

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMERED, that the City of Freeport, met in a regular meeting on Monday, March 19, 2007, at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council:

James W. Phillips
Clan A. Cameron
Jim Saccomanno - absent
John Smith, III
Norma M. Garcia

Staff:

Ron Bottoms, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Gary Beverly, Finance Director
Larry Fansher, Public Works Director
Doug Caffey, Building Inspector
Nat Hickey, Property Management
Mary Stotler, Main Street Director
John Stanford, Fire Chief
Jeff Pynes, Chief of Police
Pinkey Hartline, Golf Course Director

Visitors:

Jerry Meeks	Abel Garcia
Larry Schaefer	Pixie Floyd
Dorothy Pirrung	Jim Pirrung
Richard Rangel	Carol Rangel
Skip Pratt	Larry McDonald
Rosa McDonald	Roddy Mohler
Mark Wessels	Steve Burse
Eric Hayes	Lee Cameron
Michael Maurer	Edna Allan
Jimmy Allan	Tom Hilton
Larry Kirkland	Barbara Mohler
Jim McEntire	

Call to Order.

Mayor Phillips called the meeting to order at 6:01 p.m.

Invocation by Pastor Moreno from the La Fe Iglesia.

Pastor Moreno with the La Fe Iglesia offered the invocation.

Pledge of Allegiance.

Mayor Phillips led the Pledge of Allegiance.

Approval of the March 5, 2007 Council Minutes.

On a motion by Councilwoman Garcia, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved the minutes of March 5, 2007.

Attending Citizens and Their Business.

Tom Hilton with the Texas Great Barrier Reef asked the City for a letter of support for their project. Mayor Phillips agreed that the project was beneficial to Freeport. Mayor Phillips will write a letter of support.

Roddy Mohler asked Council to consider banning smoking in the City.

Recognition of Jaime Hernandez, Brazosport High School student, named Grand Champion at the 2007 Houston Livestock Show and Rodeo.

Mr. Charles Senecal, B.I.S.D. Art Teacher introduced Jaime Hernandez, Brazosport High School student, named Grand Champion at the 2007 Houston Livestock Show and Rodeo. The artist’s drawing “Mammas Don’t Let Your Babies Grow up to be Cowbirds” sold for \$165,000, a student art world record. Mr. Phillips asked for the other students names who participated in the art auction to be present for a proclamation.

Report on House Bill 1311 & 1312.

Mr. Bottoms updated Council on House Bill 1311 & 1312, now pending before the State Legislature. He will travel to Austin in an attempt to talk to the Senate Committee to oppose these bills. He expressed concern of the Senate Bills; if this legislation passes, it would disable Council to protect its citizens.

Public Hearing: Sitting as the Board of Adjustments and Appeals under the Unsafe Building Abatement Code, to consider declaring the below listed unsafe structures.

- 1003 W. 11th Street, Block 8, Lot 7, Southview Gardens

Mayor Phillips opened the public hearing at 6:20 p.m. to consider if 1003 W. 11th Street is deemed unsafe. Doug Caffey, Building Official showed a PowerPoint presentation of the structure. The structure was vacant and had roof failure. In 2003 it was considered an open structure.

On a motion by Councilwoman Garcia, seconded by Councilman Smith, with all voting 3 to 1, Council approved declared 1003 W. 11th Street, Block 8, Lot 7, Southview Gardens to be deemed unsafe. Councilman Cameron opposed. Public hearing closed at 6:30 p.m.

Consideration of the approval of Ordinance No. 2007-2157 amending Section 155.002 of the Code of Ordinance of said City to amend the definition of Sexually Oriented Business.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Ordinance No. 2007-2157 amending Section 155.002 of the Code of Ordinance of said City to amend the definition of Sexually Oriented Business.

Consideration of the approval of Ordinance No. 2007-2158 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Lots 1 through 12, Block 6, Velasco Townsite, also known as 108, 116, 122, 124 South Ave. D. from their present zoning classification of R-3 to a new zoning classification of C-2.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Ordinance No. 2007-2158 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Lots 1 through 12, Block 6, Velasco Townsite, also known as 108, 116, 122, 124 South Ave. D. from their present zoning classification of R-3 to a new zoning classification of C-2.

Consideration of the approval of Ordinance No. 2007-2159 amending Chapter 155 of the Code of Ordinance of said City to add a new Section 155.024 providing for the classification of new and unlisted uses in the C-1 Retail business and the C-2 General Commercial Zoning Districts, with exceptions.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting “aye”, Council approved Ordinance No. 2007-2159 amending Chapter 155 of the Code of Ordinance of said City to add a new Section 155.024 providing for the classification of new and unlisted uses in the C-1 Retail business and the C-2 General Commercial Zoning Districts, with exceptions.

Consideration of the approval of Resolution No. 2007-2136 authorizing the Mayor of said City to execute a special warranty deed conveying Lots 12 and W1/2 of Lot 11, Block 51 of Freeport Townsite, to Habitat for Humanity of Southern Brazoria, Inc.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council approved Resolution No. 2007-2136 authorizing the Mayor of said City to execute a special warranty deed conveying Lots 12 and W1/2 of Lot 11, Block 51 of Freeport Townsite, to Habitat for Humanity of Southern Brazoria, Inc.

Consideration of the approval of setting a bid date to purchase and install hurricane shutters for the Fire Department and the Police Department.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council approved Chief Stanford's recommendation to set a bid date for April 12th, 2007 @ 2:00 p.m. to purchase and install hurricane shutters for the Fire Department and the Police Department.

Consideration of the approval of selling Block 774, Lot 12 and 12A, Velasco Townsite, known as 1602 North Ave. M, Freeport, Texas.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved Mr. Nat Hickey's recommendation to sell the City's interest on Block 774, Lot 12 and 12A, Velasco Townsite, known as 1602 North M, Freeport, Texas

Consideration of the approval of selling Block 715, Lot 17, Velasco Townsite, known as 1209 North Ave. M., Freeport, Texas.

On a motion by Councilman Cameron, this item died for lack of a second.

Consideration of the approval of selling Block 24, Lot 15 thru 18, Velasco Townsite, known as 413-419 South Ave. D., Freeport, Texas.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting "aye", Council approved Mr. Hickey's recommendation to sell the City's interest on Block 24, Lot 15 thru 18, Velasco Townsite, known as 413-419 South Ave. D., Freeport, Texas.

Consideration of the approval of disposing of city inventory.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved Mr. Fansher's recommendation to dispose the City's inoperable vehicles and equipment.

Elected Official Report

Mayor Phillips attended the Joy Rod Run at the Freeport Municipal Park. The Freeport League fed over 200 exhibitors' gumbo at the RiverPlace facility. Mayor Phillips received praises on the parks appearance. He thanked Mr. Fansher and his crew for an excellent job on the park. Also visited Bryan Beach and 98% were families enjoying the beach. A wonderful event for families. He received compliments on the beach's appearance.

Councilman Smith reported that the Senior Citizens met at lunch for a game day. The Senior Citizens are planning their 5th anniversary celebration. .

Work Session

Administration Report

Mr. Bottoms reported 158 exhibitors and cars at the Joy Rod Run at the Park. A major project with asphaltting Yellowstone Street has begun; weather has caused delays. The Flapjack 5K Run is scheduled for the last week in April. The citywide clean up is March 31, 2007 at the Service Center. Chief Stanford had an accident in his suburban. He was not seriously hurt. Lots of players at the Golf Course. Beach patrol continues at Bryan Beach.

Update by Michael Mauer of M2L Associates, on the City's Phase II Landscaping.

Michael Mauer of M2L Associates updated Council on the City's Phase II Landscaping. Mr. Mauer detailed the stages of the project from its initial phase. The first phase consisted of a lighted entryway at the location of palm trees. Work on the second phase will take several months. He reviewed an overall concept plan which includes concrete and asphalt paving to be removed for landscaping, planting trees, installing irrigation. The projected bid date is September 2007, construction period will last about 7 months, with estimated completion date of May 2008.

Discussion concerning appointing qualified person (s) on the Historical Commission.

Mayor Phillips discussed membership recruitment for the Historical Commission. At the present time the committee is not active, it is a 5 member board. This item will be addressed at a later meeting as soon as volunteers fill out applications. Mr. Nat Hickey has turned in an application.

Mayor Phillips closed the work session and opened the executive session at 7:30 p.m.

Executive Session

- A. Section 551.071, Government Code
Consultation with City Attorney concerning pending or contemplated litigation settlement offers or other matter in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:
- (1) Marina
 - (2) Brazos River Harbor Navigation District
- B. Section 551.074, Government Code
Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:
- (1) City Manager

Mayor Phillips reconvened the open session at 8:23 p.m.

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, the meeting was adjourned at 9:05 p.m.

Delia Munoz
City Secretary

James W. Phillips
Mayor