

State of Texas

Brazoria County

City of Freeport, Texas

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, January 7th, 2008, at 6:00 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Blvd., Freeport, Texas, for the purpose of considering the following agenda items:

City Council: Larry L. McDonald
Clan A. Cameron
Jim Saccomanno
John Smith, III
Norma M. Garcia

Staff: Gary Beverly, Acting City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Jeff Pynes, Police Chief
Doug Caffey, Building Inspector
Larry Fansher, Public Works Director

Visitors: Sandra Barnett Jim Barnett
George Elizondo Eric Hayes
Joyce Adkins Diane Williams
Lucky Gilbert Roddy Mohler
Mary Ruth Rodenbaugh Charles Porter
Lila Lloyd Jim Pirrung
Dorothy Pirrung

Call to Order.

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

Invocation.

Wallace Shaw, offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the December 3rd, 2007 Council Minutes.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the December 3rd, 2007, Council Minutes.

Attending Citizens and Their Business.

There were no comments.

Consideration of the approval of the Final Report of the Charter Review Commission and directing the City Attorney to prepare a Charter Election Ordinance or other Ordinance(s) as recommended by the Commission.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the final report of the Charter Review Commission and directing the City Attorney to prepare a Charter Election Ordinance, and to prepare two ordinances to Chapter 32 of the Charter Review: Adding a new section 32.00.4 , providing for review in its final form by the Planning Commission of any ordinance affecting traffic or zoning and another new section 32.80 establishing a property department for said City.

Consideration of the approval of Ordinance No. 2008-2184 vacating, abandoning and closing portions of the dedicated streets in the Freeport Townsite, known as Beech Street and Brazos Boulevard, and authoring the Mayor or Mayor Pro Tem to execute a special warranty deed conveying such portions to the adjoining land owner.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved Ordinance No. 2008-2184 vacating, abandoning and closing portions of the dedicated streets in the Freeport Townsite, known as Beech Street and Brazos Boulevard, and authorizing the Mayor or Mayor Pro Tem to execute a special warrant deed conveying such portions to the adjoining land owners.

Consideration of the approval of Resolution No. 2008-2159 to join and participate in the Brazoria County Storm Water Quality Coalition.

Rick Masters, Environmental Specialist of Carroll & Blackman, Inc., explained that entities located within Brazoria County have formed a coalition to develop a joint Storm Water Management Program in order to take advantage of cost savings and develop regional continuity.

On a motion by Council Cameron, seconded by Councilman Smith, with all present voting “aye” Council approved Resolution No. 2008-2159 to join and participate in the Brazoria County Storm Water Quality Coalition.

Consideration of the approval of the Brazoria County Water Quality Storm Water Management Program which includes authorizing the Mayor to sign an application for permit coverage.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved the Brazoria County Water Quality Storm Water Management Program which includes authorizing the Mayor to sign an application for permit coverage.

Note: Councilwoman Garcia left the council chambers to attend a family wake.

Consideration of the approval of Resolution No. 2008-2160 adding “Tanning Beds” to the list of permitted uses in the C-1 Retail business zoning district.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting 4 to 0, Council approved Resolution No. 2008-2160 adding “Tanning Beds” to the list of permitted uses in the C-1 Retail business zoning district.

Consideration of the approval of selling the City’s interest at Block 2, Lot 28, Bridge Harbor Section 2, A0051 F. J. Calvit, BCIC Division 8, Acct. 2190-0193-000, known as off Marlin Drive.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved to reagenda items 11 thru 22.

Consideration of the approval of selling the City’s interest at Block 2, Lot 26, Bridge Harbor Section 2, Abstract 51 F. J. Calvit, BCIC Division 8, Acct. No. 2190-0191-000 known as off Marlin Drive.

This item was reagendaed.

Consideration of the approval of selling the City’s interest at Block 1, Lot 28, Bridge Harbor Sec. 2, F. J. Calvit, BCIC Division 8, Acct. No. 2190-0164-000, known as off Marlin Drive.

This item was reagendaed.

Consideration of the approval of selling the City’s interest at Block 2, Lot 16, Bridge Harbor Section 2, Abstract 51 F. J. Calvit, BCIC Division 8, Acct. No. 2190-0182-000, known as off Marlin Drive.

This item was reagendaed.

Consideration of the approval of selling the City’s interest at Block 2, Lot 6, Bridge Harbor Section 2, Abstract 51, F. J. Calvit, BCIC Division 8, Acct. No. 2190-0172-000, known as off Marlin Drive.

