

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, City Council met in a Joint Public Hearing with the Planning Commission on Monday, November 6, 2006, at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Blvd. for the purpose of considering the following items:

City Council: James W. Phillips
Clan A. Cameron
Jim Saccomanno
John Smith, III
Norma M. Garcia

Planning Commission: Diane Williams
Abel Garcia
Linda Allen
Roddy Mohler
Robert Leffingwell
Michelle Kent

Staff: Ron Bottoms, City Manager
Delia Muñoz, City Secretary
Pat Taylor, Asst. City Attorney
Gary Beverly, Finance Director
Larry Fansher, Public Works Director
Doug Caffey, Building Official
Jill Bradshaw, Recreation Director
Jeff Pynes, Police Chief
Pinkey Hartline, Golf Course Director
Mary Stotler, Main Street Director

Visitors: Joyce Adkins Cathy Williams
Skip Pratt Larry Schaefer
Louis Barrientes Wesley Hudgins
Rosa McDonald Larry McDonald
Barbara Mohler Louie Jones
Lila Lloyd Paula Frugia
Sandra Leavey Janice Hawley
John Hightower William DeMain
Faia DeMain Abel Garcia
Eddie Virgil JoAnn Fields
Ken White Paul Kellie
Edna Allan Mr. & Mrs. Rector
Chris Moore Mark Westmoreland
Jim McEntire Dorothy Pirrung
Jim Pirrung Jerry Meeks
Margie Clark Sandra Barnett

Call to Order.

Mayor Phillips called the meeting to order at 6:00 p.m.

Invocation.

Pastor Able Garcia, from the First Baptist Church offered the invocation.

Pledge of Allegiance.

Mayor Phillips led the Pledge of Allegiance.

Approval of the October 16th & 23rd, 2006 Council Minutes.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved the minutes of October 16th & 23rd, 2006.

Attending Citizens and Their Business

Skip Pratt of 1027 W. 8th Street asked if there was any progress on installing “no parking signs” on West 8th Street. Mayor Phillips stated that the Planning Commission had not addressed this issue yet, but will be addressing stop signs, yield signs, no parking signs in their future meeting.

He noticed that 18 wheelers were parking on the Weingarten parking lot, and if this was permitted. Mayor Phillips stated that this was private property belonging to the First Assembly of God Church. Cathy Williams stated that the 18 wheelers were getting off the truck route and allowed to park on the old Weingarten parking lot. Mayor stated that the church is getting ready to tear up the parking lot, remedying the problem.

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 Sections 155.022 and 155.030 of said ordinance to change the minimum lot area in the R-1 District, Single Family Residential, from 7,500 square feet to 7,000 square feet.

There being a quorum with the Planning Commission and City Council, Mayor Phillips opened the public hearing at 6:05 p.m. to consider a proposed amendment, changing the minimum lot area in the R-1 District, Single Family Residential from 7, 500 to 7, 000 square feet.

Mayor Phillips asked for comments from audience and staff. Mayor Phillips stated in case of a fire or if you wanted to rebuilt, it would be difficult on a minimum lot of 7,500.

Skip Pratt said that his alleyway on 8th Street had been moved back, so his garage sits on his neighbor lot. He thought most of the lots on 8th street were 50’x150’, but he did not know the size of his lot.

Diane Williams, Chairman of the Planning Commission stated that the committee had studied Freeport and Velasco areas. They reviewed the proposed change and the committee was unanimous in changing the minimum lot area in the R-1 district, single family residential from 7.500 to 7,000 square feet.

Mr. Taylor was asked to draft an ordinance on the proposed change.

There being no further questions or comments, Mayor Philips closed the public hearing at 6: 15 p.m.

Consideration of the approval of Ordinance No. 2006-2143 naming the roadways formerly known as County Road 723 and 741, located West of FM 1495 and South of the Louisiana Texas Gulf Intracoastal Waterway, shall be “J. P. Bryan Road”.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present “voting”, Council unanimously approved Ordinance No. 2006-2143 naming the roadways formally known as County Road 723 and 741, located West of FM 1495 and South of the Louisiana Texas Gulf Intracoastal Waterway, shall be “J. P. Bryan Road”.

Consideration of the approval of Ordinance No. 2006-2144 providing that the prima facie speed limit for vehicles traveling in either direction on J. P. Bryan Road between F.M Highway 1495 and the terminus of the said J. P. Bryan Road, shall be 30 miles per hour; providing for the posting of signs.

On a motion by Councilman Smith, seconded by Councilman Cameron with all present "voting", Council unanimously approved Ordinance No. 2006-2144 providing that the prima facie speed limit for vehicles traveling in ether direction on J. P. Bryan Road between F.M. Highway 1495 and the terminus of the said J. P. Bryan Road, shall be 30 miles per hour, providing for the posting of signs.

