

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, December 2, 2019 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 Brooks Bass
Councilman Jerry Cain
Councilman Ken Green
Councilwoman Sandra Loeza
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager
Stephanie Russell, Assistant City Manager
Betty Wells, City Secretary
Chris Duncan, City Attorney
Brenda Miller-Ferguson Human Resource Director
Courtland Holman, Economic Development Director
Billy Shoemaker-Building Department Director
Ray Garivey-Freeport Chief of Police
David Hoelewyn, Street Department Director
Nat Hickey, Property Manager
Brian Dybala, Freeport Gold Course Director
Kim Townsend, Freeport Parks Department Director
Carissa Seidler, Freeport Parks Maintenance Supervisor
LeAnn Strahan, Freeport Museum Supervisor

Visitors:	Mario Muraira	Eric Hayes
	Edmeryl Williams	Angie Willaims
	Katrina Garcia	Kyle Hammonds
	Bob Koole	Nicole Mireles
	Sam Reyna	Manning Rollerson
	Nicole Mireles	Jerry Meeks
	Philenon Bruner	Jim Barnett
	Sandra Barnett	Larry Fansher
	Jon Hockenyos	Travis James
	Jerry Meeks	Darlene Wier

Call to order.

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

PRESENTATIONS/ANNOUNCEMENTS: Announcements by Mayor, City Council and/or Staff

Swearing in of Council Member for Ward B.

City Secretary, Betty Wells swore in Councilman Jerry Cain for Ward B.

Citizen's Comments

Larry Fansher spoke to Council regarding the East End of Freeport. He said that in over the last twenty years, current and former residents of the East End have expressed their unhappiness with the tactics by the Port Freeport to obtain the East End properties. He said that there is a lack of support that the East End residents have received from the City of Freeport. He said that complaints consist of lack of adequate street and ditch maintenance, denial of permits and excessive Port traffic. Mr. Fansher said that the residents have received threats of Eminent Domain. He said that there has been no public discussions or statements made by City officials and this has the residents concerned of what the city's position is in this matter. Mr. Fansher said that the City should take steps for what is coming and make its position known. Mayor Bass spoke on this issue, he said that this Council believes in standing for the Citizens of Freeport and that includes the residents of East End. Mayor Brooks said that he assures that Council will always strive to do what is best for the whole City.

CONSENT AGENDA:

Consideration and possible action on the approval of City Council meeting minutes from November 18, 2019.

Consideration to approve the necessary road closures downtown for the "Christmas Story" Market. Sunday, December 8, 2019.

Consideration of approving Resolution No. 2019-2613 for changing the signatories with the Texas Gulf Bank. (Russell)

On a motion by Councilman Yates, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the Consent Agenda.

REGULAR SESSION

Consideration and action regarding the selecting a Mayor Pro Tem from among eligible Council members.

Councilman Yates made a motion to appoint Councilwoman Loeza as Mayor Pro Tem, seconded by Councilman Green with all present and voting "Aye." Council unanimously approved the appointment of Councilwoman Sandra Loeza as Mayor Pro Tem.

Public Hearing: Discuss and consider approval of a proposed re-plat of Dossey Subdivision. A 0.09 and a 0.003 acre tract out of lot 1-A Block 1 of Bernard Acres Subdivision, section 1, in the C.G.H. and H.H. Alsbury League, Abstract 4, according to the recorded plat in volume 7, page 65 of the plat records of Brazoria County, Texas. Located in the ETJ of The City of Freeport, Brazoria County, Texas.

Public Hearing was opened by Mayor Bass at 6:16 PM. Billy Shoemaker, Building Department Director presented to Council a proposed replat being of Dossey Subdivision. A 0.09 and a 0.003 acre tract out of lot 1-A Block 1 of Bernard Acres Subdivision, section 1, in the C.G.H. and H.H. Alsbury League,

Abstract 4, according to the recorded plat in volume 7, page 65 of the plat records of Brazoria County, Texas. Located in the ETJ of The City of Freeport, Brazoria County, Texas. Billy Shoemaker said that Planning and Zoning has approved this replat. No one from the public requested to speak at the public hearing. Mayor Bass closed the Public Hearing at 6:18 PM.

On a motion by Councilwoman Loeza, seconded by Councilman Yates, with all present voting "Aye", Council unanimously approved the replat of Dossey Subdivision. A 0.09 and a 0.003 acre tract out of lot 1-A Block 1 of Bernard Acres Subdivision, section 1, in the C.G.H. and H.H. Alsbury League, Abstract 4, according to the recorded plat in volume 7, page 65 of the plat records of Brazoria County, Texas. Located in the ETJ of The City of Freeport, Brazoria County, Texas.

