

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of Freeport, Texas met on Tuesday, February 21, 2023 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

Staff: Tim Kelty, City Manager
Lance Petty, Assistant City Manager/PWD
Betty Wells, City Secretary
Clarisa Molina, Administrative Assistant
Scott Bounds, Interim City Attorney
Cathy Ezell, Finance Director
Toby Cohen, IT Manager
Donna Fisher, Human Resource Director
Kacey Roman, Building Official
Chris Motley, Fire Chief
Robert Johnson, EDC Director
Jennifer Howell, Freeport Police Chief

Visitors:

George Matamoros	David McGinty
Karla Clark	Melanie Oldham
Margaret Bachman	Ron Bachman
Manning Rollerson	Margaret McMahan
Con McCleester	Diane McCleester
Kent Holle	Anahi Reyes
Mina Orosco	Pam Dancy

Call to order.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation was led by City Manager Tim Kelty, and Pledge was led by Mayor Brooks Bass.

CITIZENS' COMMENTS:

Mina Orosco spoke to council a non-profit organization. The program is to help homeowners. She said if we don't start using the funding, it can possibly get reallocated. The name of the Company is Legacy Community Development Corp.

Melanie Oldham spoke in agreement with item #7, she said the beach is an asset to the city. Ms. Oldham is in opposition of item #8, she said she is not sure if we need a Police Substation.

Manning Rollerson spoke of the chlorine smell, he said he received the report from Fire Chief. Mr. Rollerson said he has sent the report to the Federal Government and to TCEQ. He spoke of Mr. Woodard, and wants to know if this was racial attack. He asked about Taco Bell, he said he opposes this, we need a grocery store, and houses.

Shonda Marshall thanked council for working together. She said she was pleased to see the Mayor and Councilman Pena coming together to co-sponsor some agenda items. She said you guys are an example, and this is a good sign.

Anai Reyes, 1624 N. Brazosport said she is trying to open a business and she cannot get a call back from the Code Department. She said she is seven days from paying her lease, and she is wanting to bring this business to the city. Ms. Reyes said she hopes council can help her get the answers she needs on how to open.

Pam Dancy complemented Mr. Petty and his team for fixing the Library sign.

Karla Clark, thanked Mr. Petty and his team for repairing the leak on Marlin and Sailfish. She spoke of the over grown property on Ave I, this property is in the City Trust. Ms. Clark asked why the city has not taken care of this. She spoke of the alleyway on Mystery Harbor has no signs, and has speed bumps. She spoke of Munson and Ave G, there is a large pothole. She said 409 South Ave F had a tax lien to tear down the home, and now the property owner is being threatened to be fined for the cinder blocks that are left.

Margaret McMahan 1330 W. 8th Street, spoke of loose dogs in Freeport. She said five times since January 15, she has had to use her pepper spray on dogs to keep from being attacked. She said this occurred on the 1300 & 1400 blocks of West 7 & 8. She spoke of making a complaint, and followed up the next day and nothing had been done. She asked why an officer cannot stop when they see a habitual offender. She said the city needs to do more before something tragic or fatal happens.

Jeff Pena, 224 West Park thanked the Main Street Board and the EDC for the Mardi Gras event. He spoke of the agenda items 7, 8, & 9. He said that being on council does not mean you have to like each other, but we do. He spoke of Go Texan Day, on Friday February 24th. He also said it is Black History Month. He paraphrased a quote by Martin Luther King.

David McGinty, 521 W, Broad said he supports item #7 on the agenda, but he does not support restricted beach access, and he does not like budget amendments. He said he gives the beach crew thumbs up. Mr. McGinty opposes item #9, and he believes item #8 the numbers show Wards C & D need a Police Substation instead of Ward A.

Karla Clark, 411 Sailfish said the end of Ave H, by the Missouri Pacific Railroad, there is a Sprint roll off dumpsters and Sprint regular dumpsters. She said she wants to know why they are allowed to have this, but residents are not allowed to use any other company. She said she wants a response to this.

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

Presentation of the Quarterly Report for the First Quarter of FY 2023.

Finance Director Cathy Ezell presented to council the Quarterly Report for the First Quarter of FY 2023.

CONSENT AGENDA

Councilman Pena asked that item #3 be moved to regular session.

Consideration and possible action on the approval of City Council meeting minutes from February 6, 2023.

A motion was made by Councilman Muraira to approve the February 6, 2023 meeting minutes, seconded by Councilman Cain, with all voting "Aye" 4-0 council unanimously approved the February 6, 2023 meeting minutes.

