

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, January 11, 2021, 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: Absent  
Councilman Jeff Pena  
Councilman Jerry Cain  
Councilman Mario Muraira  
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager  
Stephanie Russell, Assistant City Manager Via Teleconference  
Betty Wells, City Secretary  
Chris Duncan, City Attorney  
Laura Tolar, Assistant City Secretary/ Special Projects Coordinator  
Brenda Ferguson, Human Resource Director  
Lance Petty, Public Works Director, Via Teleconference  
Danny Gillchrist, Freeport Police Captain

Visitors: David McGinty Nicole Mireles  
Ted Dahl Margaret McMahan  
Nick Irene (Facts)

Visitors, Via Teleconference: Amanda Petty Lila Diehl  
Jessi Parker

**Call to order.**

Mayor Pro Tem Roy Yates called the meeting to order at 6:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation was led by Tim Kelty and Pledge was led by Mayor Pro Tem Roy Yates.

**CITIZENS' COMMENTS:**

Members of the public are allowed to address the City Council at this time, and must include name and address. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which

the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

Ted Dahl spoke to council about the agreement that the City had with Dow to repair Casco Road. He said he has property on this road and would like to see Council reach out to Dow and get this done.

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

**CONSENT AGENDA:**

Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.

Consideration and possible action on the approval of City Council meeting minutes from December 21, 2020.

Councilman Cain said that there was a mistake in the minutes. He said that the minutes state that Councilman Green made the motion to adjourn the meeting, but it was Councilman Cain.

On a motion by Councilman Cain, with the correction to the minutes, seconded by Councilman Muraira, with all present voting "Aye" 4-0 Council unanimously approved the City Council meeting minutes from December 21, 2020.

Consideration of Ratifying the Windstorm Insurance Policy Renewal.

Human Resource Director, Brenda Ferguson presented to council the consideration of ratifying the Windstorm Insurance Policy renewal.

On a motion by Councilman Muraira, seconded by Councilman Cain, with all present voting "Aye" 4-0 Council unanimously approved ratifying the windstorm insurance policy renewal.

**COUNCIL BUSINESS:**

Consideration and possible action of approving Resolution No. 2021-2668 appointing a Board Member for Freeport Historical Commission and Main Street Board.

City Manager Tim Kelty presented to council Resolution No. 2021-2668 appointing a Board Member to the Freeport Historical Commission and Main Street Board. He said that a board member stepped down and this made a vacancy. Mr. Kelty said there are two applicants, Amanda Petty and Margaret McMahan.

Margaret McMahan spoke to council of why she would like to serve on this board.

Nicole Mireles told council that she would like Ms. McMahan to serve on this board.

On a motion by Councilman Cain, seconded by Councilman Muraira, with all present voting "Aye" 4-0 Council unanimously approved Resolution No. 2021-2668 appointing Margaret McMahan to serve as a Board Member for Freeport Historical Commission and Main Street Board.

Consideration and possible action of appointing Council Liaison for all City of Freeport Boards and Commissions.

City Manager Tim Kelty presented to council the possible action on appointing Council Liaison for all City of Freeport Boards and Commissions. He said that after an election council appoints a liaison to all the active boards per our Ordinance. The active boards are Planning Commission, Board of Adjustments, EDC, Sr. Citizen's and the Historical Commission and Main Street Advisory Board.

Councilman Muraira volunteered to be a liaison for the Planning Commission.

On a motion by Councilman Muraira, seconded by Councilman Cain, with all present voting "Aye" 4-0 Council unanimously approved Councilman Muraira as liaison for the Planning Commission.

Mayor Pro Tem Yates tabled the remaining liaison appointments until Mayor Bass is present.

Consideration of approval of repair to the Trestle Bridge Storm Water Pump Station.

City Manager Tim Kelty presented to council the approval of repair to the Trestle Bridge Storm Water Pump Station behind the hardware store. He said that staff recommends the rebuild of this pump by Coastal Machine & Mechanical, LLC. The price for the rebuild is \$24,800.00.

Councilman Muraira asked what the overhaul will include in this repair? Mr. Lock with Coastal Machine & Mechanical, LLC said that the pump needs major repair, he said that the insulation is gone, the impeller is blocked, the tubing is broken off.

Mayor Pro Tem Yates asked if we can switch the pump to natural gas? Mr. Lock said that this would be very pricey, estimating the cost of converting the system at over half a million dollars.

Councilman Cain asked what the price would be to replace the pump, instead of just rebuilding the pump. Mr. Lock said approximately \$73,000.00.

Mr. Lock said that he does recommend a maintenance program on the pumps.

Mayor Pro Tem Yates said that he feels we are throwing good money after bad, he feels that the pump needs to be replaced instead of rebuilt.

