 for FY 2020/2021, for the amount of \$282,235.

Consideration and possible action approving Resolution No. 2022-2739 amending the Personnel Policy regarding an Employee Sick Bank.

Finance Director Cathy Ezell presented to council Resolution No. 2022-2739 amending the Personnel Policy regarding an Employee Sick Bank. She said the sick leave pool will address the hardship for employees who may have run out of sick, or vacation time for life threatening injury or sickness. The policy follows IRS guidelines. This will cost the city nothing, the employees will donate their time to the pool. It is all voluntary.

Mayor Bass asked if this was requested by employees? Ms. Ezell said there were employees that requested this, as well as Directors.

On a motion by Councilman Pena to approve Resolution No. 2022-2739 amending the Personnel Policy regarding an Employee Sick Bank, seconded by Councilman Brimage, with discussion that followed.

Councilman Pena asked what the minimal required donation? Ms. Ezell said four hours. The most they may donate is 96 hours. She said they cannot donate more than 1/3 of the hours they have on the books. Employees can donate every year if they choose.

Councilman Cain said his company does something similar to this, his thinks this is a great thing.

Mayor Bass called the motion for a vote. With all present voting "Aye" 5-0, Council unanimously approved Resolution No. 2022-2739 amending the Personnel Policy regarding an Employee Sick Bank.

Discussion and direction from Council on the Heritage House.

City Manager Tim Kelty presented to council the discussion on the Heritage House. He said in the 2020 Bond Issue there was \$375,000 that was ear marked for the renovation of the Heritage House. Mr. Kelty said there is significate damage to this building. He said that according to Ron Bravarian of Freese and Nichols, the anticipated cost to the renovation to this building would be more than \$600,000 and closer to \$800,000. Because of this Council had decided to hold off on proceeding with the full architectural report and doing any work on the building. Mr. Kelty said we need direction from council on how you would like to proceed.

Councilman Brimage said this building is in bad shape. It needs an elevator, needs sprinkler system, there needs to be an escape route on the second floor. Councilman Brimage said that he and his wife gave \$10,000 to this building, along with others making donations. He said we cannot keep putting money into this building.

Councilman Cain asked what else could the \$375,000 be used for? Mr. Kelty said anything Parks and Recreation related. Lights at soccer field, renovation of Velasco House are examples.

Councilman Pena asked what is the square footage on the building? Mr. Kelty said he does not have that information. Councilman Pena asked if we have consulted with the Historical Board? He said he wants to make sure we try and preserve it. Councilman Pena said he would like to table this item.

Mayor Bass said the engineer stated we should not use this building, and since this statement the building has not been used.

Melanie Oldham said there were a lot of donations on this building rehab. She said it was not repaired properly. She said the cost of bringing this building to ADA Standards will be very expensive. She said she opposes putting more money into this building.

Pam Dancy opposes this.

Sam Reyna opposes this.

Mayor Bass asked that a Public Hearing be scheduled at Riverplace to continue this discussion before any decision is made. No further action was taken on this item.

WORK SESSION:

Mayor Bass had no comment.

Councilman Pena had no comment.

Councilman Cain had no comment.

Councilman Muraira said it looks like we need to discuss the vision for the O. A. Fleming Property and the land around it. He said that he met with Mr. Petty, and Mr. Montoya last week. He said it looks like there has been discussion in changing the soccer fields from O.A. Fleming to where the Community House was. He said we need to start thinking of what we want to do down there. Councilman Muraira said the school has closed off all of the tracks, we need to see if we are keeping the track down by O. A. Fleming. He said councilmen are wanting houses here, but he is thinking we should preserve the track. He said the soccer coach Mr. Montoya, likes the idea of the soccer fields being where the community house was, but would rather them stay at O. A. Fleming. Councilman Muraira said there was discussion of getting generators as a quick solution for lights for soccer fields. He said we talked about lights, and talked about change, but we need to discuss the property around O. A. Fleming.

Councilman Brimage asked City Manager Kelty if there has been an Air Quality Test done at City Hall? Mr. Kelty said one has been ordered, but we do not have a date. Councilman Brimage said he wants to make sure that nothing gets covered up. He said Texas Gulf Bank gave us this building for \$10 for a reason. He said he does not want to dump a bunch of money into something that we will never get back. Mr. Kelty said all the carpet has been removed in the office on the East side of the building, and sheet rock has been removed following Hurricane Nicholas. We also have recently had the duct work cleaned. Mr. Kelty said it was very bad. Mayor Bass asked where we stand on the plans for renovation for city hall? Mr. Kelty said it will probably go out for bid end of this month.

Manning Rollerson said tenants have moved out of City Hall because of all the mold.

Melanie Oldham said that City Hall needs to have an Air Quality Test. She said if she was an employee she would not want to be working in the building. This needs to be done as soon as possible.

Tim Kelty said we have hired an IT person who will be starting in the next couple of weeks.

Update on reports / concerns from Department heads

CLOSED SESSION:

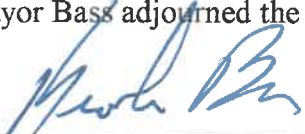
Open session was closed at 8:05 pm and Council entered into Executive Session.

Executive Session regarding a.) (Potential Litigation) consultation with city attorney b.) (Deliberations about Real Property), East End in accordance with Government Code Annotated, Chapter 551, Sections 551.071, 551.072

Executive session was closed at 8:57 pm, and entered back into Open Session.

Adjourn

Mayor Bass adjourned the meeting at 8:57 P.M.



Mayor, Brooks Bass
City of Freeport, Texas



City Secretary, Betty Wells
City of Freeport, Texas