

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, December 17, 2018 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 Troy T. Brimage  
Councilman Brooks Bass  
Councilman Ken Green  
Councilwoman Sandra Loeza  
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager  
Laura Tolar, Asst. City Secretary/Special Projects Coordinator  
Wallace Shaw, City Attorney  
Nat Hickey, Property Manager  
Chris Motley, Fire Chief  
Ray Garivey, Police Chief  
Kim Townsend, Parks Director  
Loni Kershaw, Human Resources Director  
Brian Dybala, Golf Course Director  
David Hoelewyn, Street Department Director  
Jerry Meeks, Veolia Water  
Jennifer Hawkins, Economic Development Director  
Billy Shoemaker, Building Department Director  
Yvette Ruiz, Building Department Secretary

Visitors: Christina Travis                      Kenny Hayes  
Manning Rollerson                      Desiree Pearson  
Tommy Pearson                              Jim Barnett  
Sandra Barnett                              Edmeryl Williams  
Louie Jones                                  Spencer Marston  
Carol Jansky                                  Valerie Jansky

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.

## Citizen's Comments

Manning Rollerson spoke regarding the East End property and the city selling its interest in that portion of town and not informing citizens. Mr. Rollerson said that he was waiting on rulings on two federal cases.

Mayor Brimage told Mr. Rollerson he can hold on to his land that the City of Freeport has no deals with the PortFreeport.

## **CONSENT AGENDA**

Consideration and possible action on the approval of City Council meeting minutes from November 19, 2018.

Consideration of the approval of declaring a 2001 Police Car as surplus.

Consideration of approving Fire Department bunker gear surplus (Motley)

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved all items on the consent agenda.

## **REGULAR SESSION**

Public Hearing: Conduct a Public Hearing on, and consider approval of a proposed re-plat of San Bernard Bend Addition Lot 1, Block 1 being a plat of a 2.10-acre tract of land situated in the Sterling McNeil Survey, Abstract No. 94, Brazoria County, Texas being a portion of that certain 19.89-acre tract of land described in deed to Lynus D. Gillespie and wife, Judy M. Gillespie as recorded in instrument No. 2002004307, Official Pubic Records of Brazoria County, Texas

Mayor Brimage opened the public hearing at 6:08pm.

Mayor Brimage announced that this property is located in the city's extraterritorial jurisdiction.

There were no comments from the public.

On a motion by Councilman Bass, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved closing the public hearing.

Mayor Brimage closed the public hearing at 6:09 pm

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved the proposed re-plat of San Bernard Bend Addition Lot 1, Block 1 being a plat of a 2.10-acre tract of land situated in the Sterling McNeil Survey, Abstract No. 94, Brazoria County, Texas being a portion of that certain 19.89-acre tract of land described in deed to Lynus D. Gillespie and wife, Judy M. Gillespie as recorded in instrument No. 2002004307, Official Public Records of Brazoria County, Texas.

Public Hearing: Conduct a Public Hearing on, and consider approval of a proposed re-plat of Hampil-Charlton River Estates, 0.737-acre, 3 Lots, amended plat Lots 12, 13 and 14, Block 2, Brazoria County, Texas

Mayor Brimage opened the public hearing at 6:09 pm.

Mayor Brimage announced that this property is located in the city's extraterritorial jurisdiction.

There were no comments from the public.

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved closing the public hearing.

Mayor Brimage closed the public hearing at 6:10 pm

On a motion by Councilman Bass, seconded by Councilman Green, with all present voting "Aye", Council unanimously approved the proposed re-plat of Hampil-Charlton River Estates, 0.737-acre, 3 Lots, amended plat Lots 12, 13 and 14, Block 2, Brazoria County, Texas.

Consideration of approving financing for the new fire truck

City Manager Tim Kelty advised that this would be financed for five years.

Mr. Kelty said that they were asking for permission to sign the contract with legal counsel approval. He also said that in the future they would be looking for financing with local banks in the future.

Councilman Yates asked what the price was of the new fire truck.

Mr. Kelty said that it was approximately \$800,000.

On a motion by Councilwoman Loeza, seconded by Councilman Bass, with all present voting "Aye", Council unanimously approved the financing of the new fire truck with legal counsel approval.

Consideration of Resolution 2018-2561 authorizing the Mayor to sign and the City Secretary to attest to a deed without warranty conveying the City's interest in Lot 8, Block 8, Velasco Townsite, City of Freeport to the successful bidder

Laura Tolar stated that there was only one bidder and that Thomas & Robin Baugh submitted a bid for \$2,750.

Mayor Brimage said that he felt it was a fair price.

On a motion by Councilman Green, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution 2018-2561 authorizing the Mayor to sign and the City Secretary to attest to a deed without warranty conveying the City's interest in Lot 8, Block 8, Velasco Townsite, City of Freeport to the successful bidder

Consideration of authorizing an agreement for annual audit services from Whitley Penn

Mr. Kelty said that he contacted 15 cities and nine responded. He interviewed two firms which he felt like Whitley Penn was more eager to do the work. He stated that it could cost about \$50,000.

A representative with Whitley Penn stated that they have about 100 employees in their Houston office dedicated to the public sector. She said that they do about 25 cities and 25 school districts and H-GAC. She stated that they have about 100 years of combined experience.

Mr. Kelty stated that they have experience with having to look hard at the books.

The representative stated that they document personal controls and would do a walk through around January if selected. She said that they would look at any areas that would need to be investigated and plan to end the audit by May.

Councilwoman Loeza asked about this being over budget.

Mr. Kelty stated that \$36,000 was budgeted.

