

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, February 22, 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:  
Councilman Jeff Pena  
Councilman Jerry Cain  
Councilman Mario Muraira  
Councilman Roy E. Yates

Staff: Tim Kelty, City Manager  
Stephanie Russell, Assistant City Manager  
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  
Chris Motley, Freeport Fire Chief  
Ray Garivey, Freeport Police Chief  
Billy Shoemaker, Building/Code Director  
Emily Jimenez, Court Supervisor  
Courtland Holman, EDC Director  
Robert Cramer, Freeport Parks Via Teleconference  
Clarisa Molina, Administrative Assistant Via Teleconference

Visitors:

Nicole Mireles	Tommy Pearson
Sam Reyna	Desiree Pearson
Ruben Renobato	Sabrina Brimage
Melanie Oldham	Manning Rollerson
Nick Irene (Facts)	Andrew Dill
Kenny Hayes	Donna Hayes
Captain Ken Green	Troy Brimage

Visitors, Via Teleconference:  
Amanda Petty Pam Tilley

**Call to order.**

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

## **INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation was led by City Manager Tim Kelty, and the Pledge was led by City Attorney Chris Duncan.

## **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.

Manning Rollerson spoke to Council about a citizen being denied water, and asked how we can give the water to other city residents but not our own residents. He said that he was concerned that the city had no power or water during the winter storm. He said that it is the elected leader's responsibility to take care of the city residents.

Ruben Renobato passed out to council a report from the city's code department on junked vehicles. He said that there should be more code cases on junked vehicles than listed in the report. He said that the report does not match the monthly cases. Mr. Renobato said that this needs to be addressed and the ordinance needs to be enforced. He told council that he hopes they review the information that he provided to them on this issue of junked vehicles.

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

### Presentation of Employee of the Month for the month of January 2021.

City Manager Tim Kelty presented employee of the month for the month of January 2021, to Emily Jimenez, Court Department Supervisor.

### Emergency management briefing COVID-19.

Freeport Fire Chief, Chris Motley said that COVID-19 for the beginning of the month the numbers were about 150 for the County. He said that on the 21<sup>st</sup> there were 20 cases in the City of Freeport, the numbers did drop with the winter storm. He said that supplies are good, we are still picking up supplies from the State. Chief Motley said that he wants to commend the dispatch.

Chief Motley said with the winter storm, the city joined with the Salvation Army and set up a warming station at the Freeport Recreation Center. He said that this facility was used until the power went out, and then it was moved to Council Chambers until the city partnered with the City of Lake Jackson, and used their Recreation Center as a warming station. Chief Motley said that he wants to commend all the Public Works employees for all of the hard work that they did during this time.

Freeport Police Chief, Ray Garivey said that he wanted to commend all the employees that serve the city for all of the hard work that was done during winter storm. He also said that there is a very high chance that the city will be receiving 150,000 pounds of food to be delivered on Wednesday night from New England, this is being sponsored by the New England Patriots. He said that they will be contacting the churches, and the food pantries so that this food gets to the people that need it the most.

Mayor Bass commended the Police Department, Fire Department, and all the departments that worked so hard during this time.

#### Presentation of FY2020-2021 First Quarterly Investment Report.

Assistant City Manager, Stephanie Russell presented to council the FY2020-2021 first quarterly investment report. She said that this report follows the Public Information Act compliance, she said this is a housekeeping item, and it must be brought before council, no less than each quarter.

#### **CONSENT AGENDA**

Consideration and possible action on the approval of City Council meeting minutes from February 1, 2021.

Consideration and possible action approving Ordinance No. 2021-2626 for the Rezoning from R1 to C2 approved by Council on February 1, 2021.

On a motion by Councilman Muraira, seconded by Councilman Pena, with all present voting "Aye" 5-0 Council unanimously approved the Consent Agenda.

#### **COUNCIL REGULAR AGENDA:**

Discussion and possible action regarding Salary Survey.

This item was tabled by Mayor Bass until March 1, 2021 City Council Meeting.

Discussion regarding 2020 Bond Projects

City Manager Tim Kelty presented the discussion regarding the 2020 Bond Projects, he said that when the bond was issued we received \$8 million. He said that this was broken down into four project areas: Improvements to city streets, sidewalks, and related infrastructure. Improvements of city drainage. Improvements to City Hall. And, improvements to City Parks and Recreational Facilities, (these were funds for Heritage House).

Mayor Bass said that his personal opinion is that he does not want to spend the money on the Heritage House, he said to bring it up to code has raised the cost of the repair beyond what he wants to spend on the building. He said we need to focus on assigning the rest of the street and drainage funding. That is his priority

Councilman Yates asked if there is a list for the streets and drainage. Mr. Kelty said that he will resend this information to Councilman Yates and the rest of the Council.

Mayor Bass said that what we are needing to do is give Mr. Kelty further direction of what we and the citizens are wanting to be done.

Councilman Pena said that he would like to see the breakdown of the list for the streets.

Councilman Muraira said that he would like the funding for the Heritage House to be moved to lighting at the ball diamonds and soccer fields around the city, or the fishing pier. He said that the renovation of

\$1.2 million to City Hall is a lot of money, but it needs to be fixed. Councilman Muraira also said that there needs to be focus on the sidewalks as well, there are many that need repair.

Freeport Police Chief Garivey said that they really need Council Chambers to be used for police use. He said that they do not have enough space.

Consideration and possible action on approving amendment to the EDC By-laws.

Mayor Bass asked City Attorney Chris Duncan, if there is any legal conflict with Councilman Pena voting on amendments as the EDC President. Mr. Duncan said no.

Freeport EDC Director, Courtland Holman presented to council the possible action on approving the amendment to the EDC By-Laws. He said that on February 9, 2021 the EDC Board voted to recommend amendments; the proposed amendments are 1). Preventing board members from abstaining from voting, and 2). Board members shall be required to attend in person a special board meeting if they request the special meeting.

Mayor Bass tabled this item until the March 1, 2021 City Council meeting.

Discussion regarding amending City Personnel Policy regarding residency requirements.

City Manager Tim Kelty presented to council the discussion of amending City Personnel Policy regarding residency requirements. He said that this was brought up by Councilman Pena, he asked of the possibility of requiring department heads to live in the city.

Councilman Pena said that he believes Freeport is a winner, and everyone wants to play for a winner. He said that he would like to know if we can make incentives to encourage employees want to live here in the city.

City Attorney Chris Duncan explained that there are state laws regarding this matter. He said that a city may not require employees to live in the city, with the exception of department heads appointed by the Mayor or Council. He said that another exception is, if a department head lives outside of the city you can have a time standard so they can respond to an emergency in a certain amount of time. He said that this can only be done to new hired employees. It cannot be retroactive.

Mayor Bass said that these standards cannot be retroactive under Section 150.021 A section C. Chris Duncan said only on proximity requirements.

Councilman Pena said that he really thinks we need to really consider incentives, he said we need to get creative.

Kenny Hayes, asked how this relates to the EDC?

Councilman Pena said this is just to help bring new jobs to Freeport.

Ruben Renobato asked if the City Charter needs to be amended to comply to the State Law?

City Attorney Chris Duncan said "no".

**WORK SESSION:**

Councilman Cain said that last week with the freezing weather, no power, and no water it was so nice to see the city come together. First Responders, Public Works, and City Residents. He said that checking on your neighbor this is something that the city government is not responsible for, this takes the people of the community, and he wants to commend everyone in the city.

Councilman Muraira asked if there is an update on the leak at the library. Lance Petty said that the water has been removed, Brazosport Plumbing replaced the pipe, and TML will send an adjuster next week. He said that hopefully it will back up and open soon. Councilman Muraira asked about the leaks in the windows, Mr. Petty said we are waiting on bids to get these replaced. Mayor Bass asked Mr. Petty who owns the building, Mr. Petty said we do. Mayor Bass who owns the books? Mr. Petty said that is the County. Mayor Bass asked if we are responsible for any remediation? Mr. Petty said he would think this would fall into the insurance claim. Councilman Muraira asked about the status of the Building/Permit Inspection form. Billy Shoemaker said that he has not had time to work on the Inspection form, he said that the department is shorthanded. Billy Shoemaker announced that our Building Inspector Daniel Ramirez passed away on Friday. Councilman Muraira asked once the inspection sheet is presented to council how can we make sure it is being used correctly, properly, and fairly. Mayor Bass said that if anyone feels that they have been treated unfairly they need to come forward, and we will stay on top of this.

Councilman Roy Yates asked why Freeport lost power as it did, and Lake Jackson and Clute didn't. Mr. Kelty said this was not due to any infrastructure to our city. He said that Centerpoint indicated it had to do with rolling brownouts but gave no detail as to how those were targeted or scheduled. We were in direct contact with Centerpoint but they would not provide ANY detail. He said that he does not have an answer as to why we lost power and others didn't. Mr. Yates said that he likes the report that Mr. Renobato handed out.

Councilman Pena thanked the emergency response team, he said that it is very encouraging seeing everyone working together and so involved. He announced that today is the Mayors birthday. Councilman Pena said that he recommends the emergency response team should have cell phones with every provider. He said that we need to have one uniform social media area for residents to go and find the information that is needed during an emergency. He said that we need to lean on each other, and look out for each other. Councilman Pena spoke again on the Police Department parking lot lighting. He said that the fountain in downtown is not working right now, do we know if it is from the freeze and if so when will we have it back to working. Lance Petty said that the field line busted, we are hoping to have it fixed by tomorrow. Councilman Pena said that he hopes that we can help the residents with the water bills, the residents that suffered from leaks. He spoke about the vacancy on the EDC Board.

City Manager Tim Kelty said that he would like to recognize that this will be the last meeting for Stephanie Russell, he said that he wanted to thank her for all her hard work in moving the city forward. Mr. Kelty said that the new Finance Director will start on March 8. He spoke on trying to bill the residents on their normal consumption, this will help the residents who had leaks from the storm. Councilman Pena asked if the golf course is up and running.

Mayor Bass said that Stephanie Russell has done a solid job on keeping everything straight. He said we will miss you. God Speed.

Update on reports / concerns from Department heads

Chief Motley said that the daily average is six calls he said that 20 plus is rare. The Chief said that we did not ID anyone at the water POD, he also said that restaurants can open back up to 75%.

Open session was closed at 7:44 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.

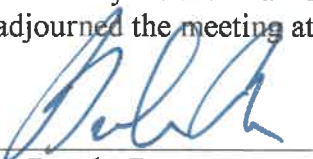
**REGULAR SESSION**

Mayor Bass reconvened regular session at 8:04 P.M.

There was no action taken from executive session.

Adjourn

On a motion by Councilman Cain, seconded by Councilman Pena, with all present voting "Aye", Mayor Bass adjourned the meeting at 8:04 PM.



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Mayor, Brooks Bass  
City of Freeport, Texas



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City Secretary, Betty Wells  
City of Freeport, Texas