

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Monday, September 19, 2022 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 Troy Brimage

Staff:

- Lance Petty, Assistant City Manager
- Betty Wells, City Secretary
- David Olson, Interim City Attorney
- Cathy Ezell, Finance Director
- Kacey Roman, Building Official
- Clarisa Molina, Administrative Assistant
- Chris Motley, Freeport Fire Chief
- Toby Cohen, IT Manager
- Danny Gillchriest Interim Police Chief
- Jose Feliciano, Freeport Municipal Golf Course
- Brian Dybala, Director Freeport Municipal Golf Course
- Wade Dillion, Freeport Historical Museum

Visitors:

Shonda Marshall	Sabrina Brimage
Desiree Pearson	Tommy Pearson
Manning Rollerson	George Matamoros
Billy Toomer	Sam Reyna
Karla Clark	Kenny Hayes
Ruben Renobato	Sandra Loeza
James Carter	Larry Fansher
Mingo Marquez	

**Call to order.**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation was a moment of silence and Pledge was led by Mayor Bass.

**CITIZENS' COMMENTS:**

Manning Rollerson said he was approached with a petition for the removal of Ward D Councilman. He said that he would like to know the about the Interlocal Agreement with Freeport and the East End, he said in every closed session there is discussion on the East End. He spoke about his Public Information Request that is being sent to the Attorney General Office. He said it takes too long to get these.

Larry Fansher said on December 6, 2021 the city entered into a with Agreement AmeriWaste for solid waste. Mr. Fansher said flyers were sent out to residents and businesses letting all know what will and will not be picked up. But there was no information given on the roll off dumpsters, and the mandatory use of Wastemasters for the roll offs, he said this is the failure of the City. He said that any citation issued and any fines that may have been given, need to be waived.

Sam Reyna 2002 N Ave G, spoke about Section 20, #1 of the AmeriWaste Agreement. He said “shall” is mandatory per the agreement. He spoke about the list of contractors that AmeriWaste “shall” submit. He said this is mandatory, he asked if AmeriWaste submitted any list to the City?

Shonda Marshall 135 Brazos Landing, spoke of the Holiday Schedule that was passed at the last meeting. She said she would like to see this list amended to add the Juneteenth Holiday.

Karla Clark spoke of the demand letter that was sent to Councilman Brimage. She said he is under investigation for taking the money, and not paying the money to the City. She said she sent in a PIR, that has been answered. She said there was information that was left off of the demand letter, that she believes is an additional \$45,000. She said it has been two months and we have heard nothing. She hopes the city will get this money back for the tax payers. She said there needs to be full disclosure.

Melanie Oldham 922 West 5, said there is a recall petition for Councilman Ward A. She said Ms. Clark needs to not listen to one or two people, but look at the facts. Ms. Oldham spoke of her service on the EDC. She said that she has been only three minutes to speak at any EDC Meeting. Ms. Oldham said there is some problems that need to be worked out on the Sub Committees. She spoke about the issues with the Grants being given through the EDC. She said these grants need to be restructured.

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

Presentation by EDC President Mingo Marquez on the Grants given by the Freeport EDC.

EDC President Mingo Marquez presented to council the Grants given by the Freeport EDC.

Presentation of Employee of the Month, for the Month of August.

Assistant City Manager Lance Petty, presented the Employee of the Month of August, to Jose Felicano.

### **CONSENT AGENDA**

Consideration and possible action on the approval of City Council meeting minutes from September 6, and September 12, 2022.

Consideration and possible action for the approval of road closures for Fall Market Days on Saturday October 29, and Saturday November 12, 2022.

Consideration and possible action on the approval of road closures for the Ghost Walk on October 29, 2022 from 6:00pm-8:00pm

A motion was made to approve the consent agenda by Councilman Brimage, seconded by Councilman Cain. With all present voting "Aye" 5-0 council unanimously approved the Consent Agenda.

## **COUNCIL REGULAR AGENDA**

### Consideration and possible action approving the EDC Budget for Fiscal Year 2022/2023.

Melanie Oldham said three quarter of the people that applied for the EDC Grants were 100 % deserving of these. But the ones that she questions are Mr. Bearcroft, he owns Outriggers, and Port Café and the tenants applied for the Grants for these buildings. She spoke on the EDC Budget, she wants to know why the professional fund in zero?

Freeport EDC President, Mingo Marquez and Freeport EDC Treasurer, Sandra Loeza presented to Council the EDC Budget for Fiscal Year 2022/2023.

There was discussion on Executive Director Position and pay, Professional Services, EDC owned buildings and lots, Fish Market, the Beach Sign. Mayor Bass asked when was the last audit on the EDC Books? Ms. Ezell said it is conducted at the same time as the City's audit.

Karla Clark asked if there is a limit of how often a business may apply a grant? Mr. Marquez said yes there is limit, and financial cap. Ms. Clark asked why the water usage is so high on unoccupied buildings? Mr. Marquez said the water bill is a minimum, there is no water usage.

A motion was made to approve the EDC Budget for Fiscal Year 2022/2023 by Councilman Cain, seconded by Councilman Pena. With all present voting, 4-1 council approved the EDC Budget for Fiscal Year 2022/2023. Councilman Brimage voted "Nay".

### Consideration and possible action approving the City Manager to sign a one-year contract extension for depository services with Texas Gulf Bank.

Finance Director Cathy Ezell presented to council the possible approving of the City Manager to sign a one-year contract extension for depository services with Texas Gulf Bank. She said in 2019 the City entered into a two-year contract with Texas Gulf Bank. She said we extended the contract last year, and this will be the second extension. All fees are staying the same.

A motion was made to approve the City Manager to sign a one-year contract extension for depository services with Texas Gulf Bank, by Councilman Pena, seconded by Councilman Muraira. With all present voting "Aye" 5-0 council unanimously approved the City Manager to sign a one-year contract extension for depository services with Texas Gulf Bank.

### Consideration and possible action approving FEMA American Firefighter Grant for training, in the amount of \$113,953.

Freeport Fire Chief Chris Motley presented to council the possible action approving FEMA American Firefighter Grant for training, in the amount of \$113,953. He said this is the Grant we applied for in January. He said it pays for tuition and reimbursement of salaries of employees at training. Chief Motley said staff is recommending to approve the acceptance of this grant. Ten percent of it is required to match the portion. These funds are available within our existing budget.

A motion was made to approve the FEMA American Firefighter Grant for training, in the amount of \$113,953, by Councilman Brimage, seconded by Councilman Cain. With all present voting "Aye" 5-0 council unanimously approved the FEMA American Firefighter Grant for training, in the amount of \$113,953.

Consideration and possible action on designation of City Representative to HGAC General Assembly.

Assistant City Manager Lance Petty presented to council the designation of City Representative to HGAC General Assembly. He said last year Councilman Pena was appointed as the Representative and Councilman Cain was presented as an Alternate. Mr. Petty said both have said they are willing to continue to serve.

A motion was made to approve the designation of City Representative to HGAC General Assembly, by Councilman Brimage, seconded by Councilman Muraira. With all present voting "Aye" 5-0 council unanimously approved appointing Councilman Pena as the Representative, and Councilman Cain as the Alternate.

Consideration and possible action approving the proposal from Bickerstaff for the redistricting of the Wards in the City of Freeport.

Assistant City Manger Lance Petty presented to council the possible action approving the proposal from Bickerstaff for the redistricting of the Wards in the City of Freeport. Mr. Petty said this will be about a three-month process. It will involve significant council consideration and public input. The estimated cost is \$41,060. Staff recommends approving this proposal.

A motion was made to approve the proposal from Bickerstaff for the redistricting of the Wards in the City of Freeport, by Councilman Brimage, seconded by Councilman Cain. With all present voting "Aye" 5-0 council unanimously approved the proposal from Bickerstaff for the redistricting of the Wards in the City of Freeport.

Consideration and possible action to ratify cost for materials for County Asphalt Program.

Assistant City Manager Lance Petty presented to council the possible action to ratify cost for materials for County Asphalt Program. He said there was a cost increase in the amount of \$19,843.23. Mr. Petty said what this is, is to authorize the Mayor to sign off on the cost difference.

Councilman Cain asked if we have a say in which roads are done first? Mr. Petty said we can line up with County which roads are done.

A motion was made to approve the possible action to ratify cost for materials for County Asphalt Program, by Councilman Brimage, seconded by Councilman Pena. With all present voting "Aye" 5-0 council unanimously approved the action to ratify cost for materials for County Asphalt Program.

**WORK SESSION:**

Councilman Pena said the Texas Navy Day that was held at the Museum was a huge success. He thanked Mr. Petty and his crew for doing the annual maintenance on the palms and keeping the streets clean. Councilman Pena asked if we can do a press release for a Port update to the community. Councilman Pena said he would like for council to be copied in the PIR. He spoke of the roll off dumpsters, and he said he would like to have a meeting with AmeriWaste to get this section of the contract corrected. He

said he would like to amend the holiday schedule to include Juneteenth since it is a National Holiday. He asked Mr. Petty if we can get started on the Christmas lights downtown next week.

Councilman Cain had no comments.

Councilman Muraira congratulated Assistant City Manager Lance Petty on his new role. He commended the EDC PowerPoint. He said it really shows what the EDC has been doing to support local businesses. Councilman Muraira spoke of the roll offs and social media. He asked the public to come to the meetings and voice their concerns, to not do it on social media. He spoke about Velasco Drainage, he said he was sent some pictures of the ditches, at Hwy 36, Magnolia and Cedar he said they look really good. He gave props to Lance and props to Velasco Drainage.

Councilman Brimage had no comments.

Assistant City Manager Lance Petty said Union Pacific should be done on this Friday, and 2<sup>nd</sup> Street should be opened back up. He reminded everyone of the Homecoming Parade and the Bond Fire, this Thursday beginning at 5:30.

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

Finance Director Cathy Ezell said she received the first draw for both projects for the sewage and drainage, from Grant Works. She said they are still working on the environmental and the engineering. She said we are still in the beginning process.

Councilman Pena congratulated the Employee of the Month, Mr. Felicano. Councilman Pena asked if we have updated maps of the streets for sewer lines? He asked if the PD will have response with the BISD, he asked what is our response protocol? Interim Police Chief Gillchrist said there were officers inside the school and on campus, three days out of the week.

#### **CLOSED SESSION:**

Open Session was closed at 7:28 PM.

Mayor Bass asked if Mr. Petty, and Betty Wells, to be included in Executive Session.


Executive Session was closed at 7:54 PM

No action was taken from Executive Session.

#### Adjourn

On a motion by Councilman Cain, seconded by Councilman Pena, with 5-0 vote, Mayor Bass adjourned the meeting at 7:54 P.M.

  
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Mayor, Brooks Bass  
City of Freeport, Texas

  
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City Secretary, Betty Wells  
City of Freeport, Texas