Online question how many gallons per minute discharge from the pump? Mr. Lock said he cannot answer this because of the condition the pump is in.

Councilman Cain asked what the other pump condition is? Mr. Lock said its new. It was installed last year.

Councilman Pena asked if there is a maintenance agreement on the pump that was installed last year? Mr. Lock said no.

Mayor Pro Tem Yates tabled the item and asked staff to bring back additional options for consideration.

Discussion regarding stormwater planning and maintenance throughout the city of Freeport

City Manager Tim Kelty presented to council the discussion regarding stormwater planning and maintenance throughout the City of Freeport. He said that issues we are facing include streets that do not drain properly, streets that have been built up, ditches that need cleaning, plugged culverts, design of inlets and culverts. He said that there are a number of things we can do.

Mayor Pro Tem Yates tabled this item until Mayor Bass is back.

Consideration and possible action on Resolution No. 2021-2669, a resolution amending the Freeport Personnel Policy Handbook to extend the temporary emergency sick leave policy to March 31, 2021.

Human Resource Director, Brenda Ferguson presented to council action on Resolution No. 2021-2669, a resolution amending the Freeport Personnel Policy Handbook to extend the temporary emergency sick leave policy to March 31, 2021. She said that this Resolution will extend the temporary emergency sick leave policy that was set in April 2020. She said that we do not have to extend this but staff is requesting that this be extended. She said that we have a high employee count of COVID illness.

Councilman Cain asked if the employee received the 80 hours from being sick with COVID, will they be eligible for another 80 hours? Ms. Ferguson said no, employees are only eligible for a total of 80 hours through the program.

Nicole Mireles asked what if an employee has to quarantine? Ms. Ferguson there are provisions for this to be covered.

Mayor Pro Tem Yates said this is just to extend the temporary policy? Ms. Ferguson said yes.

Councilman Pena asked if an employee uses only use a portion of the hours, will the remainder be there, it will not reset the 80 hours? Ms. Ferguson said it is a onetime pay of 80 hours.

On a motion by Councilman Cain, seconded by Councilman Muraira, with all present voting "Aye" 4-0 Council unanimously approved Resolution No. 2021-2669, a resolution amending the Freeport Personnel Policy Handbook to extend the temporary emergency sick leave policy to March 31, 2021.

## **WORK SESSION:**

Councilman Pena spoke about the lighting on 2<sup>nd</sup> Street and Velasco, he said that if the Motel turned their lights off there would be no lights at this intersection. He asked about Marketing Dollars he wanted to know if the money is not spent on events where will the money go? He said that he would like to discuss more public relations and the social media policy. Councilman Pena spoke about the Texas Open Space Program, and maximizing the use of property. Mr. Kelty said that the events are scaled back, so there may be funds left over from that, he said these funds can be used on other things. He said in regard to marketing, he would meet with Councilman Pena to develop Mr. Pena's ideas regarding this goal.

Councilman Cain said that he drove around the City this weekend and he noticed storm drains that were covered with leaves and debris, he said that this is stopping the drains from draining. He said that 10<sup>th</sup> Street and Yaupon the water was over the sidewalk, the drain was covered with leaves restricting the flow. 5<sup>th</sup> Street and Locust he said the drain cover is damaged he said almost to the point one could put their foot in it, he said it could cause some issues. Mulberry and Broad he said that the leaves and debris were blocking and there was a cover missing on this drain. Mr. Kelty said that they will do a better job at watching this drainage issue.

Councilman Muraira had no comment.

Mayor Pro Tem Roy Yates said that he was out for a little over a month, and on oxygen for 35 days. He said that the virus is really bad, but he is doing a lot better and he is glad to be back.

Update on reports / concerns from Department heads

No comment from department heads.

Open session was closed at 6:56 pm and Council entered into Executive Session.

**CLOSED SESSION:**

Executive Session regarding a.) (Potential Litigation) consultation with city attorney b.) (Deliberations about Real Property), open space program, in accordance with Government Code Annotated, Chapter 551, Sections 551.071, 551.072.

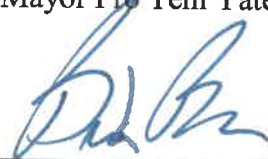
**REGULAR SESSION**

Mayor Pro Tem Yates reconvened regular session at 7:57 P.M.

There was no action taken from executive session.

**Adjourn**

On a motion by Councilman Muraira, seconded by Councilman Pena, with all present voting "Aye", Mayor Pro Tem Yates adjourned the meeting at 7:58 PM.



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Mayor, Brooks Bass  
City of Freeport, Texas



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City Secretary, Betty Wells  
City of Freeport, Texas