Consideration of the approval of advertising for bids to sell Block 4, Lot 16, Brazos Terrace, Section Three (3), known as 1108 Riverview Drive.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved November 30, 2006 at 2:00 p.m. to advertise for bids to sell Block 4, Lot 16, Brazos Terrace, Section Three (3) known as 1108 Riverview Drive with specifications on required elevation to 5.75 ft above mean sea level. Councilman Cameron opposed.

Consideration of the approval of advertising for bids to sell Block 588, Lot 1, Velasco Townsite, (8110-1794-111), known as 524 N. Ave. F.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved November 30, 2006 at 2:00 p.m. to advertise for bids to sell Block 588, Lot 1, Velasco Townsite (8110-1794-111) known as 524 N. Ave. F.

Consideration of the approval of advertising for bids to sell Block 600, Lots 22 & 23, Velasco Townsite, known as 619-621 N. Ave. F.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved November 30, 2006 at 2:00 p.m. to advertise for bids to sell Block 600, Lots 22 & 23, Velasco Townsite, known as 619-621 N. Ave. F.

Consideration of the approval of advertising for bids to sell Block 600, Lot 24, Velasco Townsite, (8110-1886-000) known as 623 N. Ave. F.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved November 30, 2006 at 2:00 p.m. to advertise for bids to sell Block 600, Lots 24, Velasco Townsite, known as 623 N. Ave. F.

Consideration of the approval of advertising for bids to sell Block 600, Lot 19, Velasco Townsite, (8110-1882-000) known as 613 N. Ave. F.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved November 30, 2006 at 2:00 p.m. to advertise for bids to sell Block 600, Lot 19, Velasco Townsite (8110-1882-000) known as 613 N. Ave F.

Consideration of the approval of advertising for bids to sell Block 727, Lot 11, Velasco Townsite, (8110-3187-000) known as 1304 N. Ave P.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting "aye", Council unanimously approved November 30, 2006 at 2:00 p.m. to advertise for bids to sell Block 727, Lot 11, Velasco Townsite (8110-3187-000) known as 1304 N. Ave. P.

Consideration of the approval of selling the City's interest at Block 15, Lot 5, Freeport Townsite, (4200-0213-000) known as 419 E. 2nd Street.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved selling the City's interest at Block 15, Lot 5, Freeport Townsite, (4200-0213-000) known as 419 E. 2nd Street.

Consideration of the approval of selling the City's interest at Block 183, Lot 7, Freeport Townsite, (4201-1859-000) known as 1723-1725 West 8th Street.

This item was reagendaed to November 20, 2006.

Consideration of the approval of selling the City's interest at Block 25, Lot 9, Freeport Townsite, (4200-00322-000) known as 230 E. 8th Street.

This item was reagendaed to November 20, 2006.

Consideration of the approval of signing a replat of Block 96, Lots 1 thru 4, Freeport Townsite, known as 719-731 West 2nd Street, approved by the Planning Commission on October 30, 2006.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved signing the plat on Block 96, Lots 1 – thru 4, Freeport Townsite, known as 719-731 West 2nd Street, approved by the Planning Commission on October 30, 2006.

Consideration of the approval of calling a Joint Public Hearing with the Planning Commission regarding limiting the area of the front yard of any lot in the R-1, R-2 and R-3 residential zoning district that may be paved to one-third, which will include the side yard facing a street for a corner lot.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved to set a joint public hearing for December 4, 2006 at 6:00 p.m., regarding limiting the area of the front yard of any lot in the R-1, R-2, and R-3 residential zoning district that may be paved to one-third, which will include the side yard facing a street for a corner lot.

Consideration of the approval of calling a Joint Public Hearing to limit the elevation of secondary structures in R-1, R-2 and R-3 zoning districts.

On a motion by Councilman Saccomanno, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved to set a joint public hearing for December 4, 2006 at 6:00 p.m., regarding the elevation of secondary structures in R-1, R-2, and R-3 zoning districts.

Consideration of the approval of a settlement agreement with Western Seafood Company/Western Shellfish, et.al.

On a motion by Councilwoman Garcia, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved a settlement with Western Seafood Company/Western Shellfish, et.al.

Consideration of the approval of signing a replat of a portion of Tracts 7 and 8 of the Brazos Coast Investment Company, Subdivision 10 in the City of Freeport, Frederick J. Calvit Leaque, Abstract 51, Brazoria County, Texas approved by the Planning Commission on October 23, 2006.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved signing a replat of a portion of Tracts, 7 and 8 of the Brazos Coast Investment Company, Subdivision 10 in the City of Freeport, Frederick J. Calvit Leaque, Abstract 51, Brazoria County, Texas approved by the Planning Commission on October 23, 2006.

Elected Official Report

Councilman Smith announced the Freeport Senior Citizen's Commission, Thanksgiving Luncheon will be November 20, 2006 at 12:00 noon at RiverPlace. A great turn out is expected, seating will be limited.

Councilman Saccomanno announced that Main Street meeting will be on Thursday, November 9, 2006 at 4:00 p.m. He attended the Freeport Police Department's award ceremony on November 3, 2006 at RiverPlace.