On a motion by Councilman Yates, seconded by Councilman Bass, with all present voting "Aye", Council unanimously approved authorizing an agreement for annual audit services from Whitley Penn

#### Consideration of approving Budget Adjustment #2 of the 2017-2018 Annual Budget

Mr. Kelty asked council to approve this budget amendment excluding the insurance portion.

Budget Adjustments reviewed:

- A budget adjustment for Nat Hickey for \$21,000 because it was not included in the EDC budget this year.
- A budget adjustment for land acquisition for \$10,000 for any land purchases needed.
- A budget adjustment for a note receivable for an EDC loan in the City's name.
- A budget adjustment for professional fees for a survey by Baker and Lawson.
- A budget adjustment for a major electrical breakdown at RiverPlace for \$18,000.
- A budget adjustment for the street department capital for the interlocal agreement where the work was not completed in the budget year.
- A budget adjustment for a payment to Oyster Creek for sewer. This had been renegotiated and historically the cost was covered by Veolia but now needs to be in the City's budget.
- A budget adjustment for \$16,000 for a Fire Department grant for clothing
- A budget adjustment for money for training for the Fire Department.
- A budget adjustment for a fire bay expansion for the new fire truck to be parked inside.

Mayor Brimage stated that the interlocal street repairs had previously been done every other year but is currently being done annually.

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved authorizing Budget Adjustment #2 of the 2017-2018 Annual Budget with Section A redacted.

### Consideration of approving the lease of a bucket truck for the Parks Department

Mr. Kelty stated that this lease was contingent on legal counsel approval like the fire truck.

Parks Director Kim Townsend stated that a ladder rack and a 2-man platform would be needed. Annually the cost of renting equipment that this bucket truck could perform would be approximately \$30,000. The bucket truck will be purchased from source where the price has been competitively bid. Ms. Townsend stated that the bucket truck is used for banners, to get on top of buildings, street light repairs, changing out flags and ours currently is not safe anymore.

Ms. Townsend informed council that they had looked for used bucket trucks but the boom and lift have to be certified annually and that is difficult to do in older models.

Mayor Brimage asked Ms. Townsend to research used buckets trucks.

This item was tabled.

### Consideration of awarding the bid for Skinner Street Elevated Water Tower and authorizing the Mayor to sign and the City Secretary to attest to such contract

Mr. John Mercer from John D. Mercer & Associates told City Council that they had received several bids. His recommendation is to award the project to the lowest bidder. The lowest bid received was \$365,000 and the work should be completed within 150 days. Mr. Mercer said that there is an allowance included for any patchwork that might be needed.

Mr. Mercer said that \$250,000 of the funding will come from a grant. The water tower will be out of service 5-7 months and a reduction in water pressure might be noticed.

On a motion by Councilman Bass, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved awarding the bid for Skinner Street Elevated Water Tower and authorizing the Mayor to sign and the City Secretary to attest to such contract.

### Consideration of approval of service agreement with Strategic Government Resources

Mr. Kelty stated that he was requesting an interim finance director from Strategic Government Resources (SGR). The cost will be \$71.64 per hour and would start in January and work at least until May when the audit is complete. SGR would receive a \$5,000 finders fee if the city hires the individual.

On a motion by Councilman Bass, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved the service agreement with Strategic Government Resources.

### **WORK SESSION:**

#### Mayor Troy T. Brimage announcements and comments.

Mayor Brimage stated that there are currently road repairs at Hwy 36 and Velasco.

He stated a woman had backed into river and the car went under. The woman was found by a Facts reporter covering the story and wanted to present her with a good citizen award.

Mayor Brimage stated that one of his home was in the Christmas Parade of Homes.

#### Councilman Green Ward A announcements and comments

Councilman Green discussed drainage issues in the alley on 10<sup>th</sup> street and 1<sup>st</sup> & 2<sup>nd</sup> Streets at Oak were in bad shape.

Councilman Green added that the Parks look fabulous.

#### Councilman Bass Ward B announcements and comments

Councilman Bass said that he would like to thank Mayor Brimage for putting the citizens first and that he was very happy with the new city manager. He stated that he liked the new agenda format and the employees have been doing a good job.

#### Councilwoman Loeza Ward C announcements and comments

Councilwoman Loeza questioned the ownership of the property next to the Salvation Army.

#### Councilman Yates Ward D announcements and comments

Councilman Yates said Mr. Hickey should have a contract for 95 years and that all the employees are doing a good job.

#### Update on reports / concerns from Department heads.

#### David Hoelewyn – Street Department

Mr. Hoelewyn stated they were working on the following projects:

- Handicap Ramps
- 5<sup>th</sup> & 6<sup>th</sup> Streets
- Seven different alleys
- Line Locates
- Drainage
- Working by the new houses on Avenue F
- 700 Block of Avenue D
- will begin asphaltting the alley behind On the River tomorrow

Mr. Hoelewyn added that the tractor had been delivered and the sweeper will be delivered soon.

#### Billy Shoemaker – Building Department

Mr. Shoemaker showed slides of property improvements. Mayor Brimage asked Mr. Shoemaker to be working on the Freeport Community House and Antonelli's Root Beer Stand. Mr. Shoemaker added that they are getting the alleys cleaned up.

#### Kim Townsend – Parks Department

Ms. Townsend showed pictures of vehicle ruts created in the parks.

Adjourn

On a motion by Councilman Bass, seconded by Councilwoman Loeza, with all present voting "Aye", Mayor Brimage adjourned the meeting at 7:16 PM.

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Mayor, Troy T. Brimage  
City of Freeport, Texas

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Assistant City Secretary, Laura Tolar  
City of Freeport, Texas