COUNCIL REGULAR AGENDA

Consideration and possible action for the approval of road closures for the Annual Easter Egg Hunt hosted by Barcadia.

A motion was made by Councilman Cain to approve road closures for the Annual Easter Egg Hunt hosted by Barcadia, seconded by Councilman Muraira. With discussion that followed.

Councilman Pena spoke of the success of this event the last few years, but he has concern of Barcadia closing. Councilman Pena asked that this be put on the next agenda until we know where the business stands.

Mayor Bass called the motion for a vote. Motion fails with all voting "Nay"

Consideration and possible action on First Reading of the EDC Project.

EDC Director Robert Johnson, presented to council the First Reading of the EDC Project for Taco Bell.

City Manager Tim Kelty read Resolution No. 2023-2782.

There was discussion on the sales tax for the City from the business. Council asked if there are any other Grants and the Incentives that are being offered. There was discussion on the reimbursement from the City. Council discussed the salary for the employees. It was asked that there be more clarification on the numbers being discussed for this project.

George Matamoros, North Ave O said this has been discussed since November 21, 2021 by the EDC.

City Manager Tim Kelty said there was no signed contract prior to action by EDC, and the company had waited for endorsement from the EDC. Mr. Kelty spoke of the \$1.9 million dollars being invested.

There was no action needed on this item.

Consideration and possible action approving Resolution No. 2023-2778 Reaffirming Ethics Ordinance No. 2019-2567.

A motion was made by Councilman Pena, to approve Resolution No. 2023-2778 Reaffirming Ethics Ordinance No. 2019-2567, seconded by Councilman Muraira. With discussion that followed.

Councilman Pena asked what section is the social media conduct by employees? Mr. Kelty said the social media policy is separate from the Ethics Ordinance.

Mayor Bass called the motion for a vote, with all present voting "Aye" 4-0 council unanimously approved Resolution No. 2023-2778 Reaffirming Ethics Ordinance No. 2019-2567.

Consideration and possible action on approving Resolution No. 2023-2781 amending the policy for the take home vehicles.

Human Resource Director, Donna Fisher presented to council Resolution No. 2023-2781 amending the policy for the take home vehicles. She said this is recommended by staff. Ms. Fisher said this will better control use of the City Vehicles, and will meet the requirements of the IRS.

A motion was made by Councilman Cain, to approve Resolution No. 2023-2781 amending the policy for the take home vehicles, seconded by Councilman Muraira. With discussion that followed.

Councilman Pena asked if this item is clarifying the tax of the take home vehicle? Ms. Fisher said yes, but it also provides for better understanding of the rules.

Manning Rollerson asked who gets the fuel cost and maintenance for these vehicles? Mr. Kelty said the city pays the costs of fuel and maintenance on all city vehicles. Mr. Rollerson said he opposes this.

Mayor Bass called the motion for a vote, with all present voting "Aye" 4-0 council unanimously approved Resolution No. 2023-2781 amending the policy for the take home vehicles.

Discussion regarding Police Substation in Downtown at former BCC offices- next door to museum.

Councilman Pena said this is brought because of his concerns in downtown. There was discussion of having more police presence in the downtown. He said there will be faster response times if there is a substation in Ward A. There was discussion for more Patrol Officer presence.

Pam Dancy, supports the presence of more Patrol Officers, and letting citizens know who is on duty.

No action was needed for this item.

Discussion and Possible Action for soliciting Architecture Plans for new Rec Center and Discussion of Site Placement.

Councilman Pena said we need to prioritize what will benefit the citizens of Freeport. He said the Rec Center could be utilized more, if it is redone. He said we are just wanting to get ideas on what can be done and what can be used with a new Rec Center.

Mayor Bass said he is not sure if he is for it if the cost analyst is \$30,000. The Rec Center does not make money, but it is a service to the City of Freeport residents. He said the Rec Center may be utilized more if it is redone. There was discussion of the funds not being there, and we may have to go out for bonds.

Councilman Muraira said he would be in favor to put it up for election, to get the thoughts of the citizens.

Councilman Cain said he is in favor of sight placement and building a new Rec Center. He opposes doing a budget amendment, and he thinks we need citizens input.

Councilman Pena spoke of the benefits of a new Rec Center, and how it will meet the needs of the citizens.

Pam Dancy is in support of this, she said it will be good for the teenagers of the City.

Shonda Marshall is in support, she said a lot of children have nothing to do. She said this will offer more for our children. She said we need to be smart with the design of the building.

Karla Clark said it needs to be cost effective.

Mayor Bass said every school day, at the Methodist Church there is a program called the "Spot" for high schoolers and middle school students. He believes it will house up to 40 kids and they are looking for volunteers.