Public Hearing: Tax Increment Reinvestment Zone (TIRZ)

Public Hearing was opened by Mayor Bass at 6:19 PM. Courtland Holman presented to Council the proposed TIRZ. City Manager Tim Kelty explained that the TIRZ creates a district which includes downtown and development along the river. Councilwoman Loeza asked if it can be dissolved at any time within the thirty years. Mr. Kelty said that this can be dissolved at any time as long as debt has not been issued and remains outstanding. Mayor Bass asked how this benefits the City. EDC Director Courtland Holman explained it enables the City to incentivize development and investment in district including the downtown. It creates dedicated funding for infrastructure within the district. Councilman Green asked if there is an incentive for people to come and do business through the TIRZ. Mr. Holman said that this is the reason we are doing this. The incentive comes from the additional property tax dollars generated in the district as a result of development. This district is set to collect 50% of the incremental new tax dollars generated to plug back into the district to foster additional development. EDC has hired TXP to help us put this TIRZ together. Mayor Bass asked how long will it be for the City to see the rewards from this. Mr. James with TXP said that because of investment that has been made this year, January 31, 2021 is when we should see the first of the revenue, and it will grow overtime

A citizen (no name given) asked if other cities have done this, and if so, is there any numbers from development from these other cities. Mr. Barnett asked TXP who signed their paychecks. John Hockenyos said that they are consultants with TXP and they were hired by the EDC. Nicole Mireles asked if the Master Plan will still be used in this program. Councilwoman Loeza asked about the Board that will be established, and who will form this Board. It is proposed in the ordinance that the EDC Board serve as the TIRZ Board. Mayor Bass closed the Public Hearing at 6:34 PM

Consideration and possible action of approving Ordinance No. 2019-2590 for proposed TIRZ

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all voting 3 to 2, Council approved Ordinance No. 2019-2590 for proposed TIRZ. Councilman Yates and Mayor Brooks Bass voted no.

Consideration of approval of streets for 2019-2020 interlocal agreement with Brazoria County for paving.

David Hoelewyn Street Department Director presented to Council the interlocal agreement with Brazoria County. Mr. Hoelewyn said that he re-evaluates the streets through the year and he will do the ones that are in worse condition. These proposed streets must be presented to the County's Engineering Department by December 15, 2019. Councilman Green asked if this includes West Broad by the railroad tracks. Mr. Hoelewyn said that this covers Broad Street from Hickory to Cedar. He said that this is the worst part of West Broad. Mayor Bass said regarding the plans make sure that we piggyback with a sound check of the drains. Nicole Mireles asked if the agreement with the County fixes City streets. City Manager Tim. Kelty said this is for the City streets. Kyle Hammonds asked why this is limited to two

miles of street repair per year. He asked why the City cannot repair the streets, he asked if there is money in the budget to repair the streets. Mayor Brooks said that we will take care of the streets that we can, with the money that we can, because it does need to be better. Robert Koole said that he has asked for the last two years that potholes be repaired on Broad Street. He said that Second Street is an obstacle course with water standing on the streets and cars parked on the streets with bumpers sticking out of the ICS business parking lot. Councilwoman Loeza said if this is approved, can it be changed. City Manager Tim Kelty said what we are voting on is a list of streets that must be sent to the County Engineering to get a schedule. It is anticipated that work will begin in March or April. He said it could be modified up until work begins.

On a motion by Councilman Green and seconded by Councilwoman Loeza with all present voting “Aye”, Council unanimously approved the list of streets for the 2019-2020 interlocal agreement with Brazoria County for street paving.

Discussion regarding improvements to Antonelli’s.

Kim Townsend Parks Department Director presented a recommendation for Jesus Ramirez to do the restoration to Antonelli’s. Ms. Townsend said that this is just repairs, of rotten wood, pressure washing and painting to restore to its natural look. This will restore it just as a landmark, not as a working restaurant. Mayor Bass asked where we stand on the Mystery Boat. Ms. Townsend said that SWS has submitted a quote, and this will include the mast, outriggers, port starboard light, and the stern light. Ms. Townsend said she is just waiting on approval. Darlene Wier asked if we can do fund raiser to help restore this building. Melanie Oldham asked if The Historical Commission would be able to look at this and see if there are funds from the County and the state to restore historical buildings. This item was tabled by Mayor Brooks Bass.