This item was reagendaed.

Consideration of the approval of selling the City's interest at Block 3, Lot 7, Bridge Harbor Section 2, Abstract 51, F. J. Calvit, BCIC Division 8, Acct. No. 2190-0201-000, known as off Marlin Drive.

This item was reagendaed.

Consideration of the approval of selling the City's interest at Block 4, Lot 20, Bridge Harbor Section 2, Abstract 51, F. J. Calvit, BCIC Division 8, Acct. No. 2190-0246-000, known as off Marlin Drive.

This item was reagendaed.

Consideration of the approval of selling the City's interest at Block 2, Lot 15, Bridge Harbor Section No. 2, Abstract 51 F. J. Calvit, BCIC Division 8, Acct. No. 2190-0181-000, known as off Marlin Drive.

This item was reagendaed.

Consideration of the approval of selling the City's interest at Block 85, Lot 13-14, Velasco Townsite, Acct. No 8110-0858-000, known as 121-123 South Ave. F.

This item was reagendaed.

Consideration of the approval of selling the City's interest at Block 6, Lot 26, Southview Garden S/D, Acct. No. 7750-0115-000, known as 818 W. 11th Street.

This item was reagendaed.

Consideration of the approval of selling the City's interest at Block 758, Lot 2, Velasco Townsite, Acct. No. 8110-3584-000, known as 1522 North Ave. M.

This item was reagendaed.

Consideration of the approval of selling the City's interest at Block 718, Lot 17-18, Velasco Townsite, Acct. No. 8110-3118-000, known as 1209-1211 North Ave. P.

This item was reagendaed.

Consideration of the approval of a request from Habitat for Humanity of Southern County to waive building and permit fees on 410 W. Broad Street.

Mary Ruth Rodenbaugh, Board Member of Habitat of Humanity stated that this would be their 19th house built in City of Freeport.

James Barnett asked that an asbestos evaluation be done so that the removal of asbestos could be removed properly. He asked that the demolition of the slab be done in a more gentle way, neighbors were complaining on their houses shaking.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved a request from Habitat for Humanity of Southern County to waive building and permit fees on 410 W. Broad Street.

Elected Official Report

Councilman Saccomanno reported Main Street Committee meets tomorrow.

Councilman Smith reported that the Freeport Senior Citizens Commission just published their events for 2008.

Mayor McDonald attended all of the meetings and the City and Port Christmas Parties..

Work Session

Administration Report

Gary Beverly reported that the City of Freeport will be closed on January 21st, 2008, to observe Martin Luther King Day. A parade is scheduled at noon. City Council resumes on the 22nd day of January, 2008. Starting the New Year with a very positive attitude.

The street department is working on 9th street, finish pouring on one side, rebaring the other side, and 10th street is open and looking good. Progress on Ave H, drainage work by the county. Taking more steps to be more open and excel in customer service.

The City has implemented tracking software on line to follow up on action items reported within the City. Citizens will be able to go on use with this software to report problems.

Waste Management had three trucks break down, playing catch up, fell behind but trying to catch up with their routes, working on heavy trash issues.

Gary Beverly and Mayor McDonald attended a meeting on a proposed bus routes from Angleton to Freeport. Freeport is in need of a bus route.

Chief Pynes has completed the Policies and Procedures Manuel for the Police Department. The Texas Policy Chiefs Association has recognized Freeport Police Department is the first law enforcement agency in Brazoria County to receive this nomination that rates as Texas best standards. The City of Freeport is very proud to receive this recognition.

Discussion concerning water and sewer utilities to Jones Creek.

Jones Creek has applied for funding for water and sewer services. Jones Creek is exploring providing water and sewer to their citizens, looking to tie in to BWA. Their route plans cross Freeport ETJ. Jones Creeks asks if the City of Freeport had problems crossing Freeport ETJ. The City of Freeport does not presently provide water and sewer to this area, and does not see a problem.

Mayor McDonald closed the work session and opened the Executive Session at 7:52 p.m.

Executive Session:

A. Section 551.071, Government Code

Consultation with the City Attorney concerning pending or contemplated litigation Settlement offers or other matter in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- (1) Interpretation of HB 1311, regarding the annexation of land owned by Port Freeport

B. Section 551.074, Government Code

Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:

- (l) Gary Beverly - Acting City Manager

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, the meeting was adjourned at 9:10 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor