

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council and the Planning Commission of the City of Freeport met on Monday, December 5th, 2011 at 6:02 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard for the purpose of considering the following agenda items:

City Council: Norma M. Garcia
Michelle Kent
Fred Bolton
Nicolosa Mireles
Sandra Barbree

Planning Commission: Edward Garcia
Eddie Virgil
Tobey Davenport

Staff: Jeff Pynes, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Brian Davis, Fire Chief
Ty Morrow, Police Chief

Visitors: Jim Pirrung Dorothy Pirrung
Joyce Adkins Jerry Meeks
Mary Garcia

Call to Order.

Mayor Norma Garcia called the meeting to order at 6:02 p.m.

Invocation.

Mr. Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma Garcia led the Pledge of Allegiance.

Consideration of approving the November 21st, 2011 Council Minutes.

On a motion by Councilwoman Mireles, seconded by Councilwoman Barbree, with all present voting “aye”, Council unanimously approved the November 21st, 2011 Council Minutes.

Attending citizens and their business.

Joyce Adkins complained that Council had not made a report on their committees in over 2 years, and that the Charter Review had not been discussed and researched enough.

Recognition and Appreciation to the management of the City’s 2nd Annual Thanksgiving Feast.

This item was reagendaed.

Joint Public Hearing: The City Council and the Planning Commission of said city will conduct a joint public hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance of said city, codified as Chapter 155 of the Code of Ordinances of said City, adding provisions allowing a decorative fence in front yards, specifying regulations therefor and containing an exception for existing front yard fences.

The Planning Commission had a quorum; Mayor Norma Garcia opened the Joint Public Hearing at 6:06 pm.

Chairman Edward Garcia of the Planning Commission read out a list of provisions allowing decorative fences in front yards. It is the Planning Commission recommendation to amend section 155.023 of the Code of Ordinances to include decorative fences.

Joyce Adkins commented that the building official was not present.

There being no comments from staff or audience, Mayor Garcia closed the Joint Public Hearing at 6:10 p.m. The Planning Commission was excused.

Public Hearing: The City Council will discuss whether or not to adopt an ordinance to continue to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.

Mayor Norma Garcia opened the Public Hearing at 6:06 p.m. Mr. Shaw explained to Council the meaning of “tax tangible personal property”. This is a legislation requirement that the City has to adopt an ordinance if the City wished to continue to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.

There being no comments from staff or audience, Mayor Garcia closed the Public Hearing at 6:15 p.m.

Consideration of approving Ordinance No. 2011-2297 amending the comprehensive zoning ordinance of the city, now codified as chapter 155 of the Code of Ordinances of the City, to add to Division (L) of Section 155.023 at the end thereof provisions permitting decorative fences and providing regulations therefor.

On a motion by Councilman Bolton and seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Ordinance No. 2011-2297 amending the comprehensive zoning ordinance of the city, now codified as chapter 155 of the Code of Ordinances of the City, to add to Division (L) of Section 155.023 at the end thereof provisions permitting decorative fences and providing regulations therefor.

Consideration of approving Ordinance No. 2011-2298 to continue to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.

On a motion by Councilwoman Mireles and seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Ordinance No. 2011-2298 to continue to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.

Consideration of approving Resolution No. 2011-2273 to add the Sale of Firearms Ammunition and Hunting Supplies as permitted use in the C-2 District, General Commercial, per Section 155.024, Classification of New and Unlisted Commercial Uses.

On a motion by Councilman Bolton and seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved Mr. Pynes' recommendation to approve Resolution No. 2011-2273 to add the Sale of Firearms Ammunition and Hunting Supplies as permitted use in the C-2 District, General Commercial, per Section 155.024, Classification of New and Unlisted Commercial Uses.

Consideration of authoring the City Manager to set a bid date on the marina dry stacks construction project.

On a motion by Councilman Bolton, seconded by Councilwoman Mireles, with all present voting "aye", Council unanimously approved setting February 6th, 2012, 10:00 a.m., for a bid date on the marina dry stacks construction project.

Consideration of authorizing the City Manager to set a bid date to complete the Phase 2 of the marina concrete project.

On a motion by Councilman Mireles, seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved setting February 6th, 2012, at 10:00 a.m. for a bid date to complete the Phase 2 of the marina concrete project.

Consideration of approving an Interlocal Agreements 12-0002 and 12-0003 between Brazoria County and the City of Freeport.

On a motion by Councilman Mireles, seconded by Councilman Bolton, with all present voting “aye”, Council unanimously approved an Interlocal Agreement 12-0002 and 12-0003 between Brazoria County and the City of Freeport.

Consideration of cancelling January 2nd, 2012 Council Meeting due to a City Holiday and rescheduling January 16th, 2012 to January 17th, 2012, due to Martin Luther King Holiday.

On a motion by Councilwoman Mireles and seconded by Councilwoman Kent, with all present voting “aye”, Council unanimously approved cancelling January 2nd, 2012 Council Meeting due to a City Holiday and rescheduling January 16th to January 17th, 2012 due to Martin Luther King Holiday.

Mayor Norma Garcia closed the Formal Session and opened the Executive Session at 6:25 p.m.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters 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:

- Annexations and/or other Industrial District Agreements

Mayor Norma Garcia reconvened the formal session to adjourn.

Adjourn

On a motion by Councilwoman Barbree, seconded by Councilman Bolton, with all present voting “aye”, the meeting adjourned at 6:50 p.m.

Mayor Norma M. Garcia
City of Freeport

City Secretary – Delia Munoz
City of Freeport