WORK SESSION:

Councilman Green thanked Larry Fansher for addressing the East End. He also thanked Street Department Director David Hoelewyn for addressing the ditch situation on 8th Street

Councilwoman Loeza said that there was a huge sink hole she asked Street Department Director David Hoelewyn how that happened. Mr. Hoelewyn said that he believes that it is from a sewer main. He said that they will be unable to permanently fix it until the sewer main is repaired, they just packed it with base material. Jerry Meeks with Veolia will come back and repair the hole once the Victoria street is Completed. David Hoelewyn said that they are checking this daily. Councilwoman Loeza asked Building Department Director, Billy Shoemaker about a vacant house on the 1900 block of North Ave H. She said and the yard has very high grass and it needs to be cut. Billy Shoemaker said that he believes that the home is in foreclosure and there is a legal issue that they are addressing. Mayor Bass said if it becomes an issue of public safety use the enforcement policy that we have. Councilwoman Loeza asked whose responsibility is it to pick up the trash that is left behind from the garbage trucks. She said the house is vacant and it looks bad. Billy Shoemaker said that his staff will typically go by and pick it up.

Councilman Yates asked if anyone knows where we are at on the drainage issue for Ave A by Mikes Machine Shop. City Manager Tim. Kelty said that he hopes to have a proposal on the next meeting from Freese and Nichols.

Councilman Cain thanked Mayor and Council for the opportunity. He asked David Hoelewyn, Street Department Director about the intersection on 8th and Mesquite he said that there is a pothole. David Hoelewyn said that he will look into getting this repaired-on Wednesday. Councilman Cain said that they just finished the repairs Yaupon and there are still barricades. David Hoelewyn said that the barricades

are still there because of the tar strips that are put in the joints they need to make sure that they took. Councilman Cain that some of the barricades have been moved and have been placed on the sidewalks.

Mayor Bass said that on the intersection of 10th and Yaupon the new concrete job looks great. He said there is a water monitor that has a bag over it. He asked Jerry Meeks with Veolia if he can look at this, Jerry Meeks said that it is broke and must be replaced.

City Manager Tim Kelty said that he wants to remind everyone that this Thursday is “The Holiday on the Brazos” at the park on the river. Sunday the Museum will have “The Christmas Story Market” from 12 PM to 8 PM. He also reminded Council of the employee Christmas Party on December 13, 2019. Mr. Kelty said that David Hoelewyn, Street Department Director will have a status update on the streets, and he wants to recognize David Hoelewyn that he has identified in the areas we are paving that some areas of the base was not adequate upon the compaction testing that has been done.

Update on reports / concerns from Department heads

Parks Department Director Kim Townsend said that she wanted to remind everyone of The Holiday on the Brazos coming up this Thursday December 5, 2019 starting at 6 PM. She said that Santa will be there, the High School Choir will perform. There will be floats for the children to ride, and a photo booth.

EDC Director Courtland Holman said that the EDC’s website is now live. The web address is www.freeportedc.com. Mr. Holman said this is the first website for the EDC to his knowledge. Nicole Mireles asked if the agendas and minutes are up to date on this website.

Street Department Director David Hoelewyn said that they have been stabilizing all the streets. He said that one more block of Holly has been done, and the County let him know that they are unable to order Portland to stabilize, and it will be Monday before they can order more. David said that they have two blocks of 7th Street, two blocks of Mesquite, one block on Holly left to stabilize. He said that 6th Street is finished with Portland.

Police Chief Ray Garivey said that Saturday December 7, 2019 is Pancakes with Santa from 9 AM- 12:00 noon at Riverplace.

Open session was closed at 7:18 pm and Council entered into Executive Session.

CLOSED SESSION:

Executive Session regarding economic development (Projects 2019-2 and 2019-3) and Attorney Consultation (Potential Litigation) in accordance with Vernon’s Texas Government Code Annotated, Chapter 551, 551.087 and Chapter 551, 551.071.

REGULAR SESSION

Mayor Brooks Bass opened regular session at 8:01 pm

Consideration in open session of taking action on any matter discussed in closed executive session

No action taken.

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilman Green, with all present voting “Aye”, Mayor Brooks Bass adjourned the meeting at 8:01 PM.

Mayor, Brooks Bass
City of Freeport, Texas

City Secretary, Betty Wells
City of Freeport, Texas