Councilman Cameron commended the area churches for their community activities.

Mayor Phillips read a proclamation declaring Municipal Court Week, November 6 thru 10th, 2006. He reminded the audience of flu shots being administered at St. Mary Star of the Sea Church, on November 7, 2006, from 8: 30 a.m. to 11:30 p.m.

Work Session

Administration Report

Mr. Bottoms' invited all to a non-denominational community-wide prayer service, sponsored by the Freeport Ministerial Alliance, on Sunday, November 12, 2006 at 6:00 p.m. at the Freeport Intermediate School. The Freeport Oaks Apartment will have their grand opening and luncheon at 11:00 a.m., on November 16, 2006.

Chief Pynes announced their first Police Departments Awards ceremonies on November 3, 2006, at RiverPlace. He promoted Lt. Gus Flores to Captain, Marty Deleon, Officer of the Year, Lee Swango, Rookie of the Year, Pam Morris, Guardian Angel, Jim Zinnel, Employee of Year. They assisted in capturing the 2nd suspect in the shooting of a shrimper, docked along the Old Brazos River.

Councilman Saccomanno saw police cars patrolling the streets during Halloween Night, and Councilman Cameron saw officers on foot patrol. They commended the Police Department for their extra efforts.

Jerry Meeks reported the sewer project going well, finishing up Yellowstone Street, and installing a man hole. Replacing water lines on East 6th Street.

Pinkey Hartline, winterizing the golf course. Lots of golfers (24 teams) showed up for a fund raiser for Emily Garcia, who is struggling with cancer.

Mary Stotler announced a Main Street meeting this Thursday, November 9, 2006. She will be attending the Texas Downtown Association, Main Street Conference in San Angelo, Texas on November 15th thru 17th, 2006.

Larry Fansher reported the street department is spraying for mosquitoes. The parks department will be busy, preparing the Freeport Municipal Park for upcoming fall festivals. The Recreation Center hosted a Halloween Bash Party and it was well attended. He thanked the Freeport League and volunteers for helping out. Fertilizing the grass and street drainage work continues to take place on Old Rive Road, Perry, Munson, Jackson, Ave. C and Ave. D. Cleaning out ditches and installing drainage boxes.

Doug Caffey busy with Lanier Elementary School, trying to complete before the holidays. The City has several homes going up in the city limits, has had a lot of inquires on building new homes. Several suppliers of industry want to open a new facility here to save on fuel costs.

Gary Beverly announced the City will be audited, the week of November 13, 2006. Six weeks ahead of last year, audit report will be ready in January 2007.

Presentation on a Veteran's Memorial by the Beautification/Parks Committee.

Larry Fansher presented to Council the proposed Veterans Sidewalk Memorial, at the Freeport Municipal Park. The Parks board requests that Council grant approval on a proposed memorial to honor Veterans. The cost of the proposed project is estimated at \$40,000, and would be done in phases:

Phase I would include a series of sidewalks and concrete landing area.

Phase II would have additional features to the park, may include military hardware, monuments or plaques, based on future funding.

Mr. Wesley Hudgins stated that the V.F.W would donate the first \$1,000.00 to the project.

Presentation on Main Street by Mary Stotler.

Mary Stotler presented a PowerPoint presentation on Main Street. The City of Freeport was initiated into the Main Street Program in the year 2000. The Main Street Board of Directors are: Marjorie Clark, Pixie Floyd, Sandra Shaw, Sandra Leavey, Kenny Kouches, Sandra Barbree, Sandra Wood-Wicke. The Main Street has a Four-Point Approach: Organization, Promotion, Design, Economic Restructuring; their goal is save historic downtown and the structures within them by providing new uses for old buildings.

Having a hard time attracting business to downtown, Main Street is focusing on promotion and design. Main Street can not do alone, so it reaches out to other community organizations, schools, doing everything in quality.

Councilman Saccomanno commended Mary Stotler and her Board Members for their efforts.

Discussion on reducing the City of Freeport's extra territorial jurisdiction (E.T.J) in the area north of F.M. 2004 and east of State Highway 288B.

Mr. Bottoms discussed the city of Richwood's request to Freeport to reduce its E.T.J in an area North of FM 2004 and east of State Highway 288B. The City of Richwood has been approached by a developer (LoneStar Land Partners) to develop this section. They have expressed a desire to be annexed by the City of Richwood. Mr. Bottoms stated that the City could not do anything with this 10' strip anyway.

This item will be reagendaed for an action item.

Mayor Phillips closed the work session and opened the executive session at 7:45 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) Western Seafood Company/Western Shellfish, et al.
- (3) CenterPoint

Mayor Phillips reconvened the open session at 8:35 p.m. to motion on item # 21.

Adjourn

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting “aye”, the meeting was adjourned at 8:35 p.m.

Attest:

Delia Munoz
City Secretary

James W. Phillips
Mayor