

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met on Monday, November 20, 2017 at 6:00 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: Mayor Troy T. Brimage
Councilman Larry L. McDonald
Councilman Brooks Bass
Councilwoman Nicole Mireles
Councilman Roy E. Yates

Staff: Bob Welch, Acting City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Jennifer Hawkins, Economic Development Corp.
LeAnn Strahan, Administrative Assistant
Nat Hickey, Property Manager
Kim Townsend, Park Supervisor

Visitors: Manning Rollerson Sam Reyna
Melanie Oldham Larry Fansher
Christina Travis Sabrina Brimage
Jerry Meeks Douglas Domingues
Keith Stumbaugh Margaret McMahan
Ana Silbas Kenny Hayes
Moby Burrige Evelyn Burrige
Lila Lloyd Esther Williams
Angiel L. Willams Edmeryl Williams
Desiree Pearson Ty Morrow
Ruth Renobato Ruben Renobato
John Hightower

Call to order.

Mayor Troy T. Brimage called the meeting to order at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Troy T. Brimage led the Pledge of Allegiance.

Attending citizens and their business.

Douglas Domingues, spokesperson for the Concerned Citizens of Freeport agrees and supports the decisions to terminate the employment of Jeff Pynes as City Manager and to provide forensic accounting services regarding the financial records of the Freeport Museum Foundation. The Concern Citizens of Freeport have publicly contested the legality of his contract.

Lila Lloyd of 1620 North Ave. T is concerned that Port Freeport is building a house in the city limits across the street from her and will not be paying taxes. The second issue is the foundation is being built higher than usual and the effect it will have when it rains. Mayor Troy T. Brimage assures her that the Port has bought the property and already sold to an individual that will be on the tax roll.

Manning Rollerson stated that in 2010 Port Freeport received \$13,000,000 to put in infrastructure in the City of Freeport and in 2013 received another \$37,000,000 to put in the surrounding areas and not one dollar was put in the East End and a lawsuit naming the City of Freeport and Port Freeport for not helping the citizens. He is very concerned about a survey that is being done on his property and would like to know why Jeff Pynes was terminated and that Chief Raymond Garivey lives outside the city and that didn't seem to be problem.

Consideration of approving the November 6 & 7, 2017 Council Meeting.

Reagendaed.

Consideration of approving a commercial tax abatement application for a new motel for Digant Patel Properties, LLC, 1701 North Ave. K, Freeport Texas and setting a public hearing date to consider designating the following described property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners there of granting a tax abatement on Block I, Lot Reserve A, (unrestricted) Sairam S/D acres .6457.

On a motion by Councilman McDonald, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved a commercial tax abatement application for a new motel for Digant Patel Properties, LLC, 1701 North Ave. K, Freeport Texas and setting a public hearing date for January 15, 2018 to consider designating the following described property located within the corporate boundaries of the City as a reinvestment zone for the purpose of entering into an agreement with the owner or owners thereof granting a tax abatement on Block I, Lot Reserve A, (unrestricted) Sairam S/D acres .6457.

Consideration of a request from Will J. Brooks, Parade Co-Chairman of the 32nd Annual Dr. Martin Luther King Jr. Celebration Committee (MLKCC), permission to close portions of the following streets during the parade to be held on Monday, January 15, 2018. The parade will start at 11: 00 a.m. at East Park and Fourth Street and continue through the Rally at the Freeport Municipal Park until 4:00 p.m.

On a motion by Councilman Bass, seconded by Councilman McDonad, with all present voting “Aye”, Council unanimously approved a request from Will J. Brooks, Parade Co-Chairman of the 32nd Annual Dr. Martin Luther King Jr. Celebration Committee (MLKCC), permission to close portions of the following streets during the parade to be held on Monday, January 15, 2018. The parade will start at 11: 00 a.m. at East Park and Fourth Street and continue through the Rally at the Freeport Municipal Park until 4:00 p.m.

Consideration of accepting the Charter Review final report and determine which proposed amendment(s) are to be included in the Charter Amendment Election on May 5, 2018.

- (1) Amend the first sentence of Section 3.02 Qualifications to read respectively as follows:
“The Mayor and each member of the City Council shall be a registered voter and a resident of the City of Freeport for at least twelve (12) consecutive months and in the case of members of the City Council other than the Mayor, a resident of the Ward sought to be represented for at least six (6) consecutive months immediately preceding his or her application to have his or her name placed on the official ballot and the filing of proof of his or her qualifications are required by law”.
- (2) Amend Section 4.04A Multiple Duties to read as follows:
“The duties of the City Manager, City Secretary, Tax Assessor and Collector and Director of Finance may be performed by the same individual for not more than six (6) consecutive months”.
- (3) Add to Section 11. General Provisions the following new section:
Section 11.15 Gender Neutral Provision
“Whenever in this Charter the pronoun he, him or his are used, such pronouns shall be construed to mean he or she, him or her and his or hers”.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting “Aye”, Council unanimously approved the final report of the Charter Review amendments for the Charter Amendment Election on May 5, 2018.

Consideration of authorizing publication of the final report of the Charter Review Amendments for May 5, 2018 Elections.

On a motion by Councilman Bass, seconded by Councilwoman Mireles, with all present voting “Aye”, Council unanimously approved authorizing publication of the final report of the Charter Review Amendments for May 5, 2018 Elections.

Consideration of taking action on any item discussed in Executive Session.

- (2) Discuss and possible action to engage Olson & Olson, LLP, to provide legal services to the City in connection with legal issues and claims arising out of the termination from employment of Jeff Pynes.

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting “Aye”, Council unanimously approved to engage Olson & Olson , LLP to provide legal services to the City in connection with legal issues and claims arising out of the termination from employment of Jeff Pynes.

- (3) Discuss and possible action to engage Belt Harris to provide forensic accounting services to the City regarding the financial records of the Freeport Museum Foundation and certain financial transactions of the City of Freeport.

On a motion by Councilman Bass, seconded by Councilwoman Mireles, with all present voting “Aye”, Council unanimously approved to engage Belt Harris to provide forensic accounting services to the City regarding the financial records of the Freeport Museum Foundation and certain financial transactions of the City of Freeport.

Mayor Troy T. Brimage opened the Work Session at 6:23 p.m.

Work Session:

Mayor Troy T. Brimage announcements and comments.

Mayor Troy T. Brimage reported that since Jeff Pynes is gone, he is working hand in hand with Bob Welch and staff at City Hall and reports that all is running well. David Hoelewyn from the Street Department has developed a weekly schedule that identifies what repairs are being done daily.

Councilman McDonald Ward A announcements and comments.

Councilman McDonald observed the alleyways and sewer lines being repaired and concurs with the Mayor Troy T. Brimage on the park appearance. He commended Kim Townsend, Parks Supervisor on the park being very well kept.

Councilman Bass Ward B announcements and comments.

Councilman Bass requests that the infrastructure improvements updates be put on the agenda. He suggests that Mr. Wallace Shaw be instructed to draft a letter to the Texas Highway Department on repairing Highway 288.

Councilwoman Mireles Ward C announcements and comments.

Councilwoman Mireles observed the alleyway and ditches being cleaned up and wants it on record that she did not request it for her alley, but is very pleased with the alleys in her neighborhood. She requested that the minutes on the website be updated as soon as possible. She has knowledge of two engineers that Dow and Lake Jackson use for future references.

Councilman Yates Ward D announcements and comments.

Councilman Yates stated the City Hall landscaping looks great. He is disappointed at the recycling center located at the Service Center that they do not accepting soft plastic. He asked Melanie Oldham to do research on recycling soft plastic. Cities need procedures that need to be implemented and there are templates available for organizations and cities.

Mayor Troy T. Brimage closed the Formal Session and opened the Executive Session at 6:32 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:

- 1 Discuss and possible action regarding claims asserted by Jeff Pynes in connection with the termination of his employment with the City.
(no motion)
- 2 Discuss and possible action to engage Olson & Olson, LLP, to provide legal services to the City in connection with legal issues and claims arising out of the termination from employment of Jeff Pynes.
(Motion made in open session.)
- 3 Discuss and possible action to engage Belt Harris to provide forensic accounting services to the City regarding the financial records of the Freeport Museum Foundation and certain financial transactions of the City of Freeport.
(Motion made in open session.)

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. Discuss and possible action to appoint an acting City Manager to serve until a City Manager is appointed.
(no motion)

Mayor Troy T. Brimage closed the Executive Session at 7:38 p.m. and reconvened the Formal Session for a motion.

Adjourn

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting "Aye", Mayor T. Brimage adjourned the meeting at 7:38 p.m.

Mayor Troy T. Brimage
City of Freeport, Texas

City Secretary Delia Munoz
City of Freeport, Texas