A motion was made by Mayor Bass to table this item, seconded by Councilman Cain. With all present voting "Aye" 4-0 council unanimously approved tabling this item.

Discussion and Possible Action for Budget Amendment for the asphalt paving at FM 1495 Beach Entry from Stop Sign intersection to Dunes.

Mr. Petty said the road is actually asphalted from 1495 to where the County put asphalt. Mr. Petty said there is approximately 530 feet that actually needs to be asphalted. Councilman Pena said he wants it to look clean. He said the esthetic is important. Councilman Pena said we have the money.

There was discussion on the amount this will cost. Mr. Petty said this will not be warrantied work, because of Storms and the likelihood that it would erode. He said he could get a quote for including a seal coat.

Councilman Cain said there is \$150,000 budgeted for the T-Docks. The budget came in at \$95,000, this leaves \$55,000 and it will not require a budget amendment. Mr. Kelty said we have money budgeted for 5th Street as well, we would not have to do a budget amendment.

Mr. Kelty said the project would have to go out for competitive sealed bids because it will be over \$50,000.

Ms. Clark said roads need work, she asked if money will be taken from these?

George Matamoros opposes this, he said the asphalt will wash away.

Council discussed the importance of repairing the streets in Freeport that need repair, and the T-Dock for the safety of citizens that was voted down. There was discussion in the scope of work changing, for the beach road, and some citizens saying they do not want this, and some are in agreement. It was asked that Mr. Kelty and Mr. Petty get the cost of this project.

A motion was made by Councilman Pena to pave the widened road as previously planned from where the asphalt ends, to the dunes, for \$49,999.99, seconded by Councilman Muraira. With a 3-1 vote, council

approved extending and widening the asphalt paving at Bryan Beach Entry road from the end of the County work to Dunes for an amount not to exceed \$49,999.99. Councilman Cain voted "Nay"

WORK SESSION:

Councilman Pena thanked all the citizens who spoke in citizens comments. He spoke of the stray animals in the City, he said he has been chased by dogs on 4th, 5th, and 6th Streets. Councilman Pena said the settings on the live-stream is very distracting with the constant advertisements for city events and asked if it can go back to the way it was. He spoke of the Old PD on Ave A and Division, he said the back of that property needs to be cleaned. He asked why the gumbo cookoff was canceled at the Mardi Gras. He asked that speed limit signs be posted at the beach, he said that speed is 15 MPH. He asked about the reflectors being placed in downtown area. Mr. Petty said this will be about \$8,000 for this project. Councilman Pena asked that this be added to the next agenda.

Councilman Cain spoke of the dogs in Freeport, he said his dog was attacked by a loose dog while on a walk with his daughter. He said we need to encourage patrol and ACO to pickup these stray dogs. He congratulated all involved in the Mardi Gras event. He asked when the City Wide Clean up will be held? Mr. Kelty said April 22, at O.A. Fleming from 8 AM to 12:00 PM.

Councilman Muraira asked about the sidewalks on Dixie when they will be completed. Mr. Petty said it is part of Phase 1. He said we are expected to have this closed out by March 15. Councilman Muraira said there was a complaint about the levee trail by the Mystery Boat needing to be leveled out. Mr. Petty said he believes it has been corrected.

City Manager Tim Kelty said Mr. Dybala at the golf course, said the City Golf Course host the Brazosport High School golf team. He said it is usually seven or eight students that sign up, this year forty students have signed up.

Mr. Kelty presented a PowerPoint of his Goals and Objectives to Council. The 8 goals he shared related to water and sewer improvements, City Hall renovations, housing development, street reconstruction, East End resolution with the Port, planning and budgeting, economic development, and establishing City core values and guiding principles.

Mayor Bass made a motion to include Mr. Kelty in Executive Session, seconded by Councilman Pena with all present voting "Aye" 4-0 motion passed.

CLOSED SESSION:

Open Session was recessed and Executive session was opened at 8:42 P.M.

Executive Session was closed at 10:20 P.M

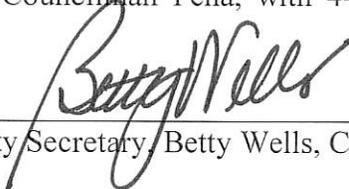
OPEN SESSION:

Adjourn

On a motion by Councilman Muraira, seconded by Councilman Pena, with 4-0 vote, Mayor Bass adjourned the meeting at 10:20 P.M.



Mayor Brooks Bass, City of Freeport



City Secretary Betty Wells, City